

Maryland Register

Issue Date: July 20, 2018

Volume 45 • Issue 15 • Pages 713—760

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before July 2, 2018, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of July 2, 2018.

Gail S. Klakring
Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

The Maryland Register is an official State publication published every other week throughout the year. A cumulative index is published quarterly.

The Maryland Register is the temporary supplement to the Code of Maryland Regulations. Any change to the text of regulations published in COMAR, whether by adoption, amendment, repeal, or emergency action, must first be published in the Register.

The following information is also published regularly in the Register:

- Governor's Executive Orders
- Attorney General's Opinions in full text
- Open Meetings Compliance Board Opinions in full text
- State Ethics Commission Opinions in full text
- Court Rules
- District Court Administrative Memoranda
- Courts of Appeal Hearing Calendars
- Agency Hearing and Meeting Notices
- Synopses of Bills Introduced and Enacted by the General Assembly
- Other documents considered to be in the public interest

CITATION TO THE MARYLAND REGISTER

The Maryland Register is cited by volume, issue, page number, and date. Example:

- 19:8 Md. R. 815—817 (April 17, 1992) refers to Volume 19, Issue 8, pages 815—817 of the Maryland Register issued on April 17, 1992.

CODE OF MARYLAND REGULATIONS (COMAR)

COMAR is the official compilation of all regulations issued by agencies of the State of Maryland. The Maryland Register is COMAR's temporary supplement, printing all changes to regulations as soon as they occur. At least once annually, the changes to regulations printed in the Maryland Register are incorporated into COMAR by means of permanent supplements.

CITATION TO COMAR REGULATIONS

COMAR regulations are cited by title number, subtitle number, chapter number, and regulation number. Example: COMAR 10.08.01.03 refers to Title 10, Subtitle 08, Chapter 01, Regulation 03.

DOCUMENTS INCORPORATED BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COMAR simply by referring to it. While the text of an incorporated document does not appear in COMAR, the provisions of the incorporated document are as fully enforceable as any other COMAR regulation. Each regulation that proposes to incorporate a document is identified in the Maryland Register by an Editor's Note. The Cumulative Table of COMAR Regulations Adopted, Amended or Repealed, found online, also identifies each regulation incorporating a document. Documents incorporated by reference are available for inspection in various depository libraries located throughout the State and at the Division of State Documents. These depositories are listed in the first issue of the Maryland Register published each year. For further information, call 410-974-2486.

HOW TO RESEARCH REGULATIONS

An Administrative History at the end of every COMAR chapter gives information about past changes to regulations. To determine if there have been any subsequent changes, check the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" which is found online at <http://www.dsd.state.md.us/PDF/CumulativeTable.pdf>. This table lists the regulations in numerical order, by their COMAR number, followed by the citation to the Maryland Register in which the change occurred. The Maryland Register serves as a temporary supplement to COMAR, and the two publications must always be used together. A Research Guide for Maryland Regulations is available. For further information, call 410-260-3876.

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$15.00 per issue.

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

Maryland citizens and other interested persons may participate in the process by which administrative regulations are adopted, amended, or repealed, and may also initiate the process by which the validity and applicability of regulations is determined. Listed below are some of the ways in which citizens may participate (references are to State Government Article (SG), Annotated Code of Maryland):

- By submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see "Opportunity for Public Comment" at the beginning of all regulations appearing in the Proposed Action on Regulations section of the Maryland Register). (See SG, §10-112)
- By petitioning an agency to adopt, amend, or repeal regulations. The agency must respond to the petition. (See SG §10-123)
- By petitioning an agency to issue a declaratory ruling with respect to how any regulation, order, or statute enforced by the agency applies. (SG, Title 10, Subtitle 3)
- By petitioning the circuit court for a declaratory judgment on the validity of a regulation when it appears that the regulation interferes with or impairs the legal rights or privileges of the petitioner. (SG, §10-125)
- By inspecting a certified copy of any document filed with the Division of State Documents for publication in the Maryland Register. (See SG, §7-213)

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Lawrence J. Hogan, Jr., Governor; **John C. Wobensmith,** Secretary of State; **Gail S. Klakring,** Administrator; **Mary D. MacDonald,** Senior Editor, Maryland Register and COMAR; **Elizabeth Ramsey,** Editor, COMAR Online, and Subscription Manager; **Tami Cathell,** Help Desk, COMAR and Maryland Register Online.
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Illustrations by Carolyn Anderson, Dept. of General Services

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The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable version of COMAR.

The Maryland Register is also available at www.dsd.state.md.us.

For additional information, visit www.dsd.state.md.us, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

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Availability of Monthly List of Maryland Documents

The Maryland Department of Legislative Services receives copies of all publications issued by State officers and agencies. The Department prepares and distributes, for a fee, a list of these publications under the title “Maryland Documents”. This list is published monthly, and contains bibliographic information concerning regular and special reports, bulletins, serials, periodicals, catalogues, and a variety of other State publications. “Maryland Documents” also includes local publications.

Anyone wishing to receive “Maryland Documents” should write to: Legislative Sales, Maryland Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

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September 28	September 10	September 19	September 17
October 12	September 24	October 3	October 1
October 26	October 5**	October 17	October 15
November 9	October 22	October 31	October 29
November 26***	November 5	November 14	November 9**
December 7	November 19	November 28	November 26
December 21	December 3	December 12	December 10
2019			
January 4	December 17	December 26	December 24
January 18	December 31	January 9	January 7

* Due date for documents containing 8 to 18 pages — 48 hours before date shown; due date for documents exceeding 18 pages — 1 week before date shown

NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9-POINT, SINGLE-SPACED FORMAT. THE REVISED PAGE COUNT REFLECTS THIS FORMATTING.

** Note closing date changes

*** Note issue date changes

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

Under the COMAR codification system, every regulation is assigned a unique four-part codification number by which it may be identified. All regulations found in COMAR are arranged by title. Each title is divided into numbered subtitles, each subtitle is divided into numbered chapters, and each chapter into numbered regulations.

09.12.01.01D(2)(c)(iii)
 Title Subtitle Chapter Regulation Section Subsection Paragraph Subparagraph

A regulation may be divided into lettered sections, a section divided into numbered subsections, a subsection divided into lettered paragraphs, and a paragraph divided into numbered subparagraphs.

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

This table, previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR). The table is no longer printed here but may be found on the Division of State Documents website at www.dsd.state.md.us.

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata pertaining to proposed regulations are listed, followed by “(err)”. Regulations referencing a document incorporated by reference are followed by “(ibr)”. None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

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Open Meetings Compliance Board

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Mayor and Council of Boonsboro

April 9, 2018

Topics Discussed: Notice Requirement on Website; Agenda Contents

Opinion: The Council violated § 3-302.1(a) by making available an agenda that omitted an item of business “known” to members of the Council when the agenda was prepared.

Violations: § 3-302.1(a)

12 Official Opinions of the Compliance Board 23 (2018)

Montgomery County Board of Education

April 11, 2018

Topics Discussed: Guidance on Complaint Process

Opinion: No violations were found. The Board discouraged complainants from using the complaint process to indulge in speculation and to pose hypothetical questions.

Violations: None

12 Official Opinions of the Compliance Board 24 (2018)

Council of the Town of Rock Hall

April 19, 2018

Topics Discussed: Guidance on Complaint Process

Opinion: The complaint was dismissed. When taken as true, the complaint did not allege violations of the Act.

Violations: None

12 Official Opinions of the Compliance Board 25 (2018)

Board of Education of Somerset County

April 19, 2018

Topics Discussed: Administrative Function; Notice Requirement; Content of Written Statement for Closed Session; Minutes, Summary of Closed Session

Opinion: The school board violated various provisions with respect to its closed sessions, including meeting notice, closing statement, and closed session summary violations. The Compliance Board also provided guidance on the Administrative Function exclusion.

Violations: §§ 3-104, 3-302, 3-305(d), and 3-306(c)

12 Official Opinions of the Compliance Board 28 (2018)

Board of Education of Allegany County

April 27, 2018

Topics Discussed: Quasi-Legislative Function; Meeting Notice Content and Method; Personnel Exception; Content of Written Statement for Closed Session; Open-Session Minutes

Opinion: The school board violated various provisions with respect to its closed sessions, including meeting notice violations; failure to provide minutes of an open session whose sole purpose was to close the meeting; and inadequate written statements to close the meeting. The school board’s discussion of an individual’s employment contract fell within § 3-305(b)(1) (Personnel Exception).

Violations: §§ 3-302, 3-306(b)(1), and § 3-305(d)(2)(ii)

12 Official Opinions of the Compliance Board 33 (2018)

Board of Education of Anne Arundel County

April 27, 2018

Topics Discussed: Administrative Function Exclusion; Meeting Notice Content; Meeting Minutes; Guidance on Complaint Process

Opinion: The school board violated the Act’s provisions on meeting notices, but not the provisions on meeting minutes and closed meeting discussions. The Compliance Board noted that the proposed change to the school board practices would address its meeting notice violation and also recommended that the school board use the newest sample closing form from the Attorney General’s website for its closing statements.

Violations: § 3-302

12 Official Opinions of the Compliance Board 35 (2018)

Baltimore City Board of School Commissioners

May 11, 2018

Topics discussed: Content of Written Statement for Closed Session

Opinion: The Compliance Board found that the school board did not include all of the information required by the Act on its closing statements. The school board was commended for quickly adopting new closing statement procedures that would address this violation.

Violations: § 3-305(d)

12 Official Opinions of the Compliance Board 37 (2018)

Carroll County Board of Education

May 11, 2018

Topics discussed: Administrative Function; Guidance on Complaint Process

Opinion: The convening of school board members on Dec. 8, 2015 to discuss its selection of new officers fell within the administrative function exclusion and was not subject to the Act. The Compliance Board also gave guidance on the timeliness of complaints. Opinions of the Board serve to give timely advice with a goal of prompt resolution of current concerns and prompt compliance of the Act by public bodies. The Compliance Board encouraged complainants to focus on concerns with a public body’s current practices or recent conduct.

Violations: None

12 Official Opinions of the Compliance Board 39 (2018)

City of Frederick Board of Aldermen

May 11, 2018

Topics discussed: Guidance on Complaint Process

Opinion: The complainant alleged violations of the Act between July 31, 2014 and February 19, 2014. The Compliance Board found that it was unable to resolve this complaint about long past events because it is unclear what actually happened.

Violations: None

12 Official Opinions of the Compliance Board 41 (2018)

Wicomico County Board of Education

May 17, 2018**Topics discussed:** Meeting Notice Content and Method; Content of Written Statement for Closed Session; Minutes – Summary of Prior Closed Session**Opinion:** The Compliance Board found violations of the notice provisions of the Act. The “Meetings” webpage of the school board must list all of its open meetings or alert the public that its list is incomplete. The school board also violated that Act by not including sufficient detail in its closing statements and closed session summaries as to its reasons for closing and topics to be discussed.**Violations:** §§ 3-104, 3-302, 3-305(d), and 3-306(c)**12 Official Opinions of the Compliance Board 44** (2018)

Baltimore County Board of Education

May 17, 2018**Topics discussed:** Property Acquisition Exception; Minutes – Summary of Prior Closed Session**Opinion:** The school board violated the Act by not including sufficient detail in its closing statements and closed session summaries as to its reasons for closing and topics to be discussed. The Compliance Board also found that the school board cited the wrong statutory authority for closing one meeting. The property acquisition exception § 3-305(b)(3) does not apply to receiving counsel’s advice on granting an easement on school property. The school board also was found to have a technical violation of the minutes requirement of the Act by not reading aloud the closed session summary into its video minutes.**Violations:** § 3-305 and 3-306**12 Official Opinions of the Compliance Board 46** (2018)

Talbot County Board of Education

May 29, 2018**Topics discussed:** Meeting Definition; Administrative Function; Property Acquisition and Legal Advice Exceptions; Closed Sessions Discussion; Minutes – Summary of Prior Closed Session**Opinion:** The Compliance Board found that the town hall meeting attended by a quorum of board members who were not on the agenda was not a meeting, but that the quorum of board members attending a closed joint dinner to discuss a joint public matter was a meeting. The Open Meetings requirement was violated by the “joint dinner” and the public should have been invited. The Compliance Board also found multiple violations regarding the content of closing statements and closed-session summaries including incorrect citations for statutory authority to close the meeting and insufficient summaries of the discussion topics. The school board was found to appropriately adopt the administrative function for certain advisory committees. Finally, the school board also violated the act by discussing a lease agreement in closed session.**Violations:** § 3-301, 3-302, 3-305(d)(2)(ii), 3-306(c)(2)(iii) and 3-306(e)(2)**12 Official Opinions of the Compliance Board 52** (2018)

Harford County Board of Education

June 1, 2018**Topics discussed:** Collective Bargaining Exception; Content of Written Statement for Closed Session**Opinion:** The school board was found to have violated the Act due to insufficient information in its closing statements. The school board also recognized that a closed-door discussion about negotiations with school bus contractors did not fall within the collective bargaining exception as cited. The school board has addressed the practices that led to these violations.**Violations:** §§ 3-301 and 3-305**12 Official Opinions of the Compliance Board 53** (2018)

Maryland Medical Cannabis Commission

June 18, 2018**Topics discussed:** Definition of Public Body**Opinion:** Informally-created subcommittees comprising only the parent commission’s members were determined not to be public bodies.**Violations:** None**12 Official Opinions of the Compliance Board 55** (2018)

Board of Education of Cecil County

June 25, 2018**Topics discussed:** Closing Statement Practices; Minutes – Summary of Prior Closed Session**Opinion:** The school board was found to have violated the Act by not preparing closing statements before closing all of its meetings. Preparing closing statements after-the-fact does not address this violation. Also, the school board was found to have insufficient information in its closed-session summaries, including inadequate descriptions of discussions and no identification of persons present. The school board correctly cited the statutory authority to hold a closed discussion for its June 12, 2017 meeting.**Violations:** §§ 3-305 and 3-306

The Compliance Board’s opinions are posted at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/index.aspx>. Statutory references are to the General Provisions Article (2014, with 2017 supp.)

Regulatory Review and Evaluation

Regulations promulgated under the Administrative Procedure Act will undergo a review by the promulgating agency in accordance with the Regulatory Review and Evaluation Act (State Government Article, §§10-130 — 10-139; **COMAR 01.01.2003.20**). This review will be documented in an evaluation report which will be submitted to the General Assembly's Joint Committee on Administrative, Executive, and Legislative Review. The evaluation reports have been spread over an 8-year period (see **COMAR 01.01.2003.20** for the schedule). Notice that an evaluation report is available for public inspection and comment will be published in this section of the Maryland Register.

Title 10 MARYLAND DEPARTMENT OF HEALTH

Notice of Opportunity for Public Inspection and Comment

In accordance with the Regulatory Review and Evaluation Act, State Government Article, §§10-130—10-139, Annotated Code of Maryland, the Maryland Department of Health is reviewing and evaluating certain regulations codified within Subtitles 21 and 47 of Title 10 of the Code of Maryland Regulations. The purpose of the review and evaluation is to determine whether existing regulations continue to accomplish the purposes for which they were adopted, clarify ambiguous or unclear language, and repeal obsolete or duplicative provisions.

