



## **Title 09 MARYLAND DEPARTMENT OF LABOR**

### **Subtitle 21 BOARD OF ARCHITECTS**

#### **Chapter 01 General Regulations**

Authority: Business Occupations and Professions Article, §3-208(a) (1), Annotated Code of Maryland 4121

#### 09.21.01.01

##### **.01 Definitions.**

The definitions set forth in Business Occupations and Professions Article, §3-101, Annotated Code of Maryland, apply in this chapter unless otherwise noted.

#### 09.21.01.02

##### **.02 Relationship with the National Council of Architectural Registration Boards (NCARB).** A. The Board shall:

- (1) Maintain membership in the National Council of Architectural Registration Boards (NCARB) and pay the necessary costs for membership;
- (2) Keep up-to-date information on the rules, appendices, and policies adopted from time to time by NCARB; and
- (3) Cooperate with NCARB in rendering assistance necessary to aid in establishing uniform standards of professional qualifications throughout throughout the United States and its territories.

B. The Board has adopted and shall continue to use, until further notice, the:

- (1) NCARB examination and NCARB grading procedures; and
- (2) Examination appeal process recommended by NCARB.

### 09.21.01.03

#### **.03 Requirements for Licensure.**

In order to qualify for a license, an applicant shall satisfy the Board that the applicant possesses the proper qualifications to engage in the practice of architecture in the State as set forth in Business Occupations and Professions Article, §3-303, Annotated Code of Maryland, including, but not limited to, the following:

- A. Be of good character and reputation;
- B. Fulfill the educational requirements set forth in Regulation .04 of this chapter;
- C. Complete the experience requirements set forth in Regulation .05 of this chapter; and
- D. Pass all parts of the Architect Registration Examination (ARE) more particularly described in Regulation .06 of this chapter.

### 09.21.01.04

#### **.04 Educational Requirements.**

A. To qualify for a license, an applicant shall meet the educational requirements set forth in Business Occupations and Professions Article, §3-303(c), Annotated Code of Maryland.

B. If an applicant does not meet the professional education degree requirements referenced in §A of this regulation, an applicant shall comply with the education requirements by either work experience or academic training, or a combination of both, in accordance with the following Education Equivalency Matrix:

## EDUCATION EQUIVALENCY MATRIX

For early exam eligibility, a candidate using the Education Equivalency Matrix should complete the education requirements before completing the Architectural Experience Program (AXP) requirements in Regulation .05 of this chapter.

TYPE OF DEGREE OR EDUCATIONAL EXPERIENCE (See Note 1)	WORK EXPERIENCE FOR EDUCATIONAL EQUIVALENCY (See Note 2)
FULL-TIME ACADEMIC TRAINING TOWARD A FIRST OR SECOND PROFESSIONAL ARCHITECTURAL DEGREE ACCREDITED AS FOLLOWS:	
Complete 1 academic year in NAAB professional program	8.5 years — separate from experience used for AXP
Complete 2 academic years in NAAB professional program	7 years — separate from experience used for AXP
Complete 3 academic years in NAAB professional program	5 years — separate from experience used for AXP
Complete 4 academic years in NAAB professional program	4 years — separate from experience used for AXP
BS OR BA IN ARCHITECTURE	4 years — separate from experience used for AXP
BS OR BA IN ENGINEERING, LANDSCAPE ARCHITECTURE OR INTERIOR DESIGN	5 years — separate from experience used for AXP
BS OR BA IN OTHER DISCIPLINE (including B.F.A.)	6 years — separate from experience used for AXP
AAS from community college (See Note 3)	10 years — separate from experience used for AXP
None	10 years — separate from experience used for AXP

Notes:

1. Combinations of Educational Experience not explicitly stated in the Education Equivalency Matrix shall be considered on a case-by-case basis by the Board.
2. Work experience shall be directly related to architectural work and be completed under the direct supervision of a licensed architect. The work experience shall be full-time, a minimum of 40 hours per week. The work experience shall be completed in the office of a licensed Architect except that 80% of the required work experience may be completed as an employee of an

organization other than the office of a licensed Architect if the work experience is directly related to architectural work and is completed under the direct supervision of a licensed Architect. All work experience must be documented on the Board's ERC Forms.

