

Rather than a blanket exemption from employing a licensed architect based on ownership, numerous other states provide exemptions based on the type of building or architectural services involved. These exemptions typically include exemptions for 1 or 2 family dwellings and any garage, shed, or storage building incidental to those dwellings; farm buildings; and additions, alterations, or repairs that do not affect the structural safety of a building. The General Assembly may wish to consider adopting a similar approach to clarify the State's law in this area.

Also in subsection (a) of this section, the reference to a "building or other structure" is substituted for the former references to "building" construction and to repair or alteration of "buildings or structures". As a "building" is a structure, the distinction, if any, intended by the former references is unclear.

Also in subsection (a) of this section, the word "existing", which formerly modified the words "buildings or structures", is deleted as surplusage, since alteration or repair suggests existence.

In subsection (b)(1) and (2) of this section, the words "licensed or otherwise authorized" are substituted for the former specific references to licensure by the "Maryland State Board of Examiners of Landscape Architects" and the "Maryland State Board of Registration for Professional Engineers and Land Surveyors", respectively. The substituted language conforms to the provisions of Titles 14 and 9 that authorize the practice of engineering and landscape architecture by certain individuals who do not hold a license under the respective Title 14 or 9. In any event, the former reference to the "Maryland State Board of Registration for Professional Engineers and Land Surveyors" was obsolete, since Ch. 763, Acts of 1977, placed responsibility for professional engineers and land surveyors under separate boards.

Also in subsection (b)(1) and (2) of this section, the former language "not in conflict with the basic definition of [the practice of] architecture in § 464(e) of this subtitle" is deleted as surplusage and to conform to similar provisions in other titles of this article. Former Art. 56, § 469 did not authorize a landscape architect or professional engineer to perform any act that is not independently authorized under Title 9 or Title 14 of this article.