The regulations being reviewed are:

Subtitle 21 MENTAL HYGIENE REGULATIONS

- 10.21.01 Involuntary Admission to Inpatient Mental Health Facilities
- 10.21.02 Psychiatric Day Treatment Services
- 10.21.03 Requirements for Individual Treatment Plans
- 10.21.04 Community Mental Health Programs—Group Homes for Adults with Mental Illness
- 10.21.05 Aftercare Plans
- 10.21.06 Admission to Regional Institutes for Children and Adolescents
- 10.21.08 Services for Mentally Ill Hearing Impaired Patients in Facilities
- 10.21.09 Patients' Rights to Visitors
- 10.21.10 Psychiatric Residential Treatment Facility (PRTF) Demonstration Waiver Providers
- 10.21.11 Purchase of Residential Therapeutic Care for Children
- 10.21.12 Use of Quiet Room and Use of Restraint
- 10.21.13 Use of Quiet Room and Use of Seclusion
- 10.21.15 Petition for Emergency Evaluation—Payment for Services
- 10.21.16 Community Mental Health Programs—Application, Approval, & Disc. Processes
- 10.21.17 Community Mental Health Programs—Definitions and Administrative Requirements
- 10.21.18 Community Mental Health Programs—Therapeutic Nursery Programs
- 10.21.19 Community Mental Health Programs—Mobile Treatment Services
- 10.21.20 Community Mental Health Programs—Outpatient Mental Health Centers
- 10.21.21 Community Mental Health Programs—Psychiatric Rehabilitation Programs for Adults
- 10.21.22 Community Mental Health Programs—Residential Rehabilitation Programs
- 10.21.23 Community-Based Fund
- 10.21.24 Interagency Discharge Planning for Hospitalized Children and Adolescents

10.21.25 Fee Schedule—MHS—Community-Based Programs & Individual Practitioners

10.21.26 Community Mental Health Programs—Residential Crisis Services

10.21.27 Community Mental Health Programs—Respite Care Services

10.21.28 Community Mental Health Programs—Mental Health Vocational Programs (MHVP)

10.21.29 Community Mental Health Programs—Psychiatric Rehabilitation Services for Minors

10.21.30 Telemental Health Service

Subtitle 47 ALCOHOL AND DRUG ABUSE ADMINISTRATION

10.47.01 Requirements

10.47.02 Specific Program Requirements

10.47.03 Specific Program Requirements for Correctional Levels of Care

10.47.04 Certification Requirements

10.47.05 Education Programs

Interested parties may submit comments to bha.regulations@maryland.gov. Comments must be received no later than August 31, 2018.

[18-15-15]

Emergency Action on Regulations

Symbol Key

- Roman type indicates text existing before emergency status was granted.
- *Italic type* indicates new text.
- [Single brackets] indicate deleted text.

Emergency Regulations

Under State Government Article, §10-111(b), Annotated Code of Maryland, an agency may petition the Joint Committee on Administrative, Executive, and Legislative Review (AELR), asking that the usual procedures for adopting regulations be set aside because emergency conditions exist. If the Committee approves the request, the regulations are given emergency status. Emergency status means that the regulations become effective immediately, or at a later time specified by the Committee. After the Committee has granted emergency status, the regulations are published in the next available issue of the Maryland Register. The approval of emergency status may be subject to one or more conditions, including a time limit. During the time the emergency status is in effect, the agency may adopt the regulations through the usual promulgation process. If the agency chooses not to adopt the regulations, the emergency status expires when the time limit on the emergency regulations ends. When emergency status expires, the text of the regulations reverts to its original language.

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 05 PESTICIDE USE CONTROL

15.05.01 Use and Sale of Pesticides, Certification of Pesticide Applicators and Pest Control Consultants, and Licensing of Pesticide Businesses

Authority: Agriculture Article, §§5-105, 5-106, and 5-204, Annotated Code of Maryland; *Ch. 598, §11, Acts of 2018*

Notice of Emergency Action

[18-171-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .02 under **COMAR 15.05.01 Use and Sale of Pesticides, Certification of Pesticide Applicators and Pest Control Consultants, and Licensing of Pesticide Businesses** to prohibit the use and registration of a pesticide to control plant pests when growing Cannabis, but to allow limited pesticide use for the unrelated purpose of disinfection or sanitation before growth. The Secretary of Agriculture has determined that the application of a pesticide to Cannabis may pose a health risk for human consumption because no pesticides have been registered for this use by the U.S. Environmental Protection Agency and no risk assessment to human health has been performed.

Emergency status began: July 6, 2018.

Emergency status expires: September 29, 2018.

Editor's Note: The text of this document will not be printed here because it appears as a Notice of Proposed Action on pages 741—742 of this issue, referenced as [18-171-P].

JOSEPH BARTENFELDER
Secretary of Agriculture

Final Action on Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- ~~[[Double brackets]]~~ indicate text deleted at the time of final action.

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 10 RACING COMMISSION

09.10.02 Harness Rules

Authority: Business Regulation Article, §11-210, Annotated Code of Maryland

Notice of Final Action

[18-117-F]

On June 27, 2018, the Maryland Racing Commission adopted amendments to Regulations **.43**, **.53**, and **.53-1** and adopted new Regulations **.60** and **.61** under **COMAR 09.10.02 Harness Rules**. This action, which was proposed for adoption in 45:10 Md. R. 505—508 (May 11, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

J. MICHAEL HOPKINS
Executive Director
Racing Commission

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 15 MOTOR VEHICLE ADMINISTRATION—VEHICLE REGISTRATION

11.15.01 Gratis Registration Plates

Authority: Transportation Article, §§12-104(b), 13-903, and 13-615, Annotated Code of Maryland

Notice of Final Action

[18-093-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulation **.01** under **COMAR 11.15.01 Gratis Registration Plates**. This action, which was proposed for adoption in 45:9 Md. R. 469 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Subtitle 15 MOTOR VEHICLE ADMINISTRATION—VEHICLE REGISTRATION

11.15.07 Special Registration Number — Personalized Plates

Authority: Transportation Article, §§12-104(6) and 13-613, Annotated Code of Maryland

Notice of Final Action

[18-094-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulations **.01—03** under **COMAR 11.15.07 Special Registration Number — Personalized Plates**. This action, which was proposed for adoption in 45:9 Md. R. 470 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Subtitle 15 MOTOR VEHICLE ADMINISTRATION—VEHICLE REGISTRATION

11.15.15 Issuance of Chesapeake Bay Commemorative Plates

Authority: Transportation Article, §§12-104(6) and 13-618, Annotated Code of Maryland

Notice of Final Action

[18-095-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulations **.01** and **.03** and amendments to Regulation **.02** under **COMAR 11.15.15 Issuance of Chesapeake Bay Commemorative Plates**. This action, which was proposed for adoption in 45:9 Md. R. 470 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
REGISTRATION**

**11.15.19 Special Registration Numbers and
Plates for Members of Certain Nonprofit
Organizations**

Authority: Transportation Article, §§12-104(6) and 13-619, Annotated Code of Maryland

Notice of Final Action
[18-096-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulations .01 and .02 and amendments to Regulations .03, .06, and .08 under **COMAR 11.15.19 Special Registration Numbers and Plates for Members of Certain Nonprofit Organizations**. This action, which was proposed for adoption in 45:9 Md. R. 470 — 471 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
REGISTRATION**

**11.15.23 Special Registration Plates for
Recipients of Combat-Related Armed Forces
Medals and Honorably Discharged Veterans**

Authority: Transportation Article, §§12-104(b) and 13-619, Annotated Code of Maryland

Notice of Final Action
[18-098-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations .01 and .04 and the repeal of Regulation .02 under **COMAR 11.15.23 Special Registration Plates for Recipients of Combat-Related Armed Forces Medals and Honorably Discharged Veterans**. This action, which was proposed for adoption in 45:9 Md. R. 472 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
REGISTRATION**

11.15.20 Dump Service Registration

Authority: Transportation Article, §§12-104(b) and 13-919, Annotated Code of Maryland

Notice of Final Action
[18-097-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulations .02 and .03 and amendments to Regulations .04 and .05 under **COMAR 11.15.20 Dump Service Registration**. This action, which was proposed for adoption in 45:9 Md. R. 471 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
REGISTRATION**

**11.15.27 Four or More Axle Dump Service
Vehicles**

Authority: Transportation Article, §§12-104(b) and 13-919, Annotated Code of Maryland

Notice of Final Action
[18-099-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations .01, .02, .07, and .08 and the repeal of Regulation .04 under **COMAR 11.15.27 Four or More Axle Dump Service Vehicles**. This action, which was proposed for adoption in 45:9 Md. R. 472—473 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
REGISTRATION**

**11.15.28 Vehicle Registration Suspension and
Nonrenewal for Failure to Pay Toll**

Transportation Article, §§12-104(b)[[.]] *and* 21-1414 [[and 27-110]],
Annotated Code of Maryland

Notice of Final Action
[18-100-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations **.03** and **.04** under **COMAR 11.15.28 Vehicle Registration Suspension and Nonrenewal for Failure to Pay Toll**. This action, which was proposed for adoption in 45:9 Md. R. 473 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 15 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
REGISTRATION**

**11.15.30 Issuance of Special Agriculture
Registration Plates**

Authority: Transportation Article, §§12-104(b) and 13-619.2, Annotated Code of Maryland

Notice of Final Action
[18-101-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulation **.01** under **COMAR 11.15.30 Issuance of Special Agriculture Registration Plates**. This action, which was proposed for adoption in 45:9 Md. R. 473—474 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 16 MOTOR VEHICLE
ADMINISTRATION—VEHICLE
OPERATIONS**

**11.16.04 Revocation of Disabled Registration
Plates and Parking Placards**

Authority: Transportation Article, §§12-104(b), 13-616, 13-616.1, and 13-616.2, Annotated Code of Maryland

Notice of Final Action
[18-102-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations **.04** and **.07** under **COMAR 11.16.04 Revocation of Disabled Registration Plates and Parking Placards**. This action, which was proposed for

adoption in 45:9 Md. R. 474 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 17 MOTOR VEHICLE
ADMINISTRATION—DRIVER
LICENSING AND IDENTIFICATION
DOCUMENTS**

11.17.06 Identification Cards

Authority: Transportation Article, §§12-104(6), 12-301, and 12-302, Annotated Code of Maryland

Notice of Final Action
[18-103-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulations **.02** and **.03** and amendments to Regulations **.07** and **.08** under **COMAR 11.17.06 Identification Cards**. This action, which was proposed for adoption in 45:9 Md. R. 475 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 17 MOTOR VEHICLE
ADMINISTRATION—DRIVER
LICENSING AND IDENTIFICATION
DOCUMENTS**

11.17.14 Driver Knowledge and Skills Tests

Authority: Transportation Article, §§11-109, 12-104(b), 16-105, 16-110, and 16-807, Annotated Code of Maryland; 49 CFR §§383.123 and 383.77

Notice of Final Action
[18-104-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations **.02**, **.04**, **.06**, **.08**, **.11**, and **.12** and the repeal of Regulation **.03** under **COMAR 11.17.14 Driver Knowledge and Skills Tests**. This action, which was proposed for adoption in 45:9 Md. R. 475—476 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 17 MOTOR VEHICLE
ADMINISTRATION—DRIVER
LICENSING AND IDENTIFICATION
DOCUMENTS**

11.17.16 Corrected Driver's License

Authority: Transportation Article, §§12-104(b), 12-302, 16-111.1, 16-114.1, and 16-818, Annotated Code of Maryland

Notice of Final Action

[18-105-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations **.01** and **.03** and the repeal of Regulations **.02**, **.02-1**, and **.04** under **COMAR 11.17.16 Corrected Driver's License**. This action, which was proposed for adoption in 45:9 Md. R. 476—477 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Subtitle 17 MOTOR VEHICLE
ADMINISTRATION—DRIVER
LICENSING AND IDENTIFICATION
DOCUMENTS**

11.17.17 Provisional Driver's License

Authority: Transportation Article, §§12-104(b) and 16-113.1, Annotated Code of Maryland

Notice of Final Action

[18-106-F]

On June 12, 2018, the Administrator of the Motor Vehicle Administration adopted the repeal of Regulations **.01—04** under **COMAR 11.17.17 Provisional Driver's License**. This action, which was proposed for adoption in 45:9 Md. R. 477 (April 27, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

**Title 13B
MARYLAND HIGHER
EDUCATION COMMISSION**

Subtitle 08 FINANCIAL AID

13B.08.18 Maryland Loan Assistance Repayment Program for Foster Care Recipients

Authority: Education Article, §§11-105(u) and 18-3206, Annotated Code of Maryland

Notice of Final Action

[18-061-F]

On June 27, 2018, the Maryland Higher Education Commission adopted new Regulations **.01—14** under a new chapter, **COMAR 13B.08.18 Maryland Loan Assistance Repayment Program for Foster Care Recipients**. This action, which was proposed for adoption in 45:7 Md. R. 373—375 (March 30, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Subtitle 08 FINANCIAL AID

13B.08.19 Institutional Audit Requirements for Educational Excellence Awards

Authority: Education Article, §§11-105(u), 18-204(c), and 18-307, Annotated Code of Maryland

Notice of Final Action

[18-127-F]

On June 27, 2018, the Maryland Higher Education Commission adopted new Regulations **.01—06** under a new chapter, **COMAR 13B.08.19 Institutional Audit Requirements for Educational Excellence Awards**. This action, which was proposed for adoption in 45:10 Md. R. 512—514 (May 11, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Title 31
MARYLAND INSURANCE
ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS
AND OTHER INSURANCE
PROFESSIONALS

31.03.18 Public Adjusters

Authority: Insurance Article, §§2-109, 2-209, and 10-408, Annotated Code of Maryland

Notice of Final Action
 [18-123-F]

On June 28, 2018, the Maryland Insurance Administration adopted amendments to Regulations .02 and .03 and adopted new Regulations .04—.16 under **COMAR 31.03.18 Public Adjusters**. This action, which was proposed for adoption in 45:10 Md. R. 515—518 (May 11, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

ALFRED W. REDMER, JR.
 Insurance Commissioner

Subtitle 10 HEALTH INSURANCE —
GENERAL

31.10.18 Denials of Coverage Based on Medical
Necessity

Authority: Insurance Article, §2-109 and Title 15, Subtitle 10A, Annotated Code of Maryland

Notice of Final Action
 [18-121-F]

On July 11, 2018, the Insurance Commissioner adopted amendments to Regulations .05 and .11 under **COMAR 31.10.18 Denials of Coverage Based on Medical Necessity**. This action, which was proposed for adoption in 45:10 Md. R. 519 (May 11, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

ALFRED W. REDMER, JR.
 Insurance Commissioner

Title 35
MARYLAND DEPARTMENT
OF VETERANS AFFAIRS

Subtitle 06 MARYLAND VETERANS
SERVICE ANIMAL PROGRAM

35.06.01 General Regulations

Authority: State Government Article, §9-957, Annotated Code of Maryland

Notice of Final Action
 [18-140-F]

On July 10, 2018, the Secretary of Veterans Affairs adopted amendments to Regulation .07 under **COMAR 35.06.01 General Regulations**. This action, which was proposed for adoption in 45:11 Md. R. 601—602 (May 25, 2018), has been adopted as proposed.

Effective Date: July 30, 2018.

GEORGE W. OWINGS III
 Secretary of Veterans Affairs

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

08.03.04 Forest Wildlife

Authority: Natural Resources Article, §§10-415 and 10-418, Annotated Code of Maryland

Notice of Proposed Action

[18-173-P]

The Secretary of Natural Resources proposes to amend Regulations .02, .15, and .23 under **COMAR 08.03.04 Forest Wildlife**.