3. No credit is given.

## 09.21.01.05

### **Architectural Experience Program (AXP) Requirements.**

**.05 Architectural Experience Program (AXP) Requirements.** An applicant shall complete the training requirements of the Architectural Experience Program (AXP) as outlined in the appropriate NCARB guidelines.

## 09.21.01.06

### **Architect Registration Examination (ARE) Requirements.**

#### **.06 Architect Registration Examination (ARE) Requirements.**

- A. The Board shall use the Architect Registration Examination (ARE) prepared by the National Council of Architectural Registration Boards (NCARB).
- B. The Board has followed and shall continue to follow, until further notice, appropriate NCARB guidelines pertaining to the ARE methodologies and grading procedures.
- C. In order to be eligible for admission to the ARE, an applicant shall meet the following requirements:
  - (1) Satisfy the educational requirements set forth in Regulation .04 of this chapter;
  - (2) Be enrolled in the Architectural Experience Program (AXP) and provide the Board with NCARB-issued verification of enrollment; and
  - (3) Establish to the Board's satisfaction, by at least three character references from other architects, employers, community leaders, or professional societies, that the applicant is an individual of good character and reputation.
- D. The Board reserves the right at any time to require that an applicant produce evidence acceptable to the Board of the applicant's enrollment in the AXP as a condition of taking the ARE.
- E. Certification by NCARB that an applicant is enrolled in the AXP is prima facie evidence of the enrollment.
- F. An application to take the ARE shall be made on the form acceptable to the Board.
- G. Fees established by the Board and set forth in COMAR 09.21.04 shall accompany all applications, unless otherwise specified.
- H. Transfer of Grades.
  - (1) The Board may accept the transfer of grades for any part of the ARE from the state of examination.

(2) The request for transfer shall be made at the time of application to sit for the examination in Maryland.

(3) It is the responsibility of the applicant to request the transferring state to transfer that applicant's grades and file to the Board.

## 09.21.01.07

Licensure.

### **.07 Licensure.**

A. After the applicant has satisfied the Board, and, if applicable, the National Council of Architectural Registration Boards (NCARB), that the applicant possesses the proper qualifications to engage in the practice of architecture in the State, including, but not limited to, the fulfillment of the educational requirements, successful completion of all parts of the Architect Registration Examination (ARE), and completion of the Architectural Experience Program (AXP), and upon payment of the licensing fee, the Board shall issue to the applicant:

(1) A certificate of licensure; and

(2) A license card.

B. The certificate of licensure and the license card issued by the Board are not transferable.

C. The Board shall issue a replacement for a lost, destroyed, or mutilated certificate of licensure upon filing by the licensee with the Board of a signed statement setting forth the facts incident to the loss, destruction, or mutilation. The statement shall be accompanied by the proper fee set by the Board.

D. Use of the certificate of licensure or of a professional seal as evidence of licensure is prohibited unless accompanied by a valid and unexpired license card.

09.21.02.00

**Title 09 MARYLAND DEPARTMENT OF LABOR**

**Subtitle 21 BOARD OF ARCHITECTS**

**Chapter 02 Code of Ethics**

Authority: Business Occupations and Professions Article, §§3-205, 3-208(a)(1), and 3-501, Annotated Code of Maryland

09.21.02.01

Rules of Conduct.

**.01 Rules of Conduct.**

A. Competence.

(1) In practicing architecture, an architect shall act with reasonable care and competence, and shall apply the technical knowledge and skills which are ordinarily applied by architects of good standing, practicing in the same locality.

(2) In designing a project, an architect shall take into account all applicable State and municipal building laws and regulations. While an architect may rely on the advice of attorneys, engineers, and other qualified individuals as to the intent and meaning of those regulations, once having obtained this advice, an architect may not knowingly design a project in violation of those laws and regulations.

(3) An architect shall undertake to perform professional services only when the architect, together with those whom the architect may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.

(4) An individual may not practice architecture if, in the Board's judgment, the individual's professional competence is substantially impaired by physical or mental disabilities.

B. Conflict of Interest.

(1) An architect may not accept compensation for services from more than one party on a project, unless the circumstances are fully disclosed and agreed to, in writing, by all interested parties.

