

# SENATE BILL 692

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3lr2446  
CF 3lr2440

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By: **Senators Montgomery, Benson, Forehand, Kasemeyer, and Peters**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Licensed Tree Expert – License Renewal – Continuing Education**  
3 **Requirement**

4 FOR the purpose of requiring a licensed tree expert to complete certain continuing  
5 education requirements to qualify for license renewal; requiring the  
6 Department of Natural Resources to maintain certain records for each licensed  
7 tree expert; requiring the Department to update certain records when a  
8 document of completion is approved; requiring the Department to mail a  
9 renewal application form to a licensed tree expert under certain circumstances;  
10 requiring the Department to approve the curriculum for a continuing education  
11 course if the curriculum covers certain information; requiring the Department  
12 to approve the curriculum for a course before the course may be advertised as a  
13 course eligible for continuing education instruction; requiring an entity to  
14 submit the course curriculum to the Department for approval within a certain  
15 period of time; stating that a continuing education course does not need to be  
16 conducted in the State to be approved by the Department; requiring an entity  
17 conducting a continuing education course or the course instructor to submit a  
18 document of completion to the Department or to a licensed tree expert as  
19 evidence that the licensed tree expert has completed the continuing education  
20 course; requiring the document of completion to include certain information;  
21 requiring a licensed tree expert to submit certain information to the  
22 Department under certain circumstances; authorizing a licensed tree expert to  
23 take a certain examination by a certain date to renew a license if the licensed  
24 tree expert does not meet certain requirements; stating that a licensed tree  
25 expert's renewal is not valid unless the licensed tree expert has met certain  
26 requirements; requiring the Department to adopt certain regulations; and  
27 generally relating to continuing education requirements for licensed tree  
28 experts.

29 BY adding to  
30 Article – Natural Resources

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 5-420.1  
2 Annotated Code of Maryland  
3 (2012 Replacement Volume)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article – Natural Resources**

7 **5-420.1.**

8 **(A) TO QUALIFY FOR RENEWAL OF A LICENSE UNDER THIS PART, A**  
9 **LICENSED TREE EXPERT SHALL COMPLETE:**

10 **(1) ON OR BEFORE SEPTEMBER 29, 2016, AT LEAST 8 HOURS OF**  
11 **APPROVED CONTINUING EDUCATION INSTRUCTION DURING THE PRECEDING**  
12 **2-YEAR TERM; AND**

13 **(2) ON OR AFTER SEPTEMBER 30, 2016, AT LEAST 4 HOURS OF**  
14 **APPROVED CONTINUING EDUCATION INSTRUCTION DURING THE PRECEDING**  
15 **1-YEAR TERM.**

16 **(B) THE DEPARTMENT SHALL:**

17 **(1) MAINTAIN CONTINUING EDUCATION RECORDS FOR EACH**  
18 **LICENSED TREE EXPERT;**

19 **(2) UPDATE THE LICENSED TREE EXPERT'S CONTINUING**  
20 **EDUCATION RECORDS TO REFLECT COMPLETION OF THE APPROPRIATE COURSE**  
21 **HOURS; AND**

22 **(3) MAIL A RENEWAL APPLICATION FORM TO THE LICENSED**  
23 **TREE EXPERT WHEN THE LICENSED TREE EXPERT'S CONTINUING EDUCATION**  
24 **RECORDS SHOW THAT THE LICENSED TREE EXPERT HAS COMPLETED THE**  
25 **REQUIRED NUMBER OF COURSE HOURS.**

26 **(C) (1) THE DEPARTMENT SHALL APPROVE THE CURRICULUM FOR A**  
27 **CONTINUING EDUCATION COURSE:**

28 **(I) IF THE CURRICULUM COVERS NEW STATE AND FEDERAL**  
29 **LAWS, REGULATIONS, POLICIES, OR TECHNOLOGIES AFFECTING THE WORK OF A**  
30 **LICENSED TREE EXPERT; AND**

1                   **(II) BEFORE THE COURSE MAY BE ADVERTISED AS A**  
2 **COURSE ELIGIBLE FOR CONTINUING EDUCATION INSTRUCTION UNDER THIS**  
3 **SECTION.**

4                   **(2) AN ENTITY SHALL SUBMIT THE COURSE CURRICULUM TO THE**  
5 **DEPARTMENT FOR APPROVAL UNDER THIS SUBSECTION AT LEAST 2 WEEKS**  
6 **BEFORE THE DATE OF THE SCHEDULED COURSE.**

7                   **(3) THE CONTINUING EDUCATION COURSE DOES NOT NEED TO BE**  
8 **CONDUCTED IN THE STATE TO BE APPROVED BY THE DEPARTMENT.**

9                   **(D) (1) ON COMPLETION OF A CONTINUING EDUCATION COURSE BY A**  
10 **LICENSED TREE EXPERT, THE ENTITY THAT CONDUCTED THE COURSE OR THE**  
11 **COURSE INSTRUCTOR SHALL SUBMIT A DOCUMENT OF COMPLETION TO THE**  
12 **DEPARTMENT OR TO THE LICENSED TREE EXPERT.**

13                   **(2) THE DOCUMENT OF COMPLETION SHALL INCLUDE THE**  
14 **NUMBER OF CLASSROOM HOURS OF THE COURSE, THE CURRICULUM, AND THE**  
15 **NAME AND LICENSED TREE EXPERT NUMBER FOR THE LICENSED TREE EXPERT**  
16 **THAT HAS COMPLETED THE COURSE.**

17                   **(3) IF THE ENTITY THAT CONDUCTED THE COURSE OR THE**  
18 **COURSE INSTRUCTOR SUBMITTED THE DOCUMENT OF COMPLETION TO THE**  
19 **LICENSED TREE EXPERT, THE LICENSED TREE EXPERT SHALL SUBMIT THE**  
20 **DOCUMENT OF COMPLETION ISSUED UNDER PARAGRAPH (1) OF THIS**  
21 **SUBSECTION TO THE DEPARTMENT.**

22                   **(E) IF A LICENSED TREE EXPERT DOES NOT COMPLETE THE**  
23 **REQUIREMENTS UNDER THIS SECTION, THE LICENSED TREE EXPERT MAY**  
24 **RENEW A LICENSE BY TAKING AND PASSING THE EXAMINATION GIVEN BY THE**  
25 **DEPARTMENT BY JANUARY 31 OF THE YEAR FOLLOWING LICENSE EXPIRATION.**

26                   **(F) A LICENSED TREE EXPERT'S RENEWAL IS NOT VALID UNLESS:**

27                   **(1) THE LICENSED TREE EXPERT HAS MET THE REQUIREMENTS**  
28 **UNDER THIS SECTION; AND**

29                   **(2) THE DEPARTMENT HAS RECEIVED ALL FEES AND FORMS**  
30 **REQUIRED UNDER THIS PART.**

31                   **(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT**  
32 **THIS SECTION.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2013.