Statement of Purpose

The purpose of this action is to amend Regulation .02 to allow the use of rifles in Calvert County by those persons shooting deer under the authority of a valid Deer Management Permit and to amend Regulations .15 and .23 to allow the use of daylight fluorescent pink as an alternative to using fluorescent orange when bow hunting on Junior Hunting Day and when a person is bow hunting for deer during the open bear season. The use of rifles in Calvert County and daylight fluorescent pink as an alternative to the required fluorescent orange were passed into law by the Maryland General Assembly during the 2018 legislative session.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Karina Stonesifer, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 12512 Pleasant Valley Road, Flintstone, MD 21530, or call 301-777-2136, or email to karina.stonesifer@maryland.gov, or fax to 301-777-2029. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.02 Deer Management Permit Procedures.

A. — E. (text unchanged)

F. Deer Reduction Procedure.

(1) — (7) (text unchanged)

(8) Using a Deer Management Permit.

(a) (text unchanged)

(b) In *Calvert*, Charles, and St. Mary's counties, all persons shooting deer under the authority of a valid deer management permit may shoot deer using a breech loading center fired rifle or any hunting device legal for hunting deer during the deer firearms season.

G. An individual authorized as a permittee on a deer management permit for property in *Calvert*, Charles, or St. Mary's county who leases State agricultural crop land may shoot deer on the leased State agricultural land in *Calvert*, Charles, and St. Mary's counties to the same extent, and subject to the same conditions, that the individual is authorized to shoot deer under the deer management permit.

H. — K. (text unchanged)

.15 Bow Hunting on Junior Hunting Day.

A. (text unchanged)

B. All bowhunters hunting on the Junior Hunting Day described in COMAR 08.03.03.07—.08 shall wear fluorescent orange *or daylight fluorescent pink* clothing in accordance with Natural Resources Article, §10-418, Annotated Code of Maryland.

.23 Hunting Deer When the Black Bear Season is Open.

A person may not bow hunt or assist with bow hunting deer in the hunted area for black bears as defined by COMAR 08.03.04.20B when the black bear hunting season is open unless the person wears:

A. A cap of solid daylight fluorescent orange *or daylight fluorescent pink* color;

B. A vest, jacket, or jacket containing back and front panels of at least 250 square inches of a solid daylight fluorescent orange *or daylight fluorescent pink* color; or

C. An outer garment of camouflage fluorescent orange *or daylight fluorescent pink* worn above the waist which contains at least 50 percent daylight fluorescent orange *or daylight fluorescent pink* color.

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.10 General Wildlife Hunting Regulations

Authority: Natural Resources Article, §10-418, Annotated Code of Maryland

Notice of Proposed Action

[18-174-P]

The Secretary of Natural Resources proposes to amend Regulation **.14** under **COMAR 08.03.10 General Wildlife Hunting Regulations**.

Statement of Purpose

The purpose of this action is to allow the use of daylight fluorescent pink as an alternative to using fluorescent orange when a person is hunting from a ground blind. The use of daylight fluorescent pink as an alternative to the required fluorescent orange was passed into law by the Maryland General Assembly during the 2018 legislative session.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Karina Stonesifer, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 12512 Pleasant Valley Road, Flintstone, MD 21530, or call 301-777-2136, or email to karina.stonesifer@maryland.gov, or fax to 301-777-2029. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.14 Hunting from a Ground Blind.

A. (text unchanged)

B. Except as provided in §C of this regulation, a person may not hunt or assist with hunting while the person is in a ground blind unless the person displays on or within 25 feet of the blind:

(1) A cap of solid daylight fluorescent orange *or daylight fluorescent pink* color; or

(2) A panel, band, strip, or garment containing at least 250 square inches of solid daylight fluorescent orange *or daylight fluorescent pink* color.

C. (text unchanged)

D. The provisions of this regulation do not exempt a person using a ground blind from the fluorescent orange *or daylight fluorescent pink* requirements in Natural Resources Article, §10-418, Annotated Code of Maryland.

MARK J. BELTON
Secretary of Natural Resources

Title 09
DEPARTMENT OF LABOR,
LICENSING, AND
REGULATION

Subtitle 16 BOARD OF BARBERS

09.16.01 General Regulations

Authority: Business Occupations and Professions Article, [Title] *Titles 4 and 5*[,] *Business Regulation Article, §§2-106.13 and 2-106.14*; Annotated Code of Maryland; *Ch. 256, Acts of 2017*

Notice of Proposed Action

[18-184-P]

The Board of Barbers proposes to repeal existing Regulation **.08** and adopt new Regulation **.08** under **COMAR 09.16.01.General Regulations**. This action was considered at a public meeting held on June 11, 2018.

Statement of Purpose

The purpose of this action is to amend the fee regulations to reflect special funding for the Board of Barbers.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Erica Lewis, Acting Executive Director, Board of Barbers, Department of Labor, Licensing, and Regulation, 500 N. Calvert Street, Baltimore, MD 21202, or call 410-230-6193, or email to erica.lewis@maryland.gov, or fax to 410-333-6314. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Board of Barbers during a public meeting to be held on September 10, 2018, at 10 a.m., at the Department of Labor, Licensing, and Regulation, 500 North Calvert Street, Third Floor, Baltimore, Maryland 21202.

.08 Fees.

A. *Purpose. This regulation is intended to carry out the provisions of Business Occupations and Professions Article, Titles 4 and 5, and Business Regulation Article, §§2-106.13 and 2-106.14, Annotated Code of Maryland. In particular, it is intended to set various fees in*

order to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the State Board of Barbers and State Board of Cosmetologists.

B. Definitions.

(1) In this regulation, the following terms have the meanings indicated.

(2) Terms Defined.

(a) "Barber shop permit fee" means the fee paid by an applicant or licensee, as applicable, in connection with the issuance and renewal of a barber shop permit.

(b) "Barbers Board" means the State Board of Barbers.

(c) "Cosmetologists Board" means the State Board of Cosmetologists.

(d) "License fee" means the fee paid by an applicant or licensee, as applicable, in connection with the issuance and renewal of a license and the issuance of a limited license and a reciprocal license.

(e) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

C. Examination Fees. An applicant for examination or reexamination shall pay an examination or reexamination fee directly to the testing service chosen by the Barbers Board to develop or administer the examination.

D. Average of Costs. In order to establish fees that more equitably distribute the costs associated with the operation of each board among similar boards, the Secretary may average the direct and indirect costs of the Barbers Board and the Cosmetologists Board, provided that the boards consent to having their direct and indirect costs averaged together.

E. As provided for in Business Regulation Article, §§2-106.13 and 2-106.14, Annotated Code of Maryland, and this regulation, the Barbers Board sets the following license and permit fees:

(1) Owner — \$50;

(2) Master barber — \$50;

(3) Barber — \$50;

(4) Barber stylist — \$50;

(5) Apprentice — \$10;

(6) Duplicate — 1/2 the applicable fee set forth in this section;

(7) Reinstatement — \$50;

(8) Certification — \$25; and

(9) Inspection — \$150.

F. A separate payment is required for each application.

G. Payment in cash may not be accepted.

H. All fees are nonrefundable.

PHILLIP MAZZA
Chairman
Board of Barbers

Subtitle 16 BOARD OF BARBERS

09.16.02 Barber Shops

Authority: Business Occupations and Professions Article, Title 4, Annotated Code of Maryland.

Notice of Proposed Action

[18-185-P]

The Board of Barbers proposes to amend Regulation .04 under **COMAR 09.16.02 Barber Shop**. This action was considered at a public meeting held on June 11, 2018.

Statement of Purpose

The purpose of this action is to amend the Barber Shop regulations to include regulations related to mobile barber shops.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Erica Lewis, Acting Executive Director, Board of Barbers, Department of Labor, Licensing, and Regulation, 500 N. Calvert Street, Baltimore, MD 21202, or call 410-230-6193, or email to erica.lewis@maryland.gov, or fax to 410-333-6314. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Board of Barbers during a public meeting to be held on September 10, 2018 at 10 a.m., at the Department of Labor, Licensing, and Regulation, 500 North Calvert Street, Third Floor, Baltimore, MD 21202.

.04 Shop — General.

A.—D. (text unchanged)

E. Mobile Barbershops.

(1) All mobile units shall prominently display on the outside of the unit the name of the non-mobile barbershop that serves as the mobile unit's permanent base address.

(2) All health and safety rules governing barbering shall apply to mobile units unless otherwise specified.

(3) All storage containers, cabinets, and drawers shall have safety catches.

(4) All equipment not in storage cabinets or drawers shall be securely anchored.

(5) A ramp or lift shall be provided for access to the mobile unit if providing services for disabled individuals.

(6) Services may not be provided while the mobile unit is in motion.

(7) The owners of mobile units shall be responsible for adherence to all local, State and federal laws and regulations regarding the operation of vehicles to be used as mobile units.

(8) An itinerary showing dates, locations and times of service shall be made available, upon request, to an authorized representative of the board.

[E.] F. (text unchanged)

[F. The Board may initiate a criminal prosecution of a person operating a barber shop without a valid permit.]

PHILIP MAZZA
Chairman
Board of Barbers

Subtitle 22 BOARD OF COSMETOLOGISTS

09.22.01 General Regulations

Authority: Business Occupations and Professions Article, [Title] Titles 4 and 5[.]; Business Regulation Article, §§2-106.13 and 2-106.14; Annotated Code of Maryland; Ch. 256, Acts of 2017

Notice of Proposed Action

[18-186-P]

The Board of Cosmetologists proposes to repeal existing Regulation .12 and adopt new Regulation .12 under **COMAR 09.22.01 General Regulations**. This action was considered at a public meeting held on June 4, 2018.

Statement of Purpose

The purpose of this action is to amend the fee regulations to reflect special funding for the Board of Cosmetologists.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Erica Lewis, Acting Executive Director, Board of Cosmetologists, Department of Labor, Licensing, and Regulation, 500 N. Calvert Street, Baltimore, MD 21202, or call 410-230-6193, or email to erica.lewis@maryland.gov, or fax to 410-333-6314. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Board of Cosmetologists during a public meeting to be held on October 1, 2018, at 10 a.m., at the Department of Labor, Licensing, and Regulation, 500 North Calvert Street, Third Floor, Baltimore, MD 21202.

.12 Fees.

A. Purpose. This regulation is intended to carry out the provisions of Business Occupations and Professions Article, Titles 4 and 5, and Business Regulation Article, §§2-106.13 and 2-106.14, Annotated Code of Maryland. In particular, it is intended to set various fees in order to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the State Board of Barbers and State Board of Cosmetologists.

B. Definitions.

(1) In this regulation, the following terms have the meanings indicated.

(2) Terms Defined.

(a) "Barbers Board" means the State Board of Barbers.

(b) "Cosmetologists Board" means the State Board of Cosmetologists.

(c) "License fee" means the fee paid by an applicant or licensee, as applicable, in connection with the issuance and renewal of a license and the issuance of a limited license and a reciprocal license.

(d) "Salon owner permit fee" means the fee paid by an applicant or licensee, as applicable, in connection with the issuance and renewal of a salon permit.

(e) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

C. Examination Fees. An applicant for examination or reexamination shall pay an examination or reexamination fee directly to the testing service chosen by the Cosmetologists Board to develop or administer the examination.

D. Average of Costs. In order to establish fees that more equitably distribute the costs associated with the operation of each board among similar boards, the Secretary may average the direct and indirect costs of the Barbers Board and the Cosmetologists Board, provided that the boards consent to having their direct and indirect costs averaged together.

E. As provided for in Business Regulation Article, §§2-106.13 and 2-106.14, Annotated Code of Maryland, and this regulation, the Cosmetologist Board sets the following license and permit fees:

(1) Salon owner — \$50;

(2) Senior cosmetologist — \$25;

(3) Cosmetologist — \$25;

(4) Blow dry — \$25;

(5) Esthetician — \$25;

(6) Nail technician — \$25;

(7) Hair stylist — \$25;

(8) Apprentice — \$10;

(9) Reinstatement:

(a) If the license of a senior cosmetologist, cosmetologist, esthetician, or nail technician license has expired, a reinstatement fee of \$25 shall be paid in addition to the renewal fee in this section; and

(b) If the permit of a salon owner has expired, in addition to the renewal fee in this section:

(i) A reinstatement fee of \$50 shall be paid if not more than 45 days have passed since the expiration of the permit; and

(ii) A pre-opening inspection fee of \$150 shall be paid, and such an inspection shall be conducted, if more than 45 days have passed since the expiration of the permit; and

(10) Pre-opening inspection — \$150.

F. A separate payment is required for each application.

G. Payment in cash may not be accepted.

H. All fees are nonrefundable.

RACHEL ALLEN
Acting Chair
Board of Cosmetologists

Title 10 MARYLAND DEPARTMENT OF HEALTH

Notice of Proposed Action [18-180-P]

The Secretary of Health proposes to:

(1) Amend Regulations **.01** and **.02** under **COMAR 10.01.04 Fair Hearing Appeals Under the Maryland State Medical Assistance Program**;

(2) Amend Regulations **.02** and **.05** under **COMAR 10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment**;

(3) Amend Regulations **.19**, **.20**, and **.27** and adopt new Regulations **.26-4** and **.26-5** under **COMAR 10.09.67 Maryland Medicaid Managed Care Program: Benefits**; and

(4) Amend Regulation **.03** under **COMAR 10.09.70 Maryland Medicaid Managed Care Program: Non-Capitated Covered Services**.

Statement of Purpose

The purpose of this action is to:

(1) Correct the time frame and conditions under which an enrollee can request a State fair hearing;

(2) Update eligibility regulations to coincide with current business practices;

(3) Require that enrollees applying through the Maryland Health Exchange choose an MCO at time of application or be automatically assigned to an MCO;

(4) Require MCOs to cover a single dispensing supply of up to 12 months for prescription contraceptives; and

(5) Require MCOs to cover audiology for adults and children and remote patient monitoring.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action will save the Department a total of \$4,000,000 because it moves Medicaid participants from fee-for-service Medicaid coverage to MCO coverage.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E-)	\$4,000,000
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
	NONE	

F. Direct and indirect effects on public:

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The cost savings (i.e., \$4,000,000 in total funds; \$2,000,000 in general funds) reflect the impact of moving Medicaid fee-for-service participants to MCOs, which saves the Department money due to the fixed per-person cost paid to MCOs.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 W. Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

Subtitle 01 PROCEDURES

10.01.04 Fair Hearing Appeals Under the Maryland State Medical Assistance Program

Authority: Health-General Article, §2-104, Annotated Code of Maryland

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Action by an MCO" means:

(a) Denial or limited authorization of a requested service, including [the type or level of service];

(i) *The type or level of service;*

(ii) *Requirements for medical necessity;*

(iii) *Appropriateness;*

(iv) *Setting; or*

(v) *Effectiveness of a covered benefit;*

(b)—(c) (text unchanged)

(d) Failure to provide services in a timely manner; [or]

(e) Failure to act within the required time frames[.]; or

(f) *The denial of an enrollee's request to dispute a financial liability, including:*

(i) *Cost sharing;*

(ii) *Copayments;*

(iii) *Premiums;*

(iv) *Deductibles;*

(v) *Coinsurance; or*

(vi) *Other enrollee financial liabilities.*

(3)—(14) (text unchanged)

.02 Opportunity for a Fair Hearing.

A. An opportunity for a fair hearing shall be granted if:

(1)—(7) (text unchanged)

(8) A Program [recipient] *participant* in an MCO is appealing an action by an MCO and the appeal has been filed within [90] 120 days from the date specified in the notice from the MCO as required by COMAR 10.09.71.05.