(2) If an architect has a business association or direct or indirect financial interest which is substantial enough to influence the architect's judgment in connection with the architect's performance of professional services, the architect shall fully disclose in writing to the architect's client or employer the nature of the business association or financial interest. If the client or employer objects to the association or financial interest, the architect shall either terminate the association or interest, or offer to give up the commission or employment.

(3) An architect may not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(4) When acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially, not favoring either party to the contract.

### C. Full Disclosure.

(1) An architect, making public statements on architectural questions, shall disclose when the architect is being compensated for making the statement.

(2) An architect shall accurately represent to a prospective or existing client or employer the scope of the architect's qualifications and the scope of the architect's responsibility in connection with work for which the architect is claiming credit.

(3) If, in the course of the architect's work on a project, an architect becomes aware of a decision taken by the architect's employer or client, against the architect's advice, which violates applicable State, county, or municipal building laws and regulations and which will, in the architect's judgment, materially affect adversely the safety to the public of the finished project, the architect shall:

(a) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable State, county, or municipal building laws and regulations;

(b) Refuse to consent to the decision; and

(c) In circumstances when the architect reasonably believes that other decisions will be taken notwithstanding the objection, terminate the services with reference to the project.

(4) In the case of a termination in accordance with §C(3)(c) of this regulation, the architect has no liability to the architect's client on account of the termination.

(5) An architect may not deliberately make a materially false statement or fail deliberately to disclose a material fact requested in connection with the architect's application for licensure or renewal of licensure.

### D. Compliance with Laws.

(1) In the conduct of architectural practice, an architect may not knowingly violate any State or federal criminal laws.

(2) An architect shall comply with the licensing laws and regulations governing architectural professional practice in this or other jurisdictions in which the architect practices architecture.

### E. Professional Conduct.

(1) An architect may not either offer or make any payment or gift to a government official, whether elected or appointed, with the intent of influencing the official's judgment in connection with a prospective or existing project in which the architect is interested.

(2) An architect may not either offer or make any gifts, other than gifts of nominal value, including, for example, reasonable entertainment and hospitality, with the intent of influencing the judgment of an existing prospective client in connection with a project in which the architect is interested.

(3) An architect may not engage in conduct involving fraud or wanton disregard of the rights of others.

(4) An architect may not assist the application for licensure of a person known by the architect to be unqualified in respect to education, training, experience, or character.

(5) An architect possessing knowledge of a violation of these regulations by another architect shall report this knowledge to the Board.

### F. Failure to Respond.

(1) If an applicant or licensee receives from the Board a written communication requesting a response, the applicant or licensee shall respond within 30 days of the date of mailing.

(2) The Board shall send a written communication by first-class mail to the last known address furnished to the Board by the applicant or licensee.

(3) It is a responsibility of an applicant or licensee to notify the Board in writing if there has been a change in the applicant's or licensee's address.

(4) Failure to respond as required by this regulation may be considered by the Board to be a violation of Business Occupations and Professions Article, §3-311(a)(l)(iv), Annotated Code of Maryland.

## 09.21.02.02

Names of Entities.

### **.02 Names of Entities.**

A. An individual, a partnership, a corporation, a limited liability company, or any other entity through which architecture is practiced, may not use an impersonal name unless the name complies with appropriate requirements set forth in Corporations and Associations Article, Annotated Code of Maryland, and Business Occupations and Professions Article, Title 3, Annotated Code of Maryland.

B. A misleading designation may not be used or implied in the name of a sole proprietorship, partnership, corporation, limited liability company, or other entity offering architectural services in the State. However, this does not prevent the use of the name of a deceased or retired partner, corporate officer, director, or member in the name of the entity.

## 09.21.02.03

Sealing Requirements.

### **.03 Sealing Requirements.**

A. A licensee may sign or seal plans, specifications, drawings, reports, or other documents that are required to be signed and sealed pursuant to Business Occupations and Professions Article, §3-501, Annotated Code of Maryland, only if the following requirements are met:

(1) The licensee is competent in the subject matter of those documents by virtue of education or experience, or both; and

(2) The licensee either:

(a) Personally prepared the documents; or

(b) Approved the documents.

