

UNDER THE INSTRUCTIONS AND CONTROL OF A CERTIFIED APPLICATOR WHO IS:

(1) RESPONSIBLE FOR ACTIONS OF THAT PERSON; AND

(2) AVAILABLE WHEN NEEDED, THOUGH THE CERTIFIED APPLICATOR MAY NOT BE PHYSICALLY PRESENT AT THE TIME AND PLACE THE PESTICIDE IS APPLIED.

5-204.

The Secretary, by suitable administrative procedures including public hearings, if appropriate, shall:

(11) Establish appropriate categories and, if necessary, subcategories of applicators of pesticides; [and]

(12) Establish guidelines and requirements for all licensees, certificate holders, and permittees for the identification of pests and their methods of inspection of property to determine the presence of pests[.];

(13) FOR PURPOSES OF UNIFORMITY AND IN ORDER TO ENTER INTO COOPERATIVE AGREEMENTS, ADOPT USE CLASSIFICATIONS AND OTHER PERTINENT PESTICIDE REGULATION PROVISIONS THAT ARE ESTABLISHED BY THE U. S. ENVIRONMENTAL PROTECTION AGENCY; AND

(14) COOPERATE WITH STATE OR FEDERAL AGENCIES AS IS REASONABLE AND PROPER TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

5-207.

(a) Each [custom applicator,] pest control consultant, pest control applicator, [and] OR public agency applicator shall obtain an annual certificate indicating competence in one or more established categories from the Secretary. Each private applicator shall obtain a certificate which shall require periodic renewal as determined by the Secretary.

(b) Each application for a certificate by a pest control consultant[, ] OR pest control applicator[, and custom applicator] shall be accompanied by a \$50 certificate fee plus \$25 for each category in excess of one. Each application for a private [applicator's] APPLICATOR certificate shall be accompanied by a fee [to be set by the Secretary, but not to exceed] OF \$7.

(c) Each applicant for a pest control consultant certificate, pest control applicator certificate, OR public agency applicator certificate[, or custom applicator certificate] shall demonstrate [his] competence to [use and] CONSULT ON PEST CONTROL OR TO apply pesticides safely in the State by passing a written examination prepared and administered by the