[B. Alternative Processes for Program Recipient Enrolled in an MCO.

(1) A Program recipient in an MCO may exercise appeal rights as specified in Regulation .04 of this chapter and COMAR 10.09.71.05 without first exhausting the MCO complaint and appeal procedures specified in COMAR 10.09.71.

(2) A Program recipient in an MCO who receives an adverse decision following the MCO appeals process set forth in COMAR 10.09.71.05 may request a fair hearing within 10 days of the date of the adverse decision according to COMAR 10.09.71.05 and Regulation .04 of this chapter.]

[C.] B. (text unchanged)

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment

Authority: Health-General Article, §15-103(b)(16) and (23), Annotated Code of Maryland

.02 Enrollment.

A. The Department shall [provide to waiver-eligible individuals] *make available through its website and upon request provide a paper copy of the following:*

(1)—(4) (text unchanged)

B. Only the Department, *or its designee*, is authorized to enroll individuals into MCOs.

[C. Individuals who are new waiver-eligible recipients shall be enrolled in an MCO within 1 month of the Department's receipt of notice of the individual's Medical Assistance eligibility.

D. Upon determination of Maryland Medicaid Managed Care Program eligibility, the Department shall enroll eligible individuals into an MCO by:

(1) Mail;

(2) Telephone;

(3) Face-to-face meeting, if requested;

(4) Face-to-face meeting in the recipient's home, if medically necessary; or

(5) Online.]

C. *A participant found eligible for Maryland Medicaid under 42 U.S.C §1902(a)(10)A(i) shall be assigned to:*

(1) *The MCO the participant chooses at the time of application; or*

(2) *If the participant does not choose, an MCO with available capacity that is accepting new participants in the participant's service area.*

D. *Except for a participant found eligible as described in §C of this regulation, a participant, including a child in foster care or kinship care, shall:*

(1) *Have 28 days from the day the Department mails its eligibility notification in which to select an MCO; or*

(2) *Be assigned to an MCO with available capacity that is accepting new participants in the participant's service area.*

E. *All Managed Care Program eligible family members who live in the same household shall be assigned to the same MCO.*

[E.] F. [Children] *Newborns.*

(1)—(3) (text unchanged)

[4] The following children shall be automatically enrolled in the MCO of the adoptive parent unless the parent notifies the Department otherwise:

(a) A child who has been legally adopted;

(b) A child who is the subject of a petition for adoption who has been placed in the enrollee's home with the expectation that the

placement will be permanent, and for whom a temporary custody order has been issued by a court of competent jurisdiction pending finalization of the child's adoption by the enrollee; or

(c) A child who is the subject of a petition by a licensed adoption agency for the termination of parental rights, and who has been placed in the enrollee's home by the licensed adoption agency with the expectation that the placement will be permanent and that the child will be legally adopted by the enrollee.

F. Recipient Selection of an MCO.

(1) Except as provided in §F2 of this regulation, a recipient shall have 21 days from the day the Department mails its eligibility notification in which to select an MCO.

(2) A recipient who is a child in foster care or kinship care shall have 60 days from the date the Department mails its eligibility notification in which to select an MCO.

(3) A recipient may select an MCO that does not serve the recipient's local access area, upon the approval of the Department and the MCO.

(4) Upon the request of the recipient or the recipient's representative, the Department shall arrange for a face-to-face meeting with a representative of the Department or its enrollment agent in order to assist a recipient in selecting an MCO.

G. Except as specified in COMAR 10.09.24.04F(3), a recipient who desires to be enrolled in a particular MCO shall personally authorize, either orally or in writing, enrollment into that MCO.

H. Automatic Assignment Criteria.

(1) Children in Foster and Kinship Care. An eligible recipient who is a child in foster care or kinship care, and who fails to elect an MCO within 60 days of the Department's mailing of eligibility notification shall be assigned to an MCO with available capacity that accepts new enrollees in accordance with the procedures specified in §H(2) of this regulation.

(2) Except as provided in §H(1) of this regulation, an eligible recipient who fails to elect an MCO within 21 days of the Department's mailing of eligibility notification shall be assigned to an MCO with available capacity that accepts new enrollees as follows:

(a) Unless inconsistent with assigning household members to the same MCO pursuant to §H(2)(b) of this regulation, the Department shall randomly assign the recipient to any MCO in the local access area; or

(b) The Department shall, in addition to assigning the recipient to an MCO pursuant to §H(2)(a) of this regulation, assign to the same MCO all the recipient's family members who:

(i) Are simultaneously eligible for enrollment in the Maryland Medicaid Managed Care Program; and

(ii) Live in the same household as the recipient.]

[I.] G. Effective Date of Enrollment. Enrollment in an MCO shall be effective at 12:01 a.m.[, local time,] on the 10th calendar day beginning with the day on which the Department notifies the MCO of the enrollment.

H. *Upon the approval of the Department and the MCO, a participant may select an MCO that does not serve the participant's service area.*

J. Recipient Notification of MCO Enrollment. Within 10 days of notice from the Department or its enrollment agent that a recipient has been enrolled in its organization, an MCO shall notify the recipient of the assignment.

K. An MCO shall furnish to the Department and its enrollment agent on a monthly basis an updated list of the providers in the MCO's network, indicating practices that are accepting new patients.]

[L.] I. The [enrollment broker] *Department or its designee* shall submit the enrollee's choice of PCP to the enrollee's selected MCO at the time of enrollment.

.05 Reassignment.

A.—D. (text unchanged)

E. A Program [recipient] *participant* who has been disenrolled from an MCO because the Department terminated the MCO's contract shall be assigned to another MCO subject to Regulation [.02H] .02D of this chapter.

10.09.67 Maryland Medicaid Managed Care Program: Benefits

Authority: Health-General Article, Title 15, Subtitle 1, Annotated Code of Maryland

.19 Benefits — Family Planning Services.

A.—C. (text unchanged)

D. An MCO shall provide coverage for a single dispensing of a supply of prescription contraceptives for a [6-month] *12-month* period.

[E. The requirement in §D of this regulation does not apply to the first 2-month supply of prescription contraceptives dispensed to a member under:

- (1) The initial prescription for the contraceptives; or
- (2) Any subsequent prescription for a contraceptive that is different than the last contraceptive dispensed.]

.20 Benefits — EPSDT Services.

A. (text unchanged)

B. The health care services described in §A(3) of this regulation shall include, at a minimum, all services described in this chapter, and the following:

- (1)—(2) (text unchanged)
- [(3) Audiology services, as listed in the Maryland Medical Assistance Audiology Procedure Code and Fee Schedule, according to COMAR 10.09.51.04A(4);
- [(4)] (3) Private duty nursing services including:
 - (a) (text unchanged)
 - (b) On-going private duty nursing services delivered by a licensed practical nurse or a registered nurse; *and*
- [(5)] (4) Durable medical equipment[; and
- (6) All fees associated with cochlear implant surgery except for the device].

C. (text unchanged)

.26-4 Audiology.

An MCO shall provide enrollees medically necessary audiology services as described in COMAR 10.09.51, including:

- A. *Hearing aids;*
- B. *Cochlear implants;*
- C. *Auditory osseointegrated devices; and*
- D. *Related services.*

.26-5 Remote Patient Monitoring.

An MCO shall provide its enrollees medically necessary remote patient monitoring services as described in COMAR 10.09.96.

.27 Benefits — Limitations.

A. The benefits or services not required to be provided by an MCO are as follows:

- (1)—(21) (text unchanged)
- [(22) The purchase, examination, or fitting of hearing aids and supplies, and tinnitus maskers for adults 21 years old or older;
- (23) Cochlear implant devices for adults 21 years old or older;]
- [(24)] (22)—[(25)] (23) (text unchanged)

B. (text unchanged)

10.09.70 Maryland Medicaid Managed Care Program: Non-Capitated Covered Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland

.03 [Non Behavioral] Nonbehavioral Health Fee-For-Service Benefits.

An MCO may not be required to provide any of the following benefits or services that are reimbursed directly by the Department:

A.—F. (text unchanged)

[G. Audiology services including the purchase, examination, or fitting of hearing aids and supplies, and tinnitus masker for enrollees younger than 21 years old;

H. Cochlear implant devices for enrollees younger than 21 years old;]

[I.] G. Physical therapy, speech therapy, *and* occupational therapy[, and audiology] services when:

- (1)—(2) (text unchanged)
- [J.] H.—[P.] N. (text unchanged)

ROBERT R. NEALL
Secretary of Health

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.03 Pharmacy Services

Authority: Health-General Article, §§2-104(b), 15-103, 15-103.1, 15-105, [and] 15-118, *and 15-148*, Annotated Code of Maryland

Notice of Proposed Action

[18-181-P]

The Secretary of Health proposes to amend Regulation .05 under **COMAR 10.09.03 Pharmacy Services.**

Statement of Purpose

The purpose of this action is to:

(1) Increase, from a 6-month supply to a 12-month supply, the amount of contraceptive prescriptions that may be supplied to an enrollee at one time under the Maryland Medical Assistance Program (Medicaid), in accordance with S.B. 774/H.B. 994 (Chs. 464 and 465, Acts of 2018); and

(2) Clarify that Medicaid does not cover a drug or product that the Department of Health determines is not medically necessary and for which coverage is not otherwise required by regulation.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The requirement for Medicaid coverage expansion from 6 months to 12 months for contraceptive prescriptions will increase expenditures by the Department.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E+)	\$1,822,350
B. On other State agencies:	NONE	
C. On local governments:	NONE	

	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	\$1,822,350
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The impact on the Department is based on an estimate of expenditure required to cover months 7—12 of a contraceptive prescription. New expenditures are expected to total \$1,822,350, with \$182,235 from the State General Fund and \$1,640,115 in federal funds.

D. The regulated industry (i.e., businesses that dispense prescription contraceptives) will see a boost in revenue equal to \$1,822,350 due to the additional 6 months of contraceptives individuals may seek.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 W. Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.05 Limitations.

A. Except as specifically identified as being covered under Regulation .04 of this chapter, the following are not covered:

- (1)—(17) (text unchanged)
- (18) Drugs or products used for hair growth or other cosmetic purposes; [and]
- (19) Any drug or supply that is covered and reimbursed by the Department under any other chapter of this subtitle; *and*
- (20) *Any drug or product the Department determines is not medically necessary.*

B. (text unchanged)

C. Limitations on Covered Services.

- (1)—(2) (text unchanged)
- (3) Days Supply.
 - (a)—(b) (text unchanged)
 - (c) [Maintenance] *Unless otherwise specified, maintenance medication shall be limited to:*
 - (i)—(ii) (text unchanged)
 - (d)—(g) (text unchanged)
 - (h) [Birth control pills] *Whether for an initial or subsequent prescription, contraceptive prescriptions may be dispensed in up to a [6] 12 months supply at one time.*
 - (4)—(9) (text unchanged)

D.—E. (text unchanged)

ROBERT R. NEALL
Secretary of Health

Subtitle 32 BOARD OF PHYSICIANS

10.32.13 Physician Licensure by Conceded Eminence

Authority: Health Occupations Article, §§14-307—14-319, Annotated Code of Maryland

Notice of Proposed Action

[18-182-P]

The Secretary of Health proposes to amend Regulations .02 and .03 under COMAR 10.32.13 Physician Licensure by Conceded Eminence. This action was considered by the Board of Physicians at a public meeting held on April 25, 2018, notice of which was provided on the Board's website at <https://www.mbp.state.md.us/forms/Apr18Bagenda.pdf> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

- (1) Delete an outdated term in the Definitions regulation;
- (2) Correct the COMAR cross-reference for the application fee; and
- (3) Revise and remove outdated language in the Qualification regulation pertaining to English language competency and claims of speech impairment.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 W. Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.
 - (1)—(13) (text unchanged)
 - [(14) "Test of Spoken English" means the Educational Testing Service examination designed to evaluate the spoken English proficiency of those whose native language is not English.]
 - [(15)] (14) (text unchanged)

.03 Qualifications for Special License by Conceded Eminence.

- A. An applicant shall:
 - (1) (text unchanged)
 - (2) Pay an application fee set by the Board in COMAR [10.32.01.11] 10.32.01.12;
 - (3)—(4) (text unchanged)
- B.—E (text unchanged)
- F. English Language Competency. An applicant shall demonstrate oral and written English language competency as described in [Health Occupations Article, §14-307(h), Annotated Code of

Maryland. The applicant also shall demonstrate oral and written language competency as follows:

(1) Graduation from a recognized, English-speaking undergraduate college or university after at least 3 years of enrollment;

(2) Graduation from a recognized, English-speaking professional school; or

(3) Achieving a score of 220 on the Test of Spoken English or equivalent score on an equivalent examination approved by the Board, and achieving a score of 550 on the Test of English as a Foreign Language or equivalent examination approved by the Board] *COMAR 10.32.01.04D*.

G. Claim of Speech Impairment.

[(1)] An applicant wishing to claim a speech impairment shall submit documentation of this impairment on forms supplied by the Board *as described in COMAR 10.32.01.04E*.

[(2)] Documentation of a speech impairment shall be submitted from a:

(a) Licensed physician; and

(b) Speech-language pathologist who is currently licensed to practice speech pathology in the United States.

(3) Documentation should be submitted with the applicant's initial application but, in all cases, shall be submitted before the applicant's second attempt at passing the Test of Spoken English or its equivalent.

(4) After the second examination, documentation of an impairment may not be submitted or accepted unless there has been an intervening medical/surgical event which has created the impairment.

(5) The applicant shall be allowed to claim the impairment only if:

(a) This event was reported to the Board before a third examination; and

(b) The Board determines that the medical/surgical event did indeed create the impairment.

(6) If an applicant has properly claimed and documented a speech impairment, the Board shall grant a license if the applicant is able to prove the ability to communicate with allied health personnel and patients. The Board shall request the following proof:

(a) Documentation from three licensed physicians that the applicant can communicate in a professionally competent manner with patients and health care providers; or

(b) A hearing before the Board where the applicant is asked to describe the manner in which the applicant would obtain a history and physical examination from a typical patient.

H. Evaluation. The Board may require that an applicant under this chapter be evaluated by the Specialty Identification Committee of the Medical and Chirurgical Faculty of Maryland or other committee, and may require that the applicant be interviewed and be subject to peer review of the applicant's practice in accordance with Health Occupations Article, §14-401(b), Annotated Code of Maryland.]

[I.] *H.* (text unchanged)

ROBERT R. NEALL
Secretary of Health

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 06 MARYLAND TRANSIT ADMINISTRATION

11.06.02 Parking and Control of Vehicles on Maryland Transit Administration Property

Authority: Transportation Article, §§7-204(c), 7-707, 25-204, 25-206.1, and 25-206.2, Annotated Code of Maryland

Notice of Proposed Action

[18-189-P]

The Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) proposes to amend Regulation **.08** under **COMAR 11.06.02 Parking and Control of Vehicles on Maryland Transit Administration Property**.

Statement of Purpose

The purpose of this action is to amend the regulation to remove unnecessary language regarding the storage of materials on MDOT MTA Property.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Christian Skipper, Regulations and Records Manager, Maryland Department of Transportation TSO, 7201 Corporate Center Drive, or call 410-865-1154, or email to cskipper1@mdot.state.md.us. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.08 Uses Prohibited.

Unless otherwise authorized, a person may not cause or permit MTA property to be used for any of the following purposes:

A. — H. (text unchanged)

[I. Parking, storing, or placing unauthorized articles or pieces of equipment.]

