



TITLE 3, BUSINESS OCCUPATIONS AND PROFESSIONS, ANNOTATED CODE OF MARYLAND

§3-101.

- (a) In this title the following words have the meanings indicated.
- (b) “Architect” means an individual who practices architecture.
- (c) “Board” means, unless the context requires otherwise, the State Board of Architects.
- (d) “Code official” means a public official responsible for the review of building permit documents or the issuance of building permits.
- (e) “Contact hour” means a minimum of 50 minutes of actual class time for each 60-minute hour.
- (f) “Design coordination” means the review and coordination of services provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of this article.
- (g) “License” means, unless the context requires otherwise, a license issued by the Board to practice architecture.
- (h) “License fee” means, as applicable, the fee paid in connection with the issuance and renewal of a license and the issuance of a reciprocal license.
- (i) “Licensed architect” means, unless the context requires otherwise, an architect who is licensed by the Board to practice architecture.
- (j) “Permit” means, unless the context requires otherwise, a permit issued by the Board to allow a partnership or corporation to operate a business through which an individual may practice architecture.
- (k) “Permit fee” means, as applicable, the fee paid in connection with the issuance and renewal of a permit.
- (l) (1) “Practice architecture” means to provide any service or creative work:

(i) in regard to an addition to, alteration of, or construction of a building or an integral part of a building; and

(ii) that requires education, training, and experience in architecture.

(2) "Practice architecture" includes:

(i) architectural design and preparation of related documents;

(ii) consultation;

(iii) design coordination;

(iv) evaluation;

(v) investigation; and

(vi) planning.

(m) "Public use" means the use of a building or other structure for the primary purpose of human use or habitation.

(n) "Residential use" means the use of a building or other structure as a dwelling.

§3-102.

The purposes of this title are to safeguard life, health, public safety, and property and to promote the public welfare by regulating persons who practice architecture in the State.

§3-103.

(a) Except as otherwise provided in this section, all architectural documents prepared in connection with the addition, alteration, construction, or design of a building, an integral part of a building, or a group of buildings which are intended for public use or residential use shall be signed, sealed, and dated by a licensed architect in accordance with § 3-501 of this title.

(b) A licensed architect may perform design coordination for a project or portion of a project provided that the licensed architect:

(1) holds a current license issued by the Board; and

(2) has adequate experience in, and understanding of, achieving the purpose of the project or portion of the project being coordinated.

(c) This title does not limit the right of:

(1) a construction contractor to administer construction contracts;

(2) a developer, builder, or contractor to provide design services related to the developer's, builder's, or contractor's own construction of new or existing single-family or two-family dwellings, or structures ancillary to them, or farm buildings;

(3) a certified interior designer or other individual to provide interior design services as that term is defined in Title 8 of this article; or

(4) an individual to prepare plans, drawings, and other documents in connection with the addition, alteration, construction, design, or repair of a single-family dwelling and appurtenances that are for the personal use of that individual or a member of the immediate family of that individual.

(d) (1) A person may not be required to employ a licensed architect in connection with the alteration or repair of an existing building or structure in a municipal corporation if the alteration or repair:

(i) does not adversely affect the structural system of the building, including foundations, footings, walls, floors, roofs, bearing partitions, beams, columns, joists, or the mechanical, electrical, or plumbing systems; and

(ii) 1. complies with the Maryland Rehabilitation Code and does not exceed \$25,000 in estimated costs, including labor and materials for alterations or repairs limited to:

- A. minor interior alterations or cosmetic or similar repairs; and
- B. fixtures, cabinetwork or furniture; or

2. does not exceed \$10,000 in estimated costs, including labor and materials, for alterations or repairs limited to:

- A. Storefronts, facades, or similar replacements;
- B. exterior stairways, landings, decks, or ramps;
- C. joists; or
- D. a mechanical, electrical, or plumbing system.

(2) Any work performed under this subsection shall be in compliance with the Americans with Disabilities Act and the Maryland Building Performance Standards set forth in Title 12, Subtitle 5 of the Public Safety Article.

(3) The exclusion provided for in this subsection shall be used only once per building or structure in a 12-month period.