B. For purposes of §A(2)(a) and (b) of this regulation and Business Occupations and Professions Article, §3-501, Annotated Code of Maryland, "approval" means:

(1) Direct knowledge and responsible control over the content of technical submissions during their preparation; and



(2) Substantive review and authority to make revisions with regard to the preparation of submissions described in these regulations.

C. In addition, a licensee may sign or seal, after review and inspection, the following:

(1) Portions of the professional work that are not required by Business Occupations and Professions Article, Title 3, Annotated Code of Maryland, to be prepared or approved by an architect, only if the architect reviewed and adopted in whole or in part those portions, has coordinated their preparation, and has integrated them into the project; and

(2) Prototype standard drawings prepared by an out-of-State architect licensed in any United States jurisdiction, in connection with the design of a commercial chain establishment.

D. The licensee who signs and seals the documents in accordance with the requirements set forth in these regulations shall be considered to be the architect of record with regard to these documents.

E. Signature.

(1) For the purposes of this regulation, the term "signature" means:

(a) A handwritten signature in permanent ink containing the name of the person who applied it; or

(b) For electronic or digital documents, an electronic authentication process attached to or logically associated with the document.

(2) A digital signature described in this section shall satisfy the following criteria:

(a) It must contain an identification unique to a licensee using it;

(b) It must be under the exclusive control of the licensee using it;

(c) It must be verifiable; and

(d) It is linked to the document in such a manner that any subsequent modifications to the document will result in the document no longer being considered prepared or approved by the licensee.

F. Once the digital signature is applied to the document, the document shall be available in a View Format only if the document is to be transmitted electronically.

G. Nothing in this regulation is intended to modify any of the requirements applicable to professional certification or titleblock more specifically set forth in Regulation 09.21.02.04.

## 09.21.02.04

Title Block Rules.

### **.04 Title Block Rules.**

A. An architectural entity shall incorporate a title block on all drawings and other documents required to be signed and sealed pursuant to Business Occupations and Professions Article, §3-501, Annotated Code of Maryland.

B. A licensee may not remove a title block from any print or reproduction of the documents described in these regulations.

C. The name of the entity shall appear in the title block, either as a partnership, corporation, limited liability company, or other appropriate entity. In addition, the titleblock shall contain a date, printed name, signature, and seal of one of the directors of a corporation, general partners of a partnership, or members of a limited liability company, who prepared or approved the documents in accordance with these regulations.

D. The directors of a corporation, partners of a partnership, or members of a limited liability company through which architecture is practiced, may designate another employee of the entity to sign and seal the documents in accordance with the requirements set forth in these regulations, if the designee:

(1) Is licensed in the State to practice architecture; and

(2) Prepared or approved the documents for a particular project in accordance with these regulations.

E. In addition, the titleblock shall contain the following certification:

"Professional Certification.

I certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number -----, expiration date -----."

Titleblock, certification, seal, and signature shall appear in close proximity to each other.

09.21.03.00

**Title 09 MARYLAND DEPARTMENT OF LABOR**

**Subtitle 21 BOARD OF ARCHITECTS**

**Chapter 03 Hearing Regulations**

Authority: Business Occupations and Professions Article, §3-208(a)(1), Annotated Code of Maryland

09.21.03.01

Hearings Before the Board.

**.01 Hearings Before the Board.**

A. Except as otherwise provided in this chapter, all contested case hearings before the Board are governed by COMAR 09.01.02.

B. The administrative unit shall send the hearing notice described in COMAR 09.01.02.07B not later than 30 days before the hearing.

09.21.03.02

Hearings Delegated to the Office of Administrative Hearings.

**.02 Hearings Delegated to the Office of Administrative Hearings.**

All contested case hearings delegated to the Office of Administrative Hearings are governed by COMAR 09.01.03

09.21.04.00

**Title 09 MARYLAND DEPARTMENT OF LABOR**

**Subtitle 21 BOARD OF ARCHITECTS**

**Chapter 04 Fees**

Authority: Business Occupations and Professions Article, §§3-101, 3-208, 3-209, 3-304, 3-306, 3-307, 3-309, 3-309.1, 3-309.2, 3-310, 3-405, 3-406, and 3-408; Business Regulation Article, §§2-106.1 and 2-106.2; Annotated Code of Maryland

09.21.04.01

Purpose.