KEVIN B. QUINN, JR.
Administrator
Maryland Transit Administration

**Subtitle 07 MARYLAND
TRANSPORTATION AUTHORITY**

11.07.03 Permits for Towing, Road Service, and Storage of Vehicles

Authority: Transportation Article, §§4-204, 4-205, 4-208, 4-208.1, 21-1403, and 21-1407 and Title 26, Subtitle 3, Annotated Code of Maryland

Notice of Proposed Action

[18-191-P]

The Executive Director of the Maryland Transportation Authority proposes to amend Regulation .03 under **COMAR 11.07.03 Permits for Towing, Road Service, and Storage of Vehicles**.

Statement of Purpose

The purpose of this action is to update COMAR 11.07.03.03B to require that notice of the open application period for a towing service company to obtain a permit to provide towing, road service, and storage of vehicles on Authority property be provided through the Maryland e-marketplace rather than through news media.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Gross, Regulations Coordinator, MDTA, 2310 Broening Highway, Baltimore, MD 21224, or call 410-537-1060, or fax to 410-537-5653, or email to mgross9@mdta.state.md.us. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.03 Application for Permit and Renewal.

- A. (text unchanged)
- B. At least every 5 years, the Authority shall publish on its website and through [the news media] *eMaryland Marketplace* a notice of the open application period to apply for a permit under these regulations.
- C. — F. (text unchanged)

KEVIN C. REIGRUT
Executive Director
Maryland Transportation Authority

**Subtitle 07 MARYLAND
TRANSPORTATION AUTHORITY**

11.07.03 Permits for Towing, Road Service, and Storage of Vehicles

Authority: Transportation Article, §§4-204, 4-205, 4-208, 4-208.1, 21-1403, and 21-1407 and Title 26, Subtitle 3, Annotated Code of Maryland

Notice of Proposed Action

[18-192-P]

The Executive Director of the Maryland Transportation Authority proposes to repeal Regulation .05 under **COMAR 11.07.03 Permits for Towing, Road Service, and Storage of Vehicles**.

Statement of Purpose

The purpose of this action is to repeal an unnecessary nonrefundable \$500 application fee charged to towing companies seeking permits to provide towing and related services on MDTA property. The revenues generated by the fee are negligible, totaling just \$13,000 over the last 5-year permitting cycle, and repeal would increase competition among towers by lowering barriers to entry.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Gross, Regulations Coordinator, MDTA, 2310 Broening Highway, Baltimore, MD 21224, or call 410-537-1060, or fax to 410-537-5653, or email to mgross9@mdta.state.md.us. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

KEVIN C. REIGRUT
Executive Director
Maryland Transportation Authority

**Subtitle 12 MOTOR VEHICLE
ADMINISTRATION — LICENSING OF
BUSINESSES AND OCCUPATIONS**

11.12.02 Title Service Agents

Authority: Transportation Article, §§12-104(b), 15-102, 15-103, 15-105, 15-106, 15-108, and 15-604—15-606, Annotated Code of Maryland

Notice of Proposed Action

[18-190-P]

The Administrator of the Motor Vehicle Administration proposes to amend Regulation .06 under **COMAR 11.11.02 Title Service Agents**.

Statement of Purpose

The purpose of this action is to amend regulations to increase the surety bond requirements for a title service agent pursuant to H.B. 1065, Ch. 512, Acts of 2018.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action would increase the surety bond from \$25,000 to \$50,000 for title service agents.

Revenue (R+/R-)

II. Types of Economic Impact.

Expenditure (E+/E-) Magnitude

- A. On issuing agency: NONE
- B. On other State agencies: NONE
- C. On local governments: NONE

Benefit Cost (-)	(+)	Magnitude
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D. On regulated industries or trade groups:

Title service agents (+) Minimal

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Due to the increase of the surety bond there may be a minimal cost increase for title service agents.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tracey Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tsheffield@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.06 Surety Bond.

A. An applicant for a license shall file with the Administration acceptable evidence of a surety bond in such form as the Administration shall approve and with a surety approved by the Administration in the sum [of \$10,000] set forth in *Transportation Article, §15-604, Annotated Code of Maryland*.

B. — C. (text unchanged)

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Title 13A STATE BOARD OF EDUCATION

Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

13A.05.04 Programs for Library Media Services

Authority: Education Article, §23-105(c), Annotated Code of Maryland

Notice of Proposed Action

[18-177-P]

The Maryland State Library Agency proposes to amend Regulation .02 under **COMAR 13A.05.04 Programs for Library Media Services**. This action was considered by the Maryland State Library Board at an open meeting held on September 17, 2017, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 13A.05.04.02 by changing references to the Maryland State Department of Education, Division of Library Development and Services, to the Maryland State Library.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Irene M. Padilla, State Librarian, Maryland State Library Agency, 22 S. Calhoun Street, Baltimore MD 21223, or call 667-219-4801, or email to irene.padilla@maryland.gov. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.02 Librarians in County Public Libraries.

A. — B. (text unchanged)

C. An in-service program that forms the basis for credit under this regulation shall meet the standards for approval promulgated by the [Library Development and Services Division of the State Department of Education] *Maryland State Library Agency*.

D. — H. (text unchanged)

IRENE PADILLA
State Librarian

Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

13A.05.04 Programs for Library Media Services

Authority: Education Article, §23-105(c), Annotated Code of Maryland

Notice of Proposed Action

[18-175-P]

The Maryland State Library proposes to amend Regulation .03 under **COMAR 13A.05.04 Programs for Library Media Services**. This action was considered by the Maryland State Library Board at an open meeting held on September 17, 2017, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 13A.05.04.03 by changing references to the Maryland State Department of Education, Division of Library Development and Services, to Maryland State Library and those to the State Superintendent to State Librarian.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Irene M. Padilla, State Librarian, Maryland State Library Agency, 22 S. Calhoun St., Baltimore, MD 21223, or call 667-219-4801, or email to irene.padilla@maryland.gov. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.03 Public Library Associate.

A. — C. (text unchanged)

D. An in-service program that forms the basis for credit under this regulation shall meet the standards for approval promulgated by the [Library Development and Services Division of the State Department of Education] *Maryland State Library Agency*.

E. (text unchanged)

F. Requirements and Responsibilities of the [Division of Library Development and Services of the State Department of Education. The Division] *Maryland State Library Agency. The State Library:*

(1) May perform periodic review and evaluation of the library associate personnel records in each public library system and report to the State [Superintendent of Schools] Librarian on compliance with these requirements;

(2) — (4) (text unchanged)

IRENE PADILLA
State Librarian

Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

13A.05.04 Programs for Library Media Services

Authority: Education Article, §23-105(c), Annotated Code of Maryland

Notice of Proposed Action

[18-176-P]

The Maryland State Library Agency proposes to amend Regulation .05 under **COMAR 13A.05.04 Programs for Library Media Services**. This action was considered by the Maryland State Library Board at an open meeting held on September 17, 2017, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 13A.05.04.05 by changing references to the Maryland State Department of Education, Division of Library Development and Services, to the Maryland State Library.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Irene M. Padilla, State Librarian, Maryland State Library Agency, 22 S. Calhoun Street, Baltimore, MD 21227, or call 667-219-4801, or email to

irene.padilla@maryland.gov. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.05 Special Library Services.

The [State Department of Education] *Maryland State Library Agency* shall provide library services to the blind and physically disabled. The [State Department of Education] *Maryland State Library Agency* shall receive and utilize the resources of federal agencies in accordance with policies governing these resources. It shall coordinate library service to the blind and physically disabled with those of public libraries and other educational institutions so as to provide an effective Statewide program. The service is provided by the State Library for the Physically Handicapped administered by the [Division of Library Development and Services] *Maryland State Library Agency*.

IRENE PADILLA
State Librarian

Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

13A.05.04 Programs for Library Media Services

Authority: Education Article, §23-105(c), Annotated Code of Maryland

Notice of Proposed Action

[18-178-P]

The Maryland State Library Agency proposes to amend Regulation .06 under **COMAR 13A.05.04 Programs for Library Media Services**. This action was considered the Maryland State Library Board at an open meeting held on September 17, 2017, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 13A.05.04.06 by changing references to the Maryland State Department of Education, Division of Library Development and Services, to the Maryland State Library, and those to the State Superintendent and State Board of Education to the Maryland State Library Board.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Irene M. Padilla, State Librarian, Maryland State Library Agency, 22 S. Calhoun Street, Baltimore, MD 21227, or call 667-219-4801, or email to irene.padilla@maryland.gov. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.06 Free Public Library Services.

A. The board of public library trustees for each county, including Washington County and Baltimore City, shall develop and submit to the [Division of Library Development and Services, Maryland State Department of Education,] *Maryland State Library Agency* a statement of its policies relating to the provision of free library

services to the public. Each statement shall state the board's policies with respect to:

(1) — (3) (text unchanged)

B. The [Division of Library Development and Services] *Maryland State Library Agency* shall report to the [State Superintendent and State Board of Education] *Maryland State Library Board* any statements submitted pursuant to this regulation which are not in compliance with State laws and regulations regarding free library services.

C. — D. (text unchanged)

IRENE PADILLA
State Librarian

Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

13A.05.04 Programs for Library Media Services

Authority: Education Article, §23-105(c), Annotated Code of Maryland

Notice of Proposed Action

[18-179-P]

The Maryland State Library Agency proposes to amend Regulation .07 under **COMAR 13A.05.04 Programs for Library Media Services**. This action was considered by the Maryland State Library Board at an open meeting held on September 17, 2017 pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 13A.05.04 by changing references to the State Superintendent of Schools to the State Librarian.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Irene M. Padilla, State Librarian, Maryland State Library Agency, 22 S. Calhoun Street, Baltimore, MD 21227, or call 667-219-4801, or email to irene.padilla@maryland.gov. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.07 Audits of County Public Libraries.

A. (text unchanged)

B. Qualifications and Approval of Auditor. The auditor shall meet the qualifications in COMAR 13A.02.07.04B. The director of the county public library shall submit to the State [Superintendent of Schools] *State Librarian* for approval, by May 1 of the fiscal year to be audited, the name of the auditor.

C. (text unchanged)

D. Submission of Report. The director of the county public library shall submit a copy of the audit reporting package to the [State Superintendent of Schools] *State Librarian* and appropriate county governing body by November 1 after the close of the fiscal year, except that a county having a population of more than 500,000 and

having a county library agency as provided by Education Article, §23-401(b), Annotated Code of Maryland, shall submit the audit report by January 1 after the close of the fiscal year.

E. — G. (text unchanged)

IRENE PADILLA
State Librarian

**Title 15
DEPARTMENT OF
AGRICULTURE**

Subtitle 05 PESTICIDE USE CONTROL

15.05.01 Use and Sale of Pesticides, Certification of Pesticide Applicators and Pest Control Consultants, and Licensing of Pesticide Businesses

Authority: Agriculture Article, §§5-105, 5-106, and 5-204, Annotated Code of Maryland; *Ch. 598, §11, Acts of 2018*

Notice of Proposed Action

[18-171-P]

The Secretary of Agriculture proposes to amend Regulation .02 under **COMAR 15.05.01 Use and Sale of Pesticides, Certification of Pesticide Applicators and Pest Control Consultants, and Licensing of Pesticide Businesses**.

Statement of Purpose

The purpose of this action is to implement the requirements of Ch. 598, §11, Acts of 2018, by allowing certain pesticides to be used to control plant pests by State-licensed facilities when growing medical cannabis.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Dennis Howard, Program Manager, Pesticide Regulation, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, Maryland 21401, or call (410) 841-5710, or email to dennis.howard@maryland.gov, or fax to (410) 841-2765. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.02 General Requirements for Applying or Recommending Pesticides.

A. — C. (text unchanged)

[D. Restrictions on Use of Pesticides for Cannabis Cultivation — Exemptions.

(1) Except as provided in this section, a person may not use any pesticide in the cultivation of cannabis, defined as any part of the plant *Cannabis sativa*.

(2) A person may use a pesticide provided it is registered with U.S. Environmental Protection Agency and labeled for the following purposes:

(a) For the purpose of disinfection or sanitation to control microorganisms on surfaces such as benches, floors, pallets, pots, skids, plant pots, tools, and equipment; or

(b) For use as a soil fumigant to sterilize planting media to control soil-borne organisms.

(3) A distributor may not register any pesticide under Agriculture Article, §5-105, Annotated Code of Maryland, that is labeled for use in the cultivation of cannabis that does not conform to the requirements of this section.

E. Application for Use of Pesticides in Cannabis Cultivation.

(1) A person may submit a written application to the Secretary to approve the use of a pesticide in the cultivation of cannabis.

(2) The application shall include a certified risk assessment for the pesticide, performed by an independent accredited laboratory approved by the Secretary, that concludes that the use of the pesticide in the cultivation of cannabis will not lead to unreasonable adverse effects on human health or the environment, after considering the following uses of the pesticide:

(a) On food (in order to have a complete toxicity database to evaluate the potential toxicity of acute, short-term intermediate, and chronic exposure);

(b) On tobacco (in order to have a pyrolysis study to determine the breakdown products formed when the treated plant material is burned);

(c) By the same type(s) of application methods (in order to assess the exposure of workers who mix, load, and apply the pesticides in the cultivation of cannabis);

(d) On crops with agronomic characteristics similar to cannabis in order to ensure that workers handling the pesticide are adequately protected when applying the pesticide; and

(e) In the same kind of structure (e.g., greenhouses or shadehouses) or on the same kind of site (e.g., outdoor dryland site), for the purpose of ensuring that workers handling the pesticide are adequately protected when applying the pesticide, for example, ensuring that the adequate personal protective equipment is required and that the environmental fate and effects of the pesticide use are adequately understood and that any appropriate measures are in place to protect non-target organisms and water resources.

(3) In determining whether the pesticide poses an unreasonable risk to human health, the Secretary shall consult with the Secretary of Health and Mental Hygiene.

(4) The Secretary shall notify the applicant if the request to approve the use of a pesticide in the cultivation of cannabis is granted or denied.]

D. Restrictions on Use of Pesticides in the Cultivation of Medical Cannabis; Exemptions.

(1) Except as provided in this section, a person may not use any pesticide in the cultivation of medical cannabis, defined as any part of the plant *Cannabis sativa*.

(2) A person may use a pesticide in the cultivation of medical cannabis that is labeled for use in a greenhouse environment that:

(a) Is formulated with inert and active ingredients listed in 40 CFR §152.25(f)(1) and (2);

(b) Has been exempted from the food residue tolerance requirements listed in 40 CFR 180;

(c) Has met the criteria for organic food production as defined by 7 CFR 205; or

(d) Is allowed by the United States Environmental Protection Agency by label language that is broad enough to include use on cannabis as determined by the Department.

(3) A person may use a pesticide on hard surfaces of items and areas used to support operations in the cultivation of medical

cannabis for the purpose of disinfection or sanitation for the control of microorganisms provided that the pesticide is labeled for use on hard surfaces, including benches, floors, pallets, pots, skids, tools, and equipment.

(4) Any spray adjuvant that is labeled for use on food crops can be used with a pesticide that is applied to medical cannabis that has the intended use allowed by the spray adjuvant label. Spray adjuvant use is limited to those allowed for use with an insecticide or fungicide.

(5) If a pesticide is used in the cultivation of medical cannabis, it shall be applied in a manner consistent with State and federal application requirements.

(6) Any pesticide used in the cultivation of medical cannabis shall be registered according to Agriculture Article, §5-105, Annotated Code of Maryland.

(7) The Department shall publish a list of pesticides for use in the cultivation of medical cannabis that is updated annually.