(4) A building permit issued under this subsection:

(i) shall contain an affidavit signed by the person who has submitted the permit stating that the repair or alteration is in compliance with this subsection; and

(ii) may not be amended or revised in any way to cause the alteration or repair to exceed the

maximum amount in total costs authorized under paragraph (1) of this subsection, including labor and materials.

(5) Any building permit issued under this subsection that contains technical submissions that fail to conform to the requirements of this subsection shall be invalid.

(e) Notwithstanding the provisions of subsection (d) of this section, a code official may require that architectural documents for alterations or repairs of existing buildings or structures be signed and sealed by a licensed architect if the code official determines that the signature and seal of a licensed architect is necessary to provide conformity with the Maryland Building Performance Standards or to otherwise provide for the health and safety of the public.

§3-201.

There is a State Board of Architects in the Department.

§3-202.

(a) (1) The Board consists of 7 members.

(2) Of the 7 members of the Board:

(i) 5 shall be licensed architects; and

(ii) 2 shall be consumer members.

(3) The Governor shall appoint the members with the advice of the Secretary and the advice and consent of the Senate.

(b) Each member of the Board shall be a resident and citizen of the State.

(c) Of the 5 architect members of the Board:

(1) at least 3 shall hold a professional degree from an architecture program accredited by the National Architectural Accrediting Board; and

(2) each shall have practiced architecture in the State, in private practice as a primary vocation, for at least 10 years before appointment.

(d) Each consumer member of the Board:

(1) shall be a member of the general public;

(2) may not be a licensee or otherwise be subject to regulation by the Board;

(3) may not be required to meet the qualifications for the professional members of the Board; and

(4) may not, within 1 year before appointment, have had a financial interest in or have received compensation from a person regulated by the Board.

(e) While a member of the Board, a consumer member may not:

- (1) have a financial interest in or receive compensation from a person regulated by the Board; or
- (2) grade any examination given by or for the Board.

(f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(g) (1) The term of a member is 5 years and begins on July 1.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 1989.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(h) (1) The Governor may remove a member for incompetence or misconduct.

(2) Except as provided in paragraph (3) of this subsection and subject to paragraph (4) of this subsection, a member shall be considered to have resigned if the member did not attend at least two-thirds of the Board meetings held during any consecutive 12-month period while the member was serving on the Board.

(3) The Governor may waive a member's resignation and allow the member to continue serving if the member has been unable to attend meetings for reasons satisfactory to the Governor and the reasons are made public.

(4) In accordance with § 8-501 of the State Government Article, the chairman shall provide notice to the Governor and the Governor shall appoint a successor.

§3-203.

From among the members of the Board and with the advice of the Secretary, the Governor shall appoint a chairman.

§3-204.

(a) A majority of the authorized membership of the Board is a quorum.

(b) The Board shall determine the times and places of its meetings and hearings.

(c) A member of the Board:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(d) (1) The Board may employ a staff in accordance with the State budget.

(2) The Board may require the staff to be covered by a surety bond in the form and amount required by law.

§3–204.1.

At least annually, the chairman of the Board, the chairman of the State Board of Certified Interior Designers, the chairman of the State Board of Examiners of Landscape Architects, the chairman of the State Board for Professional Engineers, and the chairman of the State Board for Professional Land Surveyors shall meet to discuss issues of mutual importance to the design professions.

§3–205.

With the advice of the established architecture societies, the Board shall adopt, by regulation, a code of ethics for practicing architecture.

§3–206.

(a) To enforce this title, the Board:

(1) may conduct investigations and hold hearings on any matter covered by this title, at any time and place in the State; and

(2) subject to the State budget, may employ an investigative staff to:

(i) investigate a complaint; and

(ii) perform any other related duty, as assigned by the Board.

(b) To enforce this title, the Board may:

(1) administer oaths;

(2) examine witnesses; and

(3) receive evidence.

(c) (1) The Board may issue a subpoena for the attendance of a witness to testify or the production of evidence in connection with any investigation or hearing conducted under subsection (a) of this section.

(2) A subpoena shall be signed by 3 members of the Board.

(3) If a person fails to comply with a subpoena issued under this subsection, on petition of the Board, a circuit court may compel compliance with the subpoena.