**.01 Purpose.**

This chapter is intended to carry out the provisions of Business Regulation Article, §§2-106.1 and 2-106.2, Annotated Code of Maryland, and Business Occupations and Professions Article, Title 3, Annotated Code of Maryland. In particular, it is intended to set various fees to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the State Board of Architects, the State Board of Certified Interior Designers, the State Board of Examiners of Landscape Architects, the State Board for Professional Engineers, and the State Board for Professional Land Surveyors.

09.21.04.02

Definitions.

**.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Board" means the State Board of Architects.
- (2) "Design boards" means collectively the:
  - (a) Board;
  - (b) State Board of Certified Interior Designers;
  - (c) State Board of Examiners of Landscape Architects;
  - (d) State Board for Professional Engineers; and
  - (e) State Board for Professional Land Surveyors.

(3) "License fee" means the fee paid by an applicant or licensee, as applicable, in connection with the issuance and renewal of a license and the issuance of a reciprocal license.

(4) "Permit fee" means the fee paid in connection with the issuance and renewal of a permit.

(5) "Secretary" means the Secretary of Labor.

### 09.21.04.03

Fees and Costs.

#### **.03 Fees and Costs.**

A. The Secretary and the design boards have agreed to average their direct and indirect costs, based on the calculation of costs performed by the Secretary in consultation with the design boards. Based on these calculations, the Board sets the following fees:

(1) License fee — \$76.50;

(2) Permit fee — \$100;

(3) Nonrefundable initial application fee payable in connection with:

(a) An application for permit — \$35;

(b) An application for license by reciprocity — \$50;

(4) Reinstatement fee — \$100.

B. Retired Status. The Board sets the fee for a retired status license at \$50.

C. An applicant shall pay the examination fees directly to NCARB, as these fees are established by NCARB.

D. Effective October 1, 2009, an applicant shall pay directly to NCARB or its designee a security and development fee of \$40 per each section of the ARE, as such fee is established by NCARB.

### 09.21.05.00

Title 09 MARYLAND DEPARTMENT OF LABOR Subtitle 21 BOARD OF ARCHITECTS  
Chapter 05 Continuing Professional Competency Requirements Authority: Business  
Occupations and Professions Article, §§3-208, 3-309, 3-309.1, and 3-309.2, Annotated  
Code of Maryland

### 09.21.05.01

Purpose.

#### **.01 Purpose.**

The State legislature has determined that, in order to safeguard the health, safety, and welfare of the public, licensed architects shall comply with the continuing professional competency requirements as a prerequisite for the renewal of a license.

## 09.21.05.02

Definitions.

### **.02 Definitions.**

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

(1) "Authorized activities" means professional development activities that:

(a) Meet the criteria set forth in Regulation .04 of this chapter; and

(b) Are approved and accepted for credit by the American Institute of Architects (AIA), the National Council of Architectural Registration Boards (NCARB), or the Board.

(2) "Board" means the State Board of Architects.

(3) "Health, safety, and welfare subjects (HSW)"• means content areas identified as such by NCARB or AIA, as those content areas may be updated or otherwise amended from time to time.

(4) "Learning unit (LU)" means one continuous instructional hour spent attending and completing the professional development activity in health, safety, and welfare subjects. One LU means a minimum of 50 minutes of face-to-face or distance learning instruction per 60-minute hour and is equivalent to a comparable single educational unit that may be utilized by AIA or NCARB.

## 09.21.05.03

Requirements.

### **.03 Requirements.**

A. A licensee shall complete 12 LUs during each of the 2 preceding calendar years that occur prior to the calendar year in which an applicable license term is set to expire.

B. As an alternative to §A of this regulation, a licensee shall complete 24 LUs during the 2-year term of the license ending on the date that the license term is set to expire.

C. If a licensee chooses the calendar year method, as described in §A of this regulation, the LUs from each calendar year shall be considered separately. A licensee may not carry forward any LUs earned in excess of the annual requirement of 12 LUs to any following calendar year.

D. If a licensee chooses to complete 24 LUs during the 2-year term of the license, as described in §B of this regulation, the licensee may not carry forward any LUs earned in excess of the required 24 LUs to the following 2-year term of the license.