(8) The Natalie M. LaPrade Medical Cannabis Commission may remove any pesticide from the list of approved pesticides if there is reasonable documented evidence that the pesticide has the potential to cause harm to patients using medical cannabis.

(9) The Department may issue a stop-sale order to any registrant of a pesticide that the Secretary finds is in violation of Agriculture Article, Title 5, Annotated Code of Maryland, or has been found by federal or State authorities to cause unreasonable adverse effects to humans, animals, or the environment.

JOSEPH BARTENFELDER
Secretary of Agriculture

Title 17
DEPARTMENT OF BUDGET
AND MANAGEMENT
Subtitle 04 OFFICE OF PERSONNEL
SERVICES AND BENEFITS

17.04.11 Leave

Authority: State Personnel and Pensions Article, §§4-106 and 9-101, Annotated Code of Maryland

Notice of Proposed Action
[18-193-P]

The Secretary of Budget and Management proposes to amend Regulation .22 under COMAR 17.04.11 Leave.

Statement of Purpose

The purpose of this action is to amend existing regulations to return unused employee-to-employee leave donations to the donating employee or employees as agreed upon during union negotiations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jennifer P Hine, Director, Personnel Services Division, Department of Budget and Management, 301 W. Preston Street, Rm 705, Baltimore, MD 21201, or call 410 767-4718, or email to jennifer.hine@maryland.gov, or fax to 410 333-7671. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.22 State Employees' Leave Donation Program.

A. — I. (text unchanged)

J. Miscellaneous.

(1) (text unchanged)

(2) If an employee who receives donated leave does not use all of the leave received, [the remaining hours of leave shall be automatically transferred to the State Employees' Leave Bank] *the receiving employee's appointing authority or designee shall report to the donating employee's appointing authority or designee, within 7 days, the amount and type of the employee's donated leave that was not used. The donating employee's appointing authority or designee shall restore the unused leave hours to the donating employee within 14 days of notification from the receiving employee's appointing authority or designee.*

DAVID R. BRINKLEY
Secretary of Budget and Management

**Title 20
PUBLIC SERVICE
COMMISSION**

**Subtitle 50 SERVICE SUPPLIED BY
ELECTRIC COMPANIES**

Notice of Proposed Action

[18-183-P-I]

The Public Service Commission proposes to amend:

(1) Regulation .02 under **COMAR 20.50.02 Engineering**; and

(2) Regulations .01—.06 and .08—.14 under **COMAR 20.50.09 Small Generator Facility Interconnection Standards**.

This action was considered by the Public Service Commission at a scheduled rule-making (RM61) meeting held on Thursday, April 19, 2018, notice of which was given under General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to revise the regulations for the interconnection of small generators. Utilities routinely perform interconnection studies for generators which operate in parallel with the electric distribution system, and are not subject to the Regional Transmission Operator, PJM. The studies lead to an interconnection agreement between the utility and the customer. In recent years, the interconnecting generators have primarily been small solar systems that are net metered. In 2017, there were 15,376 requests for interconnections less than 10 MW with 11,128 less than 10 kW. (Data collected from utilities: BGE, Pepco, DPL, Potomac Edison, and SMECO). Current regulations allow the utilities to charge for studies for systems between 10 kW and 10 MW but not for systems less than 10 kW. The new regulations will remove the 10 MW limit and also allow the utilities to charge for interconnecting all system sizes according to rates set in their tariff. Costs for the interconnection studies are graduated according to system size. The cost for systems less than 10 kW is expected to be between \$100 and

\$200 depending on the utility. Costs for these studies are currently socialized among all rate payers.

The regulations also provide other details to facilitate the review process, include energy storage, and a new application queuing process.

Comparison to Federal Standards

In compliance with Executive Order 01.01.1996.03, this proposed regulation is more restrictive or stringent than corresponding federal standards as follows:

(1) Regulation citation and manner in which it is more restrictive than the applicable federal standard:

.02 Definitions: Now includes an energy storage device (battery), and revised definitions for interconnection facilities and agreements, system modifications, and small generators in general.

.03 Acceptable Standards: Revisions to UL1741 and IEEE 1547 are included by reference.

.04 Interconnection Requests: Lists specific items to be included in the application in the form and format specified by the utility that owns the distribution system.

.05 Interconnection Request Processing Fees: The previous version of COMAR 20.50.09 specified fees for interconnection studies for generators > 10 kW. The revised regulations allow these numbers to be set by each utility in its tariff for all generators. The tariffs must be approved by the Maryland Public Service Commission and are easier to change than these regulations.

.06 General Requirements: Allows for a pre-application report from the utility for projects over 20 kW, restrictions on monitoring and control, and conditional approval.

.07 Lab-Certified and Field-Approved Equipment: Standards applicable to equipment.

.08 Determination of Level of Utility Review of Interconnection Request: Level 1: less than 20kW; Level 2: less than 2 MW; Level 3: less than 50 kW; Level 4: all others.

.09—.12: Specifics for each level of review, establishes a queuing process, schedule for delivery of documentation, and determination of the costs for any required electrical upgrade.

.13 Dispute Resolution: Establishes the qualifications for a technical master.

.14 Record Retention and Reporting Requirements: For use in tracking systems and satisfaction of Maryland's renewable portfolio standards.

(2) Benefit to the public health, safety, or welfare, or the environment:

The interconnection standards are essential for the safe and reliable operation of the electric grid in Maryland. The regulations allow opportunities for all generators to have access to the grid according to FERC's Open Access Transmission Tariff (OATT). COMAR 20.50.09 is used in conjunction with other COMAR chapters to account for Renewable Energy Credits (RECs), such as solar, used to satisfy requirements of Maryland's Renewable Portfolio Standard, an environmental initiative.

(3) Analysis of additional burden or cost on the regulated person:

A work group was established in 2017 among the stakeholders concerned about the interconnection of small generators. It was part of a Public Conference (PC44) for the purpose of grid modernization. The work group agreed to the new regulations, which are expected to streamline the process for interconnection between the applicant and the utility. Application fees (separate from actual equipment costs) had been set in a previous version of the regulations; however, the allocation of these costs has become outdated and now relegated to being set in a tariff for each utility. The large number (11,128 in 2017) of systems less than 10 kW (typically roof-top solar) can now be assessed a fee (estimated to be about \$150) by the utility that

facilitates the interconnection. The costs for these services are currently socialized among all electric utility ratepayers. The fees will be paid by those that benefit from net metering, electricity, and REC sales. The fee is small compared to the cost of the equipment and installation.

(4) Justification for the need for more restrictive standards:

The FERC SGIA was originally issued in May of 2005. It has not anticipated the rapidly changing grid and current problems with interconnection, such as closed circuits for renewables, spot networks, community solar, and energy storage (batteries). The new COMAR 20.50.09 interconnection standards have become broader as well as more restrictive than the federal standards to accommodate the ever-changing scenarios encountered by the PSC with regard to the regulation of electricity.

Estimate of Economic Impact

I. Summary of Economic Impact. Costs for processing small generator interconnection applications (< 10 kW) are currently socialized among all rate payers. The revised regulations would re-allocate these costs to the small generator applicants. The charges would be graduated according to system size among all applicants according to individual utility tariffs. The amount of this re-allocation is estimated to be about \$1,446,000 annually.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	

D. On regulated industries or trade groups:		
Administrative costs for utilities	(-)	Unquantifiable
E. On other industries or trade groups:		
Installation of small generators (< 10 kW) cost	(-)	\$1,446,000
F. Direct and indirect effects on public:		
Benefit for electric ratepayers	(+)	\$1,446,000

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. There may be some administrative costs for the utilities, but they are deemed unquantifiable.

E. Costs for processing small generator interconnection applications (< 10 kW) are currently socialized among all rate payers. The revised regulations would re-allocate these costs to the small generator applicants. The charges would be graduated according to system size among all applicants according to individual utility tariffs. The amount of this re-allocation is estimated to be about \$1,446,000 annually. See the worksheet below. 2017 values were used for the number of applicants. Although systems greater than 10 kW are currently charged a fee, a new means for determining these charges has not yet been determined and will be subject to approval by the Commission in the utility tariffs.

Worksheet

Utility/ # systems less than 10 kW

BGE/ 5085
 Pepco/ 3,976
 DPL/ 902
 PE/ 488
 SMECO/ 677

Total 11,128

Utility/ Estimated app fee/ Total \$

BGE/ \$110/ 559,350
 Pepco/ \$150/ 596,400
 DPL/ \$175/ 157,850
 PE/ \$120/ 58,560
 SMECO/ \$109/ 73,793

Total 1,446,000

F. Costs for processing small generator interconnection applications (< 10 kW) will no longer be socialized among all rate payers. The revised regulations would re-allocate these costs to the small generator applicants and the amount of this re-allocation is estimated to be about \$1,446,000 annually as a benefit for ratepayers.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Terry J. Romine, Executive Secretary, Public Service Commission, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202, or call 410-767-8067, or fax to 410-333-6495. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

Editor’s Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, 1) Standard for Interconnecting Distributed Resources with Electric Power Systems, IEEE Standard 1547—2003 and Amendment 1-2014; 2) Conformance Test Procedures for Equipment Interconnecting Distributed Resources with Electric Power Systems, IEEE Standard 1547.1—2005 and Amendment 1-2015; and 3) UL Standard for Safety for Inverters, Converters, and Controllers and Interconnection System Equipment for Use With Distributed Energy Resources, UL1741 January 28, 2010 edition have been declared documents generally available to the public and appropriate for incorporation by reference. For this reason, they will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of these documents are filed in special public depositories located throughout the State. A list of these depositories was published in 45:1 Md. R. 8 (January 5, 2018), and is available online at www.dsd.state.md.us. These documents may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

20.50.02 Engineering

Authority: Public Utilities Article, §§2-113, 2-121, 5-101, and 5-303, Annotated Code of Maryland

.02 Acceptable Standards.

Unless otherwise specified by the Commission, the utility shall use the applicable provisions in the latest revised version of the incorporated by reference publications listed below as standards of accepted good engineering practice in this subtitle:

A.—D. (text unchanged)

E. Standard for Interconnecting Distributed Resources with Electric Power Systems, IEEE Standard 1547—2003 and Amendment 1-2014;

F. Conformance Test Procedures for Equipment Interconnecting Distributed Resources with Electric Power Systems, IEEE Standard 1547.1—2005 and Amendment 1-2015;

G. *UL Standard for Safety for Inverters, Converters, and Controllers and Interconnection System Equipment for Use With Distributed Energy Resources, UL1741 January 28, 2010 edition;*

[G.] H.—[H.] I. (text unchanged)

20.50.09 Small Generator Facility Interconnection Standards

Authority: Public Utilities Article, §§2-113, 2-121, 5-101, 5-303, and 7-306, Annotated Code of Maryland

.01 Scope.

This chapter applies to a small [electricity] generator facility seeking to interconnect to the electric distribution system that meets the following criteria:

[A. The nameplate capacity of the small generator facility is equal to or less than 10 MW;]

[B.] A.—[C.] B. (text unchanged)

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) “Affected system” means a utility *electric* distribution system that is affected by the interconnection of a small generator facility to another company's *electric* distribution system without impacting [a] *an electric* transmission system regulated by the Federal Energy Regulatory Commission.

(3)—(4) (text unchanged)

(5) “Certificate of completion” means a certificate [on a form approved by the Commission] *provided by a utility to an applicant* containing information about the interconnection equipment to be used, its installation, and local inspections.

(6) “Commissioning test” means one of several tests applied to a small generator facility by the applicant after construction is completed to verify that the *small generator* facility does not create adverse system impacts, including the test specified in Section 5.4 of IEEE Standard 1547.

(7)—(9) (text unchanged)

(10) “Energy Storage Device” means a piece of equipment that captures energy produced at one time, stores that energy for a period of time, and delivers that energy as electricity at a future time.

[(10)] (11)—[(14)] (15) (text unchanged)

[(15)] (16) Interconnection Facilities.

(a)—(b) (text unchanged)

(c) “Interconnection facilities” includes any [utility] distribution [system] upgrade.

[(16)] (17) “Interconnection request” means an applicant's request [on a form approved by the Commission] for the

interconnection of a [new] small generator facility, or to increase the capacity or operating characteristics of [an existing] *a* small generator facility that is *already* interconnected with the utility's electric distribution system.

[(17)] (18)—[(20)] (21) (text unchanged)

(22) “Minor system modification” means a change to the distribution system:

(a) *Located between the service tap on the distribution circuit and the meter serving the applicant; or*

(b) *That the utility estimates will entail less than 4 hours of work and less than \$1,500 in materials.*

[(21)] (23) “Nameplate capacity” means the maximum rated output of a generator, prime mover, [or] other electric power production equipment, *or energy storage device* under specific conditions designated by the manufacturer, and is usually listed on a nameplate physically attached to the power production equipment.

[(22)] (24)—[(30)] (32) (text unchanged)

[(31)] (33) Small Generator Facility.

(a) “Small generator facility” means the equipment used to generate or store electricity that operates in parallel with the electric distribution system [with a nameplate capacity equal to or less than 10 MW].

(b) “Small generator facility” includes an electric generator, a prime mover, *energy storage device*, and the interconnection equipment required to safely interconnect with the electric distribution system or local electric power system.

[(32)] (34) (text unchanged)

[(33)] (35) “Standard small generator interconnection agreement” means a set of standard forms approved by the Commission of interconnection agreements which are applicable to interconnection requests pertaining to small [generating] *generator* facilities.

[(34)] “UL Standard 1741” means the Underwriters Laboratories' standard titled “Inverters, Converters, and Controllers for Use in Independent Power Systems”, November 7, 2005 edition.]

[(35)] (36) (text unchanged)

.03 Acceptable Standards.

[A.] The technical standard to be used in evaluating all interconnection requests under Level 1, Level 2, Level 3, and Level 4 reviews, unless otherwise provided for in this chapter, is IEEE Standard 1547.

[B. Attachment H to the PJM Interconnection Planning Manual, available from the website www.pjm.com, shall be used to detail and illustrate the interconnection protection requirements that are provided in IEEE Standard 1547.]

.04 Interconnection Requests.

A. Applicants seeking to interconnect a small generator facility shall submit an interconnection request [using a standard form approved by the Commission] to the utility that owns the electric distribution system to which interconnection is sought.

B. *An interconnection request shall be in the form and format specified by the utility that owns the electric distribution system to which interconnection is sought and shall include the following information and any additional information that may be reasonably requested by the utility:*

(1) *Contact information for the interconnection customer;*

(2) *Existing utility account information;*

(3) *Location information for the small generator facility;*

(4) *Contact information for the interconnection customer's equipment and electrical contractors;*

(5) *Information on the manner in which the interconnection customer intends to use the small generator facility;*

(6) *Requested review level for interconnection request;*

(7) Technical information regarding the generator and prime mover;

(8) Technical information regarding the interconnection components and system or systems;

(9) Location and other information regarding disconnect switch for small generator facility;

(10) Details regarding any plans to export power to the electric distribution system; and

(11) Any other item specified by the Commission.

C. Each utility shall make reasonable efforts to align the content of its interconnection request form with those forms provided by other utilities in Maryland.

[B.] D. Each utility shall establish [processes for accepting interconnection requests electronically on the utility's website.] a process that allows an applicant and an applicant's authorized designee to:

(1) Sign and submit an interconnection request electronically on the utility's website;

(2) Track the status of the interconnection request electronically; and

(3) Conduct electronically any other process that can reasonably occur in that manner.

E. Each utility subject to this chapter shall implement the processes described in §D of this regulation no later than June 30, 2019.