(d) (1) The Board may sue in the name of the State to enforce any provision of this title by injunction.

(2) In seeking an injunction under this subsection, the Board is not required to:

(i) post bond; or

(ii) allege or prove either that:

1. an adequate remedy at law does not exist; or

2. substantial or irreparable damage would result from the continued violation of the provision.

(3) A member of the Board or its staff may not be held personally liable for any action taken under this subsection in good faith and with reasonable grounds.

§3–207.

(a) On request of any person and payment of a fee of \$10, the Board shall certify the licensing or permit status and qualifications of any person who is the subject of the request.

(b) Each certification under this section:

(1) shall include a statement of the licensing or permit status of the person who is the subject of the request; and

(2) may include:

(i) information about the examination results and other qualifications of that person;

(ii) information about the dates of issuance and renewal of the license or permit of that person;

(iii) information about any disciplinary action taken against that person; and

(iv) if authorized by that person, information about any complaint against that person.

§3–208.

(a) In addition to any powers set forth elsewhere, the Board may adopt:

(1) any regulation to carry out this title; and

(2) a seal.

(b) In addition to any duties set forth elsewhere, the Board shall keep a record of its proceedings.

§3–208.1.

(a) In this section, “code official” means a public official responsible for the review of building permit documents or the issuance of building permits.

(b) The Board shall:

(1) keep a list of the names and mailing addresses of all licensees;

(2) provide each code official with a copy of the list annually; and

(3) provide any other person who makes a request with a copy of the list at a reasonable fee set by the Board.

(c) (1) The Board shall provide all licensees and code officials with a periodic newsletter not less than semiannually on the activities of the Board.

(2) The Board shall publish, on the Department website, the newsletter jointly with the State Board for Professional Engineers, the State Board of Certified Interior Designers, the State Board of Examiners of Landscape Architects, and the State Board for Professional Land Surveyors.

(d) The Board shall distribute:

(1) to each applicant for a license and each code official, a copy of the Maryland Architects Act and the Board's rules and regulations;

(2) on each renewal of a license, to each licensee, a copy of any amendments to the Maryland Architects Act and the Board's rules and regulations that took effect during the 2-year period ending on the date of renewal; and

(3) to each code official, a copy of any amendments to the Maryland Architects Act and the Board's rules and regulations.

(e) A licensee shall designate the licensee's mailing address at the time of issuance of the license and on each renewal of the license.

3-209.

(a) (1) The Board may set reasonable fees for its services.

(2) The fees charged shall be set so as to produce funds to approximate the cost of maintaining the Board and shall be based on the calculations performed by the Secretary under § 2-106.2 of the Business Regulation Article.

(b) The Board shall publish the fee schedule set by the Board by regulation.

(c) (1) The Board shall pay all fees collected under this title to the Comptroller of the State.

(2) The Comptroller shall distribute the fees to the State Occupational and Professional Licensing Design Boards' Fund established in § 2-106.1 of the Business Regulation Article.

§3-210.

(a) Any person aggrieved by any final action of the Board may take an appeal as allowed in §§ 10-222 and 10-223 of the State Government Article.

(b) The Board may appeal from a decision of the circuit court.

§3–211.

The Board exercises its powers, duties, and functions subject to the authority of the Secretary.

§3–301.

In this subtitle, “Council” means the National Council of Architectural Registration Boards.

§3–302.

(a) Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice architecture in the State.

(b) (1) An architect who resides outside the State and meets the requirements for a license by reciprocity under § 3-306 of this subtitle may:

- (i) offer to practice architecture in the State; and
- (ii) accept a commission to practice architecture in the State.

(2) Notwithstanding paragraph (1) of this subsection, the architect shall be licensed by the Board before the architect may practice architecture in the State.

§3–303.

(a) To qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) An applicant shall be of good character and reputation.

(c) (1) Except as provided in paragraph (2) of this subsection, the applicant shall:

(i) hold a degree in architecture from:

1. a school of architecture that is located in the United States and that, within 2 years after the applicant’s graduation, holds accredited status from the National Architectural Accrediting Board; or

2. a foreign school of architecture that the Board determines is comparable to an accredited school of architecture in the United States; and

(ii) have practical work experience or additional academic training in architecture that the Board considers appropriate.

