

Article 66C, section 408 of the Code. The only changes made are in style.

5-423. CONDUCT PROHIBITED; EXEMPTION.

(A) ILLEGAL ACTION AND ACTIVITY.--A PERSON MAY NOT: (1) SOLICIT, ADVERTISE, OR REPRESENT HIMSELF TO THE PUBLIC AS A TREE EXPERT, OR ASSUME TO PRACTICE AS A TREE EXPERT WITHOUT HAVING RECEIVED A LICENSE; OR (2) AFTER HAVING RECEIVED THE LICENSE AND SUBSEQUENTLY LOSING IT BY REVOCATION OR SUSPENSION CONTINUE TO PRACTICE AS A TREE EXPERT, OR; (3) USE THE TITLE OR ABBREVIATION "L.T.E." OR ANY OTHER WORDS, LETTERS, OR ABBREVIATIONS TENDING TO INDICATE THAT HE IS A LICENSED TREE EXPERT OR A TREE EXPERT WITHOUT HAVING RECEIVED A LICENSE, OR WHEN THE LICENSE HAS BEEN REVOKED OR SUSPENDED.

(B) EXEMPTION.--IF THE OWNER OF A TREE EMPLOYS ANY PERSON TO TRIM THE TREE, THE OWNER IS NOT SUBJECT TO THIS PENALTY.

REVISOR'S NOTE: These subsections presently appear as Article 66C, section 407 of the Code. The words "or herself" and "or trees" are proposed for deletion in light of Article 1, section 7 and 8, respectively; which provides that references to the masculine includes the feminine, and reference to the singular includes the plural. Subsection (a) is redrafted to state only prohibitory conduct. The gravity of the offense and penalties for violating it is covered in the title's uniform penalty section. The only other changes made are in style.

REVISOR'S NOTE: Subtitle 5, as originally drafted, dealt with the licensing of landscape architects. The present provisions are found in Article 56, sections 271 through 281.

The Code Revision Commission and the Department agreed that these provisions are more appropriate to Article 56 than to the Natural Resources Article. House Bill 99 introduced at the 1973 regular session, was intended to place the landscape architect licensing function under the Department of