.05 Interconnection Request Processing Fees.

A. A utility may [only] charge a small generator facility interconnection application fee [for a Level 2, Level 3, or Level 4 interconnection].

[B. The small generator facility interconnection fee under §A of this regulation may not exceed the following:

(1) No charge for Level 1 applications;

(2) \$50 plus \$1 per kW of rated generating facility output for Level 2 applications; and

(3) \$100 plus \$2 per kW of rated generating facility output for Level 3 and 4 applications.]

[C.] B. The utility shall specify the interconnection application and processing fees charged under this regulation in its tariff.

.06 General Requirements.

A. If an interconnection request [for a small generator facility] includes multiple [energy production devices] small generator facilities at a site for which the applicant seeks a single point of interconnection, the interconnection request shall be evaluated on the basis of the aggregate nameplate capacity or the limit of the inverters of the multiple [devices] facilities.

B. If an interconnection request is for an increase in capacity [for], or change in the proposed use, of an existing small generator facility, the interconnection request shall be evaluated on the basis of the [new] total nameplate capacity of the small generator facility.

C. Utility Provided Information.

(1)—(2) (text unchanged)

(3) For projects over 20kW, the utility shall:

(a) Provide the applicant an opportunity to request a pre-application report, which may require payment of a fee listed in the utility's tariff;

(b) Publicly post the fee amount on the utility's website; and

(c) Provide the pre-application report within 20 business days, once the fee is paid.

(4) The pre-application report shall rely largely on pre-existing utility data and shall, at a minimum, include the following items:

(a) Initial proposed point of interconnection of the small generator facility, including address or GIS coordinates;

(b) Closest electrical facilities to the initial proposed point of interconnection of the small generator facility, including voltage

level, feeder identification, substation, and including distance to that substation;

(c) Amount of generation hosting capacity available on the closest feeder, if this information is in possession of or easily obtainable by the utility; and

(d) Any other items specified by the Commission.

[(3)] (5) (text unchanged)

D. If an interconnection request is determined to be complete, [a] any material modification, other than a minor equipment modification, that is not agreed to in writing by the utility, shall require submission of a new interconnection request.

E. If an applicant is not currently a customer of the utility at the location for the proposed [generation] small generator facility, upon request from the utility, the applicant shall provide proof of site control evidenced by a property tax bill, deed, lease agreement, contract, or other acceptable document.

F. Connection of Multiple Small [Generators] Generator Facilities by Single Interconnection.

(1)—(3) (text unchanged)

G. Electrical Isolation of [Generators] a Small Generator Facility.

(1) [Small] A small generator [facilities] facility shall be capable of being isolated from the utility electric distribution system.

(2) For a small generator [facilities] facility interconnecting to a primary or secondary line, the isolation shall be by means of a lockable, visible-break isolation device accessible by the utility.

[(3)] For small generator facilities interconnecting to a secondary line, the isolation shall be by means of a lockable isolation device whose status is clearly indicated and is accessible by the utility.]

[(4)] (3) The isolation device shall be installed, owned, and maintained by the [owner of] interconnection customer for the small [generation] generator facility, and located electrically between the small [generation] generator facility and the point of interconnection.

[(5)] (4) (text unchanged)

H. Use of Lockbox for Access to Isolation Device.

(1)—(2) (text unchanged)

(3) In the event the interconnection customer fails to comply with the terms of this section and the utility needs to gain access to the isolation device, the utility may not be held liable for any damages resulting from any necessary utility action to isolate the small generator facility.

I. Metering.

(1) Any metering necessitated by a small generator facility interconnection shall be installed, operated, and maintained in accordance with the applicable utility tariff.

(2) Any small generator facility metering requirements shall be clearly identified as part of the standard small generator facility interconnection agreement executed by the interconnection [customer] applicant and the utility.

J. Utility Monitoring [and] or Control of Small Generator Facility.

(1) Utility monitoring [and] or control of a small generator facility shall be permitted [only if the nameplate rating is greater than 2 MW] subject to the conditions in §J of this regulation.

(2) Any monitoring [and] or control requirements shall be:

(a) Consistent with the utility published requirements, as available on the utility's website; and

(b) Clearly identified [as part of] in an interconnection agreement executed by the interconnection customer and the utility.

(3) For a small generator facility under 2 MW, utility monitoring or control is not permitted unless:

(a) The Commission approves a utility monitoring or control plan addressing such facilities in the aggregate; or

(b) The customer consents to utility monitoring or control.

(4) *The Commission may require a utility to submit a monitoring or control plan for the Commission's review and approval.*

(5) *Equipment certified under the latest published editions of IEEE 1547, IEEE 1547.1, and UL 1741 shall be permitted to be used for monitoring or control upon mutual agreement of the utility and the interconnection customer.*

K. Witness Test of Small Generator Facility.

(1)—(10) (text unchanged)

L. Interconnection Studies and Applicant Information.

(1)—(2) (text unchanged)

(3) *Each utility shall publicly and electronically provide an interconnection queue, updated monthly, that includes the following information about each interconnection application for a small generator facility above 500 kW:*

- (a) *Size (MW or kW);*
- (b) *Proposed circuit number and substation;*
- (c) *County and zip code;*
- (d) *Application received date;*
- (e) *Queue position on the system's proposed circuit number and substation;*
- (f) *Review status;*
- (g) *Application approved date; and*
- (h) *Any other information requested by the Commission.*

(4) *A small generator facility shall remain on the list for at least 3 years after the application was approved by the utility, unless subsequently cancelled or removed from the interconnection queue pursuant to §M of this regulation.*

(5) *A utility may provide any additional information to a prospective applicant if the utility determines that doing so would streamline the utility's review of an interconnection request.*

[(3)] (6) (text unchanged)

(7) *Each utility shall comply with the provisions described in §L(3) of this regulation no later than June 30, 2019.*

M. Validity of Conditional Approval.

(1) *The notice of conditional approval shall clearly identify the applicable deadline and the consequences of failing to either deliver the certification of completion or request an extension by the deadline.*

(2) *Once the utility delivers notice of conditional approval to the applicant, the applicant shall deliver the certification of completion within the following time frames:*

(a) *For an application for a small generator facility that is smaller than or equal to 100 kW, the applicant:*

- (i) *Shall deliver the certification of completion within 6 months;*
- (ii) *Shall receive a 6-month extension of the specified deadline, upon request; and*
- (iii) *May receive one or more additional extensions of at least 6 months upon good cause shown after an initial 6-month extension; and*

(b) *For an application for a small generator facility that is larger than 100 kW, the applicant:*

- (i) *Shall deliver the certification of completion within 12 months;*
- (ii) *Shall receive a 6-month extension of the specified deadline, upon request; and*
- (iii) *May receive one or more additional extensions of at least 6 months upon good cause shown after an initial 6-month extension.*

(3) *A project participating in the Community Solar pilot program under COMAR 20.62 is not subject to this section.*

.08 Determination of Level of Utility Review of Interconnection Request.

A. (text unchanged)

B. *A utility shall use a Level 1 procedure to evaluate an interconnection request to connect an inverter-based small [generation] generator facility when:*

- (1) *The small generator facility, or multiple small generator facilities interconnecting at a single point, has a nameplate capacity of [10] 20 kW or less; and*
- (2) (text unchanged)

C. *A utility shall use a Level 2 procedure to evaluate an interconnection request when:*

- (1) *The following criteria are met:*
 - (a) *The small generation facility, or multiple small generator facilities interconnecting at a single point, has a nameplate capacity rating of 2 MW or less;*
 - (b)—(c) (text unchanged)
- (2) (text unchanged)

D. *A utility shall use a Level 3 review procedure to evaluate an interconnection request to area networks and radial distribution circuits when electric power is not exported to the electric distribution system based on the following criteria:*

- (1) *For interconnection requests to the load side of an area network:*
 - (a) *The nameplate capacity of the small generator facility, or multiple small generator facilities interconnecting at a single point, is less than or equal to 50 kW;*
 - (b)—(c) (text unchanged)
- (2) (text unchanged)

E. *A utility shall use the Level 4 study review procedures for evaluating interconnection requests if:*

- [(1) *The nameplate capacity of the small generation facility is 10 MW or less;*]
- [(2)] (1)—[(3)] (2) (text unchanged)

.09 Level 1 Review.

A. *The utility shall evaluate a Level 1 small [generating] generator facility for the potential for adverse system impacts using the following:*

- (1) *For interconnection of a proposed small generator facility:*
 - (a) (text unchanged)
 - (b) *To a spot network:*
 - (i)—(ii) (text unchanged)
 - (iii) *The aggregation of all interconnected [electric generators] small generator facilities may not exceed 5 percent of the spot network's maximum load if the spot network serves more than one customer;*
- (2) (text unchanged)
- (3) *When a proposed small generator facility is single-phase and is to be interconnected on a center tap neutral of a 240 volt service, its addition may not create an imbalance between the two sides of the 240 volt service of more than 20 percent of the nameplate rating of the service transformer; [and]*
- (4) *As an alternative method to evaluate the adverse system impacts of a proposed Level 1 small generator facility on the distribution system, as described in §§A(1)—(3) of this regulation, a utility may use a power-flow based analysis system if the utility has submitted:*

(a) *A plan, subject to Commission approval, that describes its methodology for its power-flow based modeling system and includes reasoning for each screen used to evaluate an application; and*

(b) *Information about the system's results, as required in Regulation .14 of this chapter;*

[(4)] (5) Modification or construction of additional facilities by the utility on its distribution system, except for metering or a minor system modification, is not required to accommodate the small generator facility[.]; and

(6) If the proposed interconnection requires a minor system modification, the utility shall notify the applicant of that requirement when it provides the Level 1 evaluation result, as follows:

(a) The applicant shall inform the utility within 10 business days if the applicant elects to continue the application;

(b) If the applicant makes such an election, the utility shall provide a standard small generator facility interconnection agreement, along with a non-binding good faith cost estimate and construction schedule for those upgrades, to the applicant within 30 business days after the utility receives such an election; and

(c) The applicant shall have 30 calendar days, or other mutually agreeable time frame after receipt of the standard small generator facility interconnection agreement, to sign and return such agreement.

B.—D. (text unchanged)

E. Level 1 Review Failure.

(1) (text unchanged)

(2) If a small generator facility fails a Level 1 review, the utility may approve the interconnection request if the small generator facility can be interconnected safely and reliably to the utility's electric distribution system.

[(2)] (3) (text unchanged)

.10 Level 2 Review.

A. The utility shall evaluate a Level 2 small generator facility for the potential for adverse system impacts using the following:

(1) For interconnection of a proposed small generator facility:

(a) (text unchanged)

(b) To a spot network:

(i)—(ii) (text unchanged)

(iii) A small [generating] generator facility, when aggregated with other generation on the spot network, may not exceed 5 percent of a spot network's maximum load if the spot network serves more than one customer;

(2) For fault current limitations:

(a) The proposed small generator facility, in aggregation with other generation and energy storage devices on the distribution circuit, may not contribute more than 10 percent to the electric distribution circuit's maximum fault current at the point on the primary line nearest the point of interconnection;

(b) The proposed small generator facility, in aggregate with other generation and energy storage devices on the distribution circuit, may not cause any distribution protective devices and equipment including substation breakers, fuse cutouts, and line reclosers, or other customer equipment on the electric distribution system to be exposed to fault currents exceeding 90 percent of the short circuit interrupting capability; and

(c) (text unchanged)

(3) (text unchanged)

(4) When a [customer-generator] small generator facility is to be connected to 3-phase, 3-wire primary utility distribution lines, a 3-phase or single-phase generator shall be connected phase-to-phase;

(5) When a [customer-generator] small generator facility is to be connected to 3-phase, 4-wire primary utility distribution lines, a 3-phase or single-phase generator will be connected line-to-neutral and will be effectively grounded;

(6)—(7) (text unchanged)

(8) A small generator facility, in aggregate with other generation and energy storage devices interconnected to the distribution side of a substation transformer feeding the circuit where the small generator facility proposes to interconnect, may not exceed

10 MW in an area where there are known or posted transient stability limitations to generating units located in the general electrical vicinity; [and]

(9) As an alternative method to evaluate the adverse system impacts of a proposed Level 2 small generator facility on the distribution system, as described in §§A(1)—(8) of this regulation, a utility may use a power-flow based analysis system if the utility has submitted:

(a) A plan, subject to Commission approval, that describes its methodology for its power-flow based modeling system and includes reasoning for each screen used to evaluate an application; and

(b) Information about the system's results, as required in Regulation .14 of this chapter;

[(9)] (10) Except as permitted by an additional review in §G of this regulation, no modification or construction of additional facilities by a utility of its distribution system, with the exception of metering or a minor system modification, shall be required to accommodate the small generator facility[.]; and

(11) If the proposed interconnection requires a minor system modification, the utility shall notify the applicant of that requirement when it provides the Level 2 evaluation result, as follows:

(a) The applicant must inform the utility within 10 business days if the applicant elects to continue the application;

(b) If the applicant makes such an election, the utility shall provide a standard small generator facility interconnection agreement, along with a non-binding good faith cost estimate and construction schedule for those upgrades, to the applicant within 30 business days after the utility receives such an election; and

(c) The applicant shall have 30 calendar days, or other mutually agreeable time frame after receipt of the standard small generator facility interconnection agreement, to sign and return such agreement.

B. (text unchanged)

C. Queue Position.

(1) When an interconnection request is complete, the utility shall assign a queue position [if there is more than one interconnection request pending for the same line section].

(2)—(4) (text unchanged)

D.—E. (text unchanged)

[F. The utility is not obligated to comply with the 20 business day limit of §E of this regulation for reviewing the interconnection request until the utility has completed the review of all other interconnection requests that have a higher queue position.]

[G.] F. Failure to Meet Level 2 Criteria.

(1) (text unchanged)

(2) A utility shall:

(a) [Offer] Within 30 calendar days, offer to perform additional review to determine whether minor modifications to the electric distribution system would enable the interconnection to be made consistent with safety, reliability, and power quality criteria; and

(b) (text unchanged)

(3)—(4) (text unchanged)

[H.] G. Interconnection Agreement.

(1) When a utility determines that the interconnection request passes the Level 2 screening criteria, or fails one or more of the Level 2 screening criteria but determines that the small generator facility can be interconnected safely and reliably, the utility shall provide the applicant a standard small generator facility interconnection agreement within 5 business days after the determination.

(2) The applicant shall have either 30 calendar days, or another mutually agreeable time frame after receipt of the standard small generator facility interconnection agreement, to sign and return the standard small generator facility interconnection agreement.

(3) If the applicant does not sign the standard small generator *facility* interconnection agreement within 30 calendar days, the request shall be considered withdrawn unless the applicant and utility mutually agree to extend the time period for executing the standard small generator *facility* interconnection agreement prior to the expiration of the 30 business day period. A request for extension may not be unreasonably denied by the utility.

(4) After the standard small generator *facility* interconnection agreement is signed by the applicant and utility, interconnection of the small generator facility shall proceed according to any milestones agreed to by the applicant and utility in the standard small generator *facility* interconnection agreement.

(5) The interconnection [agreement] is not [final] *considered complete* until:

(a)—(b) (text unchanged)

(c) The applicant provides a certificate of completion to the utility; [and]

(d) *Upon request of the utility, the applicant provides one or more photographs of the small generator facility site location, components, metering equipment, and other related facilities and equipment; and*

[(d)] (e) (text unchanged)

[I.] H. Level 2 Review Failure.