(2) The Board shall exempt an applicant from the degree requirements of paragraph (1)(i) of this subsection if the applicant has practical work experience and academic training in architecture that the Board considers appropriate.

(d) Except as otherwise provided in this subtitle, an applicant shall pass the examination given by the Board under this subtitle.

(e) In addition to the other requirements of this section, the Board may require an applicant to satisfy any additional licensing requirements that the Board adopts from the licensing guidelines published by the Council.

§3-304.

An applicant for a license shall:

- (1) submit to the Board an application on the form that the Board provides; and
- (2) pay to the Board or the Board's designee:
 - (i) a nonrefundable application fee set by the Board; and
 - (ii) an examination fee set by the Board in an amount not to exceed the cost of the required examination.

§3-305.

(a) Except as otherwise provided in § 3-305.1 of this subtitle, an applicant who otherwise qualifies for a license is entitled to be examined as provided in this section.

(b) The Board shall give examinations to qualified applicants at least once a year at the time and place that the Board determines.

(c) The Board shall give each qualified applicant notice of the time and place of examination.

(d) (1) The Board shall determine the subjects, scope, and form of and the passing score for examinations given under this title.

(2) The Board may adopt an examination or a recommended grading procedure of the Council or any similar organization.

§3-305.1.

(a) The Board may use a testing service to administer examinations given under this title.

(b) If the Board uses a testing service, the testing service, subject to the requirements set by the Board, may:

- (1) set the time and place of examinations;
- (2) give qualified applicants notice of the time and place of examinations; and
- (3) furnish any other information that the Board may require the testing service to provide.

§3-306.

(a) Subject to the provisions of this section, the Board may issue a license by reciprocity to practice

architecture in the State to an individual who:

- (1) is licensed to practice architecture in another state or country; or
- (2) is certified by the Council under subsection (c) of this section.

(b) The Board may issue a license by reciprocity under this section for an applicant who is licensed to practice architecture in another state or country only if the applicant:

- (1) is of good character and reputation;
- (2) pays to the Board:
 - (i) a nonrefundable application fee set by the Board; and
 - (ii) a license fee set by the Board; and
- (3) provides adequate evidence that:

(i) the applicant became licensed in the other state or country after meeting, in that or any other state or country, requirements that were at least equivalent to those then required by the laws of this State; or

(ii) at the time of application for a license by reciprocity under this section, the applicant meets the requirements currently required by the laws of this State.

(c) The Board may issue a license by reciprocity under this section for an applicant who is certified by the Council only if:

- (1) the applicant:
 - (i) is of good character and reputation; and
 - (ii) pays to the Board:
 1. a nonrefundable application fee set by the Board; and
 2. a license fee set by the Board; and

(2) the Board receives from the Council a certified copy of its certificate for the applicant that certifies that the applicant is licensed to practice architecture in another state or country.

(d) An architect who is granted a license by reciprocity by the Board may not be required to maintain licensure in any other state or country as a condition of maintaining the license granted by the Board.

3–307.

(a) If an applicant qualifies for a license by passing an examination under this subtitle, the Board shall send the applicant a notice that states that:

- (1) the applicant has qualified for a license; and
- (2) on receipt of a license fee set by the Board, the Board will issue a license to the applicant.

(b) (1) On payment of the license fee, the Board shall issue a license to each applicant who meets the requirements for a license through examination under § 3–305 of this subtitle.

(2) The Board shall issue a license to each applicant who meets the requirements for a license by reciprocity under § 3–306 of this subtitle.

§3–308.

While a license is in effect, it authorizes the licensee to practice architecture.

§3–309.

(a) Unless a license is renewed for a 2–year term as provided in this section, the license expires on the first June 30 that comes:

- (1) after the effective date of the license; and
- (2) in an even–numbered year.

(b) (1) At least 1 month before a license expires, the Board shall mail or electronically transmit to the licensee:

- (i) a renewal application form; and
- (ii) a notice that states:
 1. the date on which the current license expires; and
 2. the amount of the license fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the licensee, at the last known address of the licensee, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(c) Before a license expires, the licensee periodically may renew it for an additional 2–year term, if the licensee:

- (1) otherwise is entitled to be licensed;
- (2) pays to the Board a license fee set by the Board;
- (3) submits to the Board a renewal application on the form that the Board provides; and

(4) upon request by the Board, submits to the Board the original certificate of completion or transcript of completed courses verifying the licensee has complied with the continuing professional competency

requirement under § 3–309.1 of this subtitle.