E. LUs used to meet the requirements described in §A of this regulation may not also be used in the future to meet the requirements described in §B of this regulation. In a similar way, LUs used to meet the requirements described in §B of this regulation may not also be used in the future to meet the requirements of §A of this regulation.

## 09.21.05.04

Professional Development Activities.

### **.04 Professional Development Activities.**

A. A professional development activity shall meet the following criteria:

(1) Be a post-licensing educational activity approved by the Board in which at least 75 percent of activity's content and instructional time is dedicated to health, safety, and welfare subjects, as they relate to the practice of architecture.

(2) Expand the knowledge of health, safety, and welfare subjects and offer a skill set geared towards maintaining and enhancing professional competency of licensed architects;

(3) Offer learning experiences relevant to current or future architectural practices as they relate to the public health, safety, and welfare; and

(4) Be presented, led, or taught at a professional level by well-qualified professionals in an environment conducive to learning and appropriate for accomplishing learning objectives described in these regulations.

B. A professional development activity shall provide for clear outcome measures in the form of a narrative, quiz, test, questions and answers, project, or any other appropriate form or method.

C. The learning content of any professional development activity shall be unbiased, evidence based, and focused on increasing knowledge. Activities shall not be sales or marketing events and shall not promote or market products or services. Activities shall only contain material relevant to the program learning objectives and the desired outcomes during the instructional portion of the activity.

D. A professional development activity may be presented by the following methods, as defined by NCARB:

- (1) Live in-person programs;
- (2) Live online programs;
- (3) On demand e-learning or printed programs;
- (4) Nano learning or blended programs; or
- (5) Any other formats approved by the Board.

E. Self-reported professional development activities are not eligible for LU credit.

## 09.21.05.05

Submissions for Approval to Present a Professional Development Activity.

## **.05 Submissions for Approval to Present a Professional Development Activity.**

A. Entities or individuals, including, but not limited to, professional firms conducting in-house presentations, may submit a specific professional development activity for review and approval by the Board. Each professional development activity shall be designed to be presented to other architects for LU credit.

B. During the application process, the Board will evaluate the suitability of the activity and its presenter.

C. The presenter shall submit adequate information to enable the Board to evaluate the professional development activity. The activity shall be developed by individuals or entities having demonstrated verifiable expertise in the subject matter. Expertise may be demonstrated through practical experience or education or both. An architect holding an active license shall be consulted in the initial development of a professional development activity or substantive changes to an activity.

D. At a minimum, the Board requires the following information to be submitted with each application for approval:

- (1) The types and descriptions of proposed or existing programs intended to be offered;
- (2) The number of LUs to be awarded for each activity;
- (3) The identity and qualifications of the instructors;
- (4) The explanation and sample of outcome measures; and
- (5) The sample course outlines detailing the content of activity to be offered.

E. The Board may approve an activity only if it meets all of the following criteria:

- (1) The activity's main content areas are in the health, safety, and welfare subjects; and
- (2) The activity enables a licensee to further the licensee's competency and professionalism as a licensed architect.

F. The Board may suspend or revoke its approval of an activity if, in the judgment of the Board, the intent of Business Occupations and Professions Article, §3-309.1, Annotated Code of Maryland, is no longer served or a presenter materially changed the content of the activity without the prior written approval of the Board.

## **09.21.05.06**

Sources of Credit and Determination of Units.

### **.06 Sources of Credit and Determination of Units.**

A. A licensee may earn the LUs by any appropriate methods that may from time to time be approved by the Board.

B. A licensee may earn the applicable number of LUs in accordance with the following conversion schedule:

- (1) 1 college credit hour — 5 LUs;
- (2) 1 contact hour of professional development work, or professional or technical presentations made at meetings, conventions, or conferences — 1 LU; and



(3) Subject to exclusions set forth in this regulation, teaching of, lecturing on, or instructing on architectural subjects, subject to the following limitations:

(a) For the first presentation, a presenter may claim credit for the activity that is equivalent to two times the number of LUs awarded by the Board for the activity; and

(b) Unless the presentation has been substantially modified and updated for subsequent presentations, a presenter may claim only the same number of credits as awarded by the Board to the recipients of the qualifying activity.

