

5-2017

(a) -- In this subtitle the following words have the meanings indicated:

(p) -- "Registered employee" -- means -- an -- employee -- of -- a -- firm engaged in commercial pest control who:

(1) -- {applies} -- APPLIES -- pesticides or sells pesticide application services and sales personnel who recommend pesticide usage in contracting for the application;

(2) -- HAS -- SUCCESSFULLY -- COMPLETED TRAINING APPROVED BY THE DEPARTMENT; -- AND

(3) -- IS REGISTERED WITH THE DEPARTMENT.

(q) -- "Supervision" -- unless otherwise prescribed by federal or State labeling means the act or process whereby -- the -- application of -- a -- pesticide -- is -- made -- by -- a -- {competent -- person} REGISTERED EMPLOYEE -- acting -- under -- the -- instructions -- and -- control -- of -- a {certified -- applicator} -- CERTIFIED -- CUSTOM -- APPLICATOR; CERTIFIED PEST CONTROL APPLICATOR, OR CERTIFIED -- PUBLIC -- AGENCY -- APPLICATOR who -- is -- responsible -- for -- the -- actions -- of -- that -- person -- and -- who -- is {available -- if -- and -- when -- needed -- even -- though -- such -- certified applicator -- may -- not -- be} physically present at the time and place the pesticide is applied.

5-209.1.

(a) (1) A licensee or permittee shall register with the Department any employee who performs pest control.

(2) Within 30 days after employment, and before registration, an employee, other than a certified applicator, shall successfully complete training approved by the Department.

(3) AN EMPLOYEE WHO HAS NOT SUCCESSFULLY COMPLETED TRAINING IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION MAY ONLY APPLY PESTICIDES IF A CERTIFIED APPLICATOR OR REGISTERED EMPLOYEE IS PHYSICALLY PRESENT AT THE TIME AND PLACE THE PESTICIDE IS APPLIED BY THE EMPLOYEE.

(b) The Department shall adopt regulations that establish criteria for approved training programs.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved June 2, 1987.