(d) The Board shall renew the license of each licensee who meets the requirements of this section.

(e) An architect has a grace period of 30 days after the architect’s license expires in which to renew it retroactively, if the architect:

- (1) otherwise is entitled to have the license renewed;
- (2) pays to the Board the license fee set by the Board; and
- (3) meets the continuing education requirement for renewal of a license under § 3–309.1 of this subtitle.

(f) The Secretary may determine that licenses issued under this subtitle shall expire on a staggered basis.
§3–309.1.

The Board shall adopt regulations to require a licensee to demonstrate continuing professional competency by completing at least 24 hours of professional development activities as a condition of renewal of a license under this subtitle.

§3–309.2.

(a) The Board may issue a retired status license to an individual who:

- (1) is currently licensed by the Board to practice architecture;
- (2) has been a licensed architect for at least 25 years, of which 5 years have been in Maryland;
- (3) is not the subject of a pending disciplinary action related to the practice of architecture in this or another state;
- (4) submits to the Board an application on the form provided by the Board; and
- (5) pays to the Board a fee set by the Board.

(b) The holder of a retired status license issued under this section:

- (1) may use the designation of “architect emeritus”; but
- (2) may not engage in the practice of architecture.

(c) The Board may reactivate the license of an individual who holds a retired status license if that individual:

- (1) submits to the Board an application for reactivation on the form provided by the Board;
- (2) meets all continuing professional competency requirements that would have been required for renewal of a license under § 3–309.1 of this subtitle if the individual had not been issued a retired status license;

(3) is not the subject of a pending disciplinary action related to the practice of architecture in this or any other state; and

(4) pays to the Board a reactivation fee set by the Board.

§3–310.

(a) The Board shall reinstate the license of an architect who, for any reason, has failed to renew the license by the end of the 30–day grace period if the architect:

(1) meets the renewal requirements of § 3–309 of this subtitle;

(2) except as otherwise provided in subsection (b) of this section, pays to the Board a reinstatement fee set by the Board;

(3) submits to the Board a reinstatement application on the form that the Board provides; and

(4) meets the continuing professional competency requirement that would have been required for renewal of a license under § 3–309.1 of this subtitle, if the license had not expired.

(b) The Board may waive a reinstatement fee for a licensee who provides evidence satisfactory to the Board that the licensee did not practice architecture during the time the license lapsed.

§3–311.

(a) (1) Subject to the hearing provisions of § 3–313 of this subtitle, the Board, on the affirmative vote of a majority of its authorized membership, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if:

(i) the applicant or licensee fraudulently or deceptively obtains or renews or attempts to obtain or renew a license or permit for the applicant or licensee or for another;

(ii) the applicant or licensee fraudulently or deceptively uses a license;

(iii) the applicant or licensee is guilty of any fraud, gross negligence, incompetence, or misconduct while practicing architecture;

(iv) the applicant or licensee violates any regulation adopted by the Board;

(v) the applicant or licensee violates any provision of this title;

(vi) the applicant or licensee aids or abets an unauthorized person to practice architecture;

(vii) under the laws of the United States or of any state, the applicant or licensee is convicted of:

1. a felony; or

2. a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee

to practice architecture; or

(viii) the applicant or licensee has had a license to practice architecture in another state revoked or suspended for grounds that would justify revocation or suspension of a license under this title, except for failure to pay a license fee.

(2) (i) Instead of or in addition to reprimanding the licensee or suspending or revoking a license under this subsection, the Board may impose a penalty not exceeding \$5,000 for each violation.

(ii) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

1. the seriousness of the violation;
2. the harm caused by the violation;
3. the good faith of the licensee; and
4. any history of previous violations by the licensee.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

(b) The Board shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a license or the reprimand of a licensee when an applicant or licensee is convicted of a felony or misdemeanor described in subsection (a)(1)(vii) of this section:

- (1) the nature of the crime;
- (2) the relationship of the crime to the activities authorized by the license;
- (3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or licensee to practice architecture;
- (4) the length of time since the conviction; and
- (5) the behavior and activities of the applicant or licensee before and after the conviction.