## 09.21.05.07

Record Keeping.

### **.07 Record Keeping.**

A. Responsibility to Maintain Records.

(1) The responsibility of maintaining records to be used to support the continuing professional competency credit claim is the responsibility of each licensee.

(2) A licensee shall maintain the records for a period of at least 6 years from the date of completion of the qualifying program.

B. Documentation referred to in §A(2) of this regulation, includes, but is not limited to, the following:

(1) Certificates of participation;

(2) Transcripts; or

(3) Any other appropriate evidence acceptable to the Board.

C. A printed program agenda, program marketing materials, or an event program are not considered sufficient evidence of participation in a professional development activity.

## 09.21.05.08

Reporting Requirements for License Renewal.

### **.08 Reporting Requirements for License Renewal.**

A. A licensee shall attest on the license renewal form to the fact that the licensee has completed all applicable CPC requirements set forth in this chapter by the last day of the following:

(1) The calendar year preceding the year in which the licensee's individual license is to be renewed for the following 2-year licensing term; or

(2) The 24-month period of the year in which the licensee's individual license is to be renewed for the following 2-year licensing term.

B. The Board at its discretion may audit randomly selected licensees to ascertain compliance with CPC requirements.

C. Licensees who are audited shall provide within 30 days of receipt of electronic notice of audit from the Board any documentation that may be required by the Board to complete the audit.

## 09.21.05.09

Extenuating Circumstances or Exceptions.

### **.09 Extenuating Circumstances or Exceptions.**

A. Notwithstanding other requirements set forth in this chapter, a licensee who is granted an initial license may renew a license for the next full term without complying with the CPC requirements if:

(1) The licensee has been granted an initial license and is renewing a license for the next full term; and

(2) The licensee qualifies under the criteria set forth in Business Regulation Article, Title 2.5, Annotated Code of Maryland.

B. Compliance Exception Request.

(1) If a licensee is unable to comply with all or part of CPC requirements due to physical disability, illness, or other extenuating circumstances, the licensee may request the Board grant a one-time exception from compliance (Compliance Exception Request), provided that the Compliance Exception Request is filed with the Board at least 60 days prior to the licensee's license expiration date.

(2) If a Compliance Exception Request is based on physical disability or illness, the licensee must provide the Board with written documentation acceptable to the Board supporting the basis for the request.

(3) A Compliance Exception Request must be accompanied by a detailed proposal acceptable to the Board indicating the licensee's intended plan of compliance with CPC requirements within no later than 12 months after the license expiration date. Failure to provide the acceptable plan of compliance within the time period specified in this regulation may result in the Board's administrative dismissal of the Compliance Exception Request.

## 09.21.05.10

Failure to Meet the CPC Requirements.

### **.10 Failure to Meet the CPC Requirements.**

In the event the licensee does not respond to the Board's notice or otherwise fails to comply with the CPC requirements set forth in this chapter, the Board, subject to the hearing provisions of Business Occupations and Professions Article, §3313, Annotated Code of Maryland, may take any and all available disciplinary actions under Business Occupations and Professions Article, §3311, Annotated Code of Maryland.

## 09.21.05.11

Reinstatement of License.

### **.11 Reinstatement of License.**

A licensee who wishes to reinstate a license after failing to complete the CPC requirements shall fulfill past due CPC requirements for the immediately preceding CPC reporting periods up to 24 LUs and pay all applicable fees.

## 09.21.05.12

Emeritus Status.

### **.12 Emeritus Status.**

An individual who elected the status of "architect emeritus" shall be exempt from the compliance with the CPC requirements. In the event such individual decides to have the license reactivated, the individual shall fulfill past due CPC requirements up to 24 LUs.

## 09.21.05.13

Learning Units Earned in Other States.

### **.13 Learning Units Earned in Other States.**

The CPC requirements applicable to the renewal of Maryland architectural license shall be deemed to be satisfied by an architect licensed in another state if the following requirements are met:

A. The state of current residency of an out-of-State licensed architect has a comparable continuing professional competency program; and

B. The state of current residency accepts Maryland CPC requirements as satisfying its own comparable continuing professional competency program.