

Defined terms: "Board" § 5-101  
"Practice cosmetology" § 5-101  
"State" § 1-101

5-313. SAME -- LICENSE TO TEACH.

(A) IN GENERAL.

SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE ANY EXAMINATION REQUIREMENT OF THIS SUBTITLE FOR AN INDIVIDUAL WHO IS LICENSED TO TEACH COSMETOLOGY IN ANOTHER STATE.

(B) CONDITIONS.

THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE APPLICANT:

(1) PAYS TO THE BOARD THE APPLICATION FEE REQUIRED UNDER § 5-310 OF THIS SUBTITLE; AND

(2) PROVIDES TO THE BOARD ADEQUATE EVIDENCE THAT THE APPLICANT:

(I) MEETS THE QUALIFICATIONS OTHERWISE REQUIRED UNDER THIS SUBTITLE; AND

(II) BECAME LICENSED IN THE OTHER STATE AFTER PASSING, IN THAT OR ANY OTHER STATE, AN EXAMINATION THAT IS SIMILAR TO THE EXAMINATION FOR WHICH THE APPLICANT IS SEEKING THE WAIVER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 484(b).

In subsection (a) of this section, the former reference to a "possession, or territory of the United States, the District of Columbia, or Puerto Rico" is deleted as unnecessary in light of the definition of "state". This deletion also avoids the anomaly in former Art. 56, § 484(b), which, in one instance, referred to a "possession ... or Puerto Rico" but elsewhere used only the word "state". Compare former § 484(b)(1) with (b)(2)(ii)2.

In subsection (b)(2)(ii) of this section, the phrase "in ... any other state" is added to provide expressly that the Board may waive the examination requirements for a cosmetology teacher on the basis of a license that, in turn, was acquired by waiver on the basis of licensure in another state. This phrase, which is included in comparable provisions throughout the Code and which conforms to the practice of the Board,