§3-312.

(a) Subject to the provisions of this section, the Board shall commence proceedings under § 3-311 of this subtitle on a complaint made to the Board by a member of the Board or any other person.

(b) (1) A complaint shall:

- (i) be in writing; and
- (ii) state specifically the facts on which the complaint is based.

(2) If the complaint is made by any person other than a member of the Board, the complaint shall be made under oath by the person who submits the complaint.

(c) If the Board finds that a complaint alleges facts that are adequate grounds for action under § 3-311 of this subtitle, the Board shall act on the complaint as provided under § 3-313 of this subtitle. If the Board does not make that finding, it shall dismiss the complaint.

§3-313.

(a) (1) Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any final action under § 3-311 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

(2) A hearing shall be held within a reasonable time, not exceeding 6 months, after the complaint is made.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) At least 30 days before the hearing, the hearing notice and a copy of the complaint shall be:

- (1) served personally on the individual; or
- (2) mailed to the last known address of the individual.

(d) The individual may be represented at the hearing by counsel.

(e) If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

§3-401.

In this subtitle, “responsible member” means a director or an officer of a corporation, a member of a limited liability company, or a general partner of a partnership who is appointed under § 3-404(c) of this subtitle to be in responsible charge of architecture practiced through the corporation, limited liability company, or partnership.

§3-402.

(a) (1) Subject to the provisions of this subtitle, a licensed architect may practice architecture for others through:

- (i) a corporation as an officer, director, employee, or agent of the corporation;
- (ii) a limited liability company as a member, employee, or agent of the limited liability company; or
- (iii) a partnership as a partner, employee, or agent of the partnership.

(2) Subject to the provisions of this subtitle, a corporation, limited liability company, or partnership may provide architectural services through a licensed architect.

(b) A licensed architect who practices architecture through a corporation, limited liability company, or partnership under this subtitle is subject to all of the provisions of this title that relate to practicing architecture.

(c) (1) A corporation, limited liability company, or partnership that provides architectural services under this subtitle is not, by its compliance with this subtitle, relieved of any responsibility that the corporation, limited liability company, or partnership may have for an act or omission of its officer, director, member, partner, employee, or agent.

(2) An individual who practices architecture through a corporation, limited liability company, or partnership is not, by reason of the individual's employment or other relationship with the corporation, limited liability company, or partnership, relieved of any individual responsibility that the individual may have regarding that practice.

§3-403.

(a) Except as provided in subsection (b) of this section, a corporation, limited liability company, or partnership shall hold a permit issued by the Board before the corporation, limited liability company, or partnership may operate a business through which architecture is practiced.

(b) A corporation, limited liability company, or partnership may provide architectural services for itself or for an affiliated corporation, limited liability company, or partnership without a permit issued by the Board.

§3-404.

(a) To qualify for a permit, a corporation, limited liability company, or partnership shall meet the requirements of this section.

(b) (1) At least two-thirds of the directors of a corporation shall be licensed in this or another state to practice architecture, engineering, or landscape architecture.

(2) (i) At least two-thirds of the partners of a partnership shall be licensed in this or another state to practice architecture, engineering, or landscape architecture.

(ii) If the partnership is a limited partnership, at least two-thirds of the general partners of the limited partnership shall be licensed in this or another state to practice architecture, engineering, or landscape architecture.

(3) At least two-thirds of the members of a limited liability company shall be licensed in this or another state to practice architecture, engineering, or landscape architecture.

(c) (1) A corporation, limited liability company, or partnership shall have appointed at least 1 responsible member of the corporation, limited liability company, or partnership.

(2) A responsible member shall be in charge of architecture practiced through the corporation, limited liability company, or partnership.

(3) Each responsible member shall be:

(i) a director or an officer of a corporation, a member of a limited liability company, or a general partner of a partnership; and

(ii) a licensed architect.

§3-405.

(a) An applicant for a permit shall:

- (1) submit to the Board an application on the form that the Board provides; and
- (2) pay to the Board a nonrefundable application fee set by the Board.

(b) In addition to any other information required on an application form, the form shall require the name and address of:

- (1) each responsible member of a corporation, limited liability company, or partnership;
- (2) each officer and director of a corporation;
- (3) each member of a limited liability company; and
- (4) each partner of a partnership.

§3-406.

The Board shall issue a permit to each applicant who meets the requirements of this subtitle and pays to the Board a permit fee set by the Board.

§3-407.

(a) Subject to subsection (b) of this section and while a permit is in effect, it authorizes the holder to:

- (1) operate a business through which a licensed architect practices architecture; and
- (2) represent to the public that the business provides the services of a licensed architect.

(b) A permit authorizes the holder to provide a service that constitutes practicing architecture only if the service is performed by an individual who is licensed or otherwise authorized under this title to practice architecture.

§3-408.

(a) Unless a permit is renewed for a 2-year term as provided in this section, the permit expires on the first June 30 that comes:

- (1) after the effective date of the permit; and
- (2) in an even-numbered year.

(b) (1) At least 1 month before a permit expires, the Board shall mail or electronically transmit to the permit holder:

- (i) a renewal application form; and
- (ii) a notice that states:
 - 1. the date on which the current permit expires; and
 - 2. the amount of the permit fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the permit holder, at the last known address of the permit holder, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(c) Before a permit expires, the permit holder periodically may renew it for an additional 2-year term, if the holder:

- (1) meets the qualifications for a permit under § 3–404 of this subtitle;
- (2) otherwise is entitled to a permit;
- (3) pays to the Board the permit fee set by the Board; and
- (4) submits to the Board a renewal application on the form that the Board provides.

(d) The renewal application form shall require the same information required on the original application form under § 3–405(b) of this subtitle.

(e) The Board shall renew the permit of each permit holder who meets the requirements of this section.

(f) A corporation, limited liability company, or partnership has a grace period of 30 days after the permit of the corporation, limited liability company, or partnership expires in which to renew it retroactively, if the corporation, limited liability company, or partnership:

- (1) otherwise is entitled to have the permit renewed; and
- (2) pays to the Board the permit fee set by the Board.

§3–409.

Within 1 month after the effective date of the change, a permit holder shall submit to the Board an application form that shows a change in the name of:

- (1) a responsible member of the holder;
- (2) an officer or director, if the holder is a corporation;
- (3) a member, if the holder is a limited liability company; or

(4) a partner, if the holder is a partnership.

§3-410.

(a) Subject to the hearing provisions of § 3-411 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a permit to any applicant, reprimand a permit holder, or suspend or revoke a permit if:

- (1) the applicant or permit holder fraudulently or deceptively obtains or attempts to obtain a permit; or
- (2) the permit holder fraudulently or deceptively uses a permit.

(b) (1) In addition to a sanction imposed under subsection (a) of this section, the Board may impose a penalty not exceeding \$5,000 for:

- (i) each violation for which a denial, reprimand, suspension, or revocation was imposed under subsection (a) of this section; and
 - (ii) each failure to meet or continue to meet the qualifications or requirements set forth in this subtitle.
- (2) To determine the amount of the penalty imposed under this subsection, the Board shall consider:
- (i) the seriousness of the violation;
 - (ii) the harm caused by the violation;
 - (iii) the good faith of the permit holder or the applicant; and
 - (iv) any history of previous violations by the permit holder or the applicant.

(c) The Board shall pay any penalty collected under subsection (b) of this section into the General Fund of the State.

§3-411.

(a) Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any final action under § 3-410 of this subtitle, it shall give the person against whom the action is contemplated an opportunity for a hearing before the Board.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) At least 30 days before the hearing, the hearing notice and a copy of the complaint shall be:

- (1) served personally on the applicant or on a person in responsible charge of architecture practiced through the entity holding the permit or a person designated as a resident agent to receive process on behalf of the entity; or
- (2) mailed to the last known business address of the applicant or the entity holding the permit.

(d) If, after due notice, the person against whom the action is contemplated fails or refuses to appear, the Board may hear and determine the matter.

§3-412.

(a) (1) For the limited purpose set forth in paragraph (2) of this subsection, a permit shall remain in effect and does not expire by operation of law while the permit holder is under investigation by the Board or awaiting a hearing or disposition on charges subject to disciplinary action under this subtitle.

(2) An extension of a permit term under this subsection is effective only for the purpose of retaining the jurisdiction of the Board over the permit holder during the course of disciplinary proceedings and does not prevent the permit from expiring for any other purpose.

(b) Unless the Board agrees to accept the surrender, a permit holder may not surrender a permit while the holder is under investigation or awaiting a hearing or disposition on charges subject to disciplinary action under this subtitle.

§3-413.

A corporation, partnership, or limited liability company whose permit has been suspended or revoked under § 3-410 of this subtitle may not offer or provide architectural services until the suspension is lifted or the permit is reinstated.

§3-414.

(a) Subject to the provisions of this section, the Board may reinstate:

- (1) a permit that has been revoked; or
- (2) before fulfillment of the conditions of the suspension, a permit that has been suspended.

(b) A permit may be reinstated under this section only if:

(1) the corporation, partnership, or limited liability company whose permit has been revoked or suspended submits a written request to the Board; and

(2) the corporation, partnership, or limited liability company pays to the Board a reinstatement fee set by the Board.

(c) The Board, by an affirmative vote of a majority of its members then serving, shall vote on the request for reinstatement or lifting of the suspension within 60 days of receipt of the written request.

§3-415.

The Board may reinstate the permit of a corporation, partnership, or limited liability company that has failed to renew the permit for any reason if the corporation, partnership, or limited liability company:

- (1) otherwise is entitled to a permit; and

(2) pays to the Board a reinstatement fee set by the Board.

§3-416.

After the Board reinstates a permit, the permit holder shall continue to comply with all applicable requirements set forth in this subtitle.

§3-501.

(a) Before a licensed architect issues to a client or submits to a public authority any final drawing, plan, specification, report, or other document required for the issuance of a building permit, the licensed architect who prepared or approved the document shall sign, seal, and date the document.

(b) Subject to exceptions stated and rights granted under § 3-103 of this title, a public authority may not accept any architectural drawing, plan, specification, report, or other document, unless the document is endorsed as required under subsection (a) of this section.

§3-601.

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice architecture in the State unless licensed by the Board.

§3-602.

Except for a licensed architect who operates a business as a sole practitioner, a person may not operate a business through which architecture is practiced, unless:

- (1) the business is a corporation, partnership, or limited liability company; and
- (2) the corporation, partnership, or limited liability company holds a permit issued by the Board.

§3-603.

Unless authorized under this title to practice architecture, a person may not represent to the public, by use of a title, including "architect", "licensed architect", or "registered architect", by description of services, methods, or procedures, or otherwise, that the person is authorized to practice architecture in the State.

§3-604.

(a) Subject to subsection (b) of this section and unless a person holds a permit issued by the Board, the person may not represent to the public, by the use of the titles "architects", "licensed architects", or "registered architects", by the use of the term "architecture", by description of services, methods, or procedures, or otherwise that the person holds a permit or otherwise is authorized to operate a business through which architecture is practiced in the State.

(b) Subsection (a) of this section does not apply to a licensed architect who operates the business as the sole practitioner.

§3-605.

(a) A person who violates § 3-601, § 3-602, § 3-603, or § 3-604 of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$3,000 or imprisonment not exceeding 1 year or both.

(b) (1) The Board may impose on a person who violates § 3-601, § 3-602, § 3-603, or § 3-604 of this subtitle a penalty not exceeding \$5,000 for each violation.

(2) In setting the amount of the penalty, the Board shall consider:

- (i) the seriousness of the violation;
- (ii) the harm caused by the violation;
- (iii) the good faith of the violator;
- (iv) any history of previous violations by the violator; and
- (v) any other relevant factors.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

§3-606.

If the Board believes that a person has violated § 3-601, § 3-602, § 3-603, or § 3-604 of this subtitle, the Board immediately shall report the alleged violation to the appropriate State's Attorney or, if the alleged violation affects more than 1 county, to the Attorney General.

§3-701.

This title may be cited as the "Maryland Architects Act".

§3-702.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, 2028.