(1) If the small generator facility is not approved under a Level 2 review, the utility shall provide the applicant [a letter] *written notification* explaining its reasons for denying the interconnection request.

(2) (text unchanged)

.11 Level 3 Review.

A. (text unchanged)

B. Queue Position.

(1) Once the interconnection request is considered complete by the utility, the utility shall assign a queue position based upon the date and time the interconnection request is determined to be complete [if there is more than one interconnection request pending for the same line section].

(2)—(4) (text unchanged)

C. Interconnection requests meeting the requirements set forth in Regulation .08 of this chapter for nonexporting small generator facilities interconnecting to an area network shall be presumed by the utility to be appropriate for interconnection. The utility shall process the interconnection request to area networks using the following procedures:

(1) The utility shall evaluate the interconnection request under Level 2 interconnection review procedures as set forth in Regulation .10 of this chapter, except that the utility shall have 25 business days to conduct an area network impact study to determine any potential adverse system impact of interconnecting to the utility's area network; however, the utility is not obligated to meet the 25 business day limit for reviewing the interconnection request until the utility has completed the review of all other interconnection requests that have a higher queue position;

(2)—(4) (text unchanged)

D. (text unchanged)

E. Interconnection Agreement.

(1) If a small generator facility satisfies the criteria in §C or D of this regulation, the utility shall approve the interconnection request and provide a standard *small generator facility* interconnection agreement for the applicant to sign.

(2) The applicant shall have 30 calendar days, or other mutually agreeable time frame after receipt of the standard small generator *facility* interconnection agreement, to sign and return the standard small generator *facility* interconnection agreement.

(3) If the applicant does not sign the standard small generator *facility* interconnection agreement within 30 calendar days, the interconnection request shall be considered withdrawn unless the applicant and utility mutually agree to extend the time period for executing the standard small generator *facility* interconnection agreement prior to the expiration of the 30 business day period. A request for extension may not be unreasonably denied by the utility.

(4) After the standard small generator *facility* interconnection agreement is signed by the applicant and utility, interconnection of the small generator facility shall proceed according to any milestones agreed to by the applicant and utility in the standard small generator *facility* interconnection agreement.

(5) The interconnection [agreement] is not [final] *considered complete* until:

(a) All milestones agreed to in the standard small generator *facility* interconnection agreement are satisfied;

(b) (text unchanged)

(c) The applicant provides a certificate of completion to the utility; [and]

(d) *Upon request of the utility, the applicant provides one or more photographs of the small generator facility site location, components, metering equipment, and other related facilities and equipment; and*

[(d)] (e) (text unchanged)

F. Level 3 Review Failure.

(1) If the small generator facility is not approved under a Level 3 review, the utility shall provide the applicant [a letter] *written notification* explaining its reasons for denying the interconnection request.

(2) (text unchanged)

.12 Level 4 Study Review.

A. — B. (text unchanged)

C. Queue Position.

(1) When an interconnection request is complete, the utility shall assign a queue position [if there is more than one interconnection request pending for the same line section].

(2)—(5) (text unchanged)

D. Scoping Meeting.

(1) By mutual agreement of the utility and applicant, the scoping meeting[,] *may be waived and the* interconnection feasibility study, interconnection impact study, or interconnection facilities studies provided for in a Level 4 review and discussed in this section may be waived *or combined*.

(2)—(6) (text unchanged)

E. Interconnection Feasibility, Impact, and Facilities Studies.

(1) (text unchanged)

(2) Interconnection Impact Study.

(a) (text unchanged)

(b) Scope of Interconnection System Impact Study.

(i)—(ii) (text unchanged)

(iii) The interconnection system impact study shall consider all *small* [generating] *generator* facilities that, on the date the interconnection system impact study is commenced, are directly interconnected with the utility's *electric distribution* system, have a pending higher queue position to interconnect to the system, or have signed a standard small generator *facility* interconnection agreement.

(iv)—(v) (text unchanged)

(c)—(f) (text unchanged)

(3) Interconnection Facilities Study.

(a)—(c) (text unchanged)

(d) Upon completion of the interconnection facilities study, and with the agreement of the applicant to pay for the interconnection facilities and distribution upgrades identified in the interconnection facilities study, the utility shall provide the applicant with a standard

small generator *facility* interconnection agreement within 5 business days.

(e) Delay in Electric Distribution System Upgrades.

(i) In the event that electric distribution system upgrades are identified in the impact study that will be required to be added only in the event that higher queue position customers not yet interconnected eventually will complete and interconnect their [generation] *small generator* facilities, an applicant may elect to interconnect without paying for such upgrades at the time of the interconnection under the condition that the customer shall pay for such upgrades at the time the higher queue position customer is ready to interconnect.

(ii) If the applicant does not pay for the cost of the electric distribution system upgrades at that time, the utility shall require the customer to immediately disconnect its [generating] *small generator* facility so that interconnection of the higher-queued customer can be accommodated.

F. Interconnection Agreement.

(1)—(4) (text unchanged)

(5) The interconnection [agreement] is not [final] *considered complete* until:

(a) All milestones agreed to in the standard small generator *facility* interconnection agreement are satisfied;

(b) (text unchanged)

(c) The applicant provides a certificate of completion to the utility; [and]

(d) *Upon request of the utility, the applicant provides one or more photographs of the small generator facility site location, components, metering equipment, and other related facilities and equipment; and*

[(d)] (e) (text unchanged)

G. (text unchanged)

.13 Dispute Resolution.

A.—B. (text unchanged)

C. Dispute Resolution by Technical Master.

(1) (text unchanged)

(2) The Commission may designate a Department of Energy National Laboratory, PJM Interconnection, LLC, [or] a college or university with electric distribution system engineering expertise, *or another electric distribution system expert unaffiliated with the interconnection process in dispute* as the technical master.

(3)—(4) (text unchanged)

D.—E. (text unchanged)

.14 Record Retention and Reporting Requirements.

A. A utility shall retain records of the following for a minimum of [3] 7 years:

(1) The total number [of and the] nameplate capacity [of] *and total fees charged* for the interconnection requests received, approved, and denied under Level 1, Level 2, Level 3, and Level 4 reviews;

(2) *The number of evaluations of interconnections requests approved and denied using any alternate process under Level 1, Level 2, Level 3, and Level 4 reviews;*

[(2)] (3) The fuel type, *if appropriate*, total number, and nameplate capacity of small generator facilities approved in each of the following categories:

(a)—(c) (text unchanged)

(d) Combined heat and power; [and]

(e) *Energy storage devices; and*

[(e)] (f) (text unchanged)

[(3)] (4)—[(6)] (7) (text unchanged)

B. (text unchanged)

C. A utility shall file not later than April 1 of each year a report entitled “Annual Small Generator Interconnection Report” to the

Commission containing the following information for the preceding calendar year:

(1) (text unchanged)

(2) *The number of evaluations of interconnections requests approved and denied using any alternate process under Level 1, Level 2, Level 3, and Level 4 reviews;*

[(2)] (3) The fuel type, *or energy storage type*, total number, and total nameplate capacity of small generator facilities approved in each of the following categories:

(a)—(c) (text unchanged)

(d) Combined heat and power; [and]

(e) *Energy storage devices; and*

[(e)] (f) (text unchanged)

[(3)] (4) The number of interconnection requests [that were not processed within the deadlines established for Level 1, Level 2, Level 3, and Level 4 reviews in this chapter; [and]

[(4)] (5) The number of interconnection requests denied and the applicant, the address of the proposed small generator *facility*, and the reason for each denial[.];

(6) *Each application for a proposed small generator facility that received a cost estimate or incurred an actual cost of at least \$10,000 for interconnection facilities or distribution upgrades shall include:*

(a) *A list of the nameplate capacity of the proposed small generator facility;*

(b) *Description;*

(c) *Circuit number;*

(d) *County or zip code;*

(e) *The estimated cost of facilities or upgrades;*

(f) *The actual cost of facilities or upgrades;*

(g) *Cost variance;*

(h) *Variance percentage;*

(i) *Estimated construction start and completion dates;*

(j) *Actual construction start and completion dates;*

(k) *Whether the project was completed; and*

(l) *If required, a detailed explanation for any small generator facility application for which the actual cost of facilities or upgrades was at least 10% greater than the cost estimate provided;*

(7) *The number of scoping meetings held, the number of feasibility studies, impact studies, facility studies, and combined studies performed and the total fees charged for these studies; and*

(8) *For each application for a proposed small generator facility that failed to meet Level 2 criteria according to Regulation .10F of this chapter, a list of the queue number, reason for failure to meet Level 2 criteria, if the applicant requested additional review, whether the additional review was completed within 30 days, or if the applicant decided to request interconnection under Level 4 criteria.*

D. (text unchanged)

E. *For any facility receiving an interconnection impact study, the utility shall list and explain any study for which the cost of the actual upgrade exceeded the impact study’s estimate by at least 25 percent.*

F. *For any facility receiving an interconnection facilities study, the utility shall list and explain any study for which the cost of the actual upgrade exceeded the impact study’s estimate by at least 10 percent.*

G. *The utility shall send a weekly electronic confidential report to Commission Staff of all solar facilities successfully interconnected. The weekly electronic confidential report shall:*

(1) *Be compatible with the format requirements of PSC and MD State IT departments to facilitate the processing of Solar Renewable Energy Credits (SRECs); and*

(2) *Contain the name of the customer, the address, the size of the facility (kW DC) and the date of final approval (net meter set).*

TERRY J. ROMINE
Executive Secretary

Title 31
MARYLAND INSURANCE
ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS
AND OTHER INSURANCE
PROFESSIONALS

31.03.12 Procedures — Written Consent —
Federal Law

Authority: Insurance Article, §2-109(e), Annotated Code of Maryland

Notice of Proposed Action

[18-172-P]

The Insurance Commissioner proposes to amend Regulation .04 under **COMAR 31.03.12 Procedures — Written Consent — Federal Law**.

Statement of Purpose

The purpose of this action is to amend COMAR 31.03.12.04 to reflect the change over the past several years in the way the Federal Bureau of Investigations and Criminal Justice Information System have handled applications for records checks. Amending the language of the regulation from "on a form" to "in a manner" will allow the regulations to stay current without requiring the Maryland Insurance Administration to make changes to the regulation every time the way in which the applications are handled changes.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tyler Hoblitzell, Legislative and Regulatory Analyst, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2488, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.04 Application for Written Consent.

A. — C. (text unchanged)

D. Request for Criminal Records Check.

(1) An applicant shall apply for a records check for the existence of criminal convictions in the criminal history records information maintained by the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services and received from the Federal Bureau of Investigation by:

(a) Completing and submitting, [on a form] *in a manner* approved by the Director of the Central Repository, an application containing identifying information, including the applicant's Social Security number, to verify identity and preserve the security of the record maintained by the Central Repository;

(b) — (c) (text unchanged)
 (2) (text unchanged)
 E. — F. (text unchanged)

ALFRED W. REDMER, JR.
 Insurance Commissioner

Subtitle 09 LIFE INSURANCE AND
ANNUITIES

31.09.05 Replacement of Life Insurance and
Annuities

Authority: Insurance Article, §§2-109 and 27-213, Annotated Code of Maryland

Notice of Proposed Action

[18-188-P]

The Insurance Commissioner proposes to amend Regulation .06 under **COMAR 31.09.05 Replacement of Life Insurance and Annuities**.

Statement of Purpose

The purpose of this action is to amend Regulation .06 under COMAR 31.09.05 Replacement of Life Insurance and Annuities. The Maryland Insurance Administration's Life and Health Market Conduct Unit receives questions from insurance companies often regarding this regulation and when the 5-business-day tracking begins. Specifically, companies ask whether the tracking should begin at the time an insurance producer takes the replacement insurance application or when the completed application indicating replacement has been received at the home office of the insurer. The Maryland Insurance Administration is proposing a change to Regulation .06A(2)(a) to clarify that the 5-business-day period begins from the date the completed application indicating replacement has been received at the home office of the insurer.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tyler Hoblitzell, Legislative and Regulatory Analyst, Maryland Insurance Administration, 200 Saint Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2488, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.06 Duties of Replacing Insurers that Use Insurance Producers.

A. In General. If a replacement is involved in a transaction, the replacing insurer shall:

(1) (text unchanged)

(2) Notify any other existing insurer that may be affected by the proposed replacement within 5 business days after:

(a) Receipt of a completed application indicating replacement *at the home office of the replacing insurer*; or

(b) (text unchanged)

(3) — (5) (text unchanged)

B. — D. (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 09 LIFE INSURANCE AND ANNUITIES

31.09.16 Accelerated Benefits

Authority: Insurance Article, §§2-109, 5-301, 12-205(b)(4) and (8), and 27-202, Annotated Code of Maryland

Notice of Proposed Action [18-054-R]

The Insurance Commissioner proposes to adopt new Regulations .01 — .12 under a new chapter, **COMAR 31.0916 Accelerated Benefits under COMAR 31.09 Life Insurance and Annuities**. Because substantive changes have been made to the original proposal as published in 45:7 Md. R. 389—391 (March 30, 2018), this action is being reproposeed at this time.

Statement of Purpose

The purpose of this action is to amend the originally proposed Regulation .03 under COMAR 31.09.16 Accelerated Benefits. In reviewing the proposed language, it came to the attention of the Maryland Insurance Administration that the definition of "qualifying event" was not in line with the Interstate Insurance Product Regulation Commission's definition of "qualifying event" and not in line with the current accelerated benefit policies and riders the Maryland Insurance Administration accepts. Therefore, we are proposing a change to clarify that a "qualifying event" must always include a terminal illness provision and adding a definition of terminal illness.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tyler Hoblitzell, Legislative and Regulatory Analyst, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2488, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2090. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

Ed. Note: Pursuant to State Government Article, §10-113, Annotated Code of Maryland, if a promulgating agency substantively alters the text of regulations that have been previously proposed in the Maryland Register, the altered text must be published in the Maryland Register as though it were initially proposed. The text of regulations appearing immediately below has been altered substantively from the initially proposed text.

Symbols: Roman type indicates existing text of regulations. *Italic* type indicates initially proposed new text. ***Arial Bold Italic*** type indicates new text that substantively alters the text as initially proposed. [Single brackets] indicate existing text proposed for repeal. [[[Triple brackets]]] indicate text proposed for deletion which substantively alters the originally proposed text.

.01—.02 (originally proposed text unchanged)

.03 Definitions.

A. (originally proposed text unchanged)

B. *Terms Defined.*

(1)—(4) (originally proposed text unchanged)

(5) **"Terminal illness" means a medical condition that is reasonably expected to result in a drastically limited life span for the insured as specified in the contract.**

.04 Type of Product.

A. *Accelerated benefit riders and life insurance policies with accelerated benefit provisions are primarily mortality risks rather than morbidity risks.*

B. **The inclusion of terminal illness as a qualifying event shall be included in all accelerated benefit policies and riders.**

.05—.12 (originally proposed text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL

31.10.16 Carrier Provider Panels — Application Process

Authority: Insurance Article, §§2-109 and 15-112, Annotated Code of Maryland

Notice of Proposed Action [18-187-P]

The Insurance Commissioner proposes to amend Regulation .05 under **COMAR 31.10.16 Carrier Provider Panels — Application Process**.

Statement of Purpose

The purpose of this action is to amend Regulation .05 under COMAR 31.10.16 Carrier Provider Panels--Application Process. During life and health market conduct reviews, it has come to the attention of the Maryland Insurance Administration, that many insurance companies are not sure when to date stamp a provider application. The proposed change to Regulation .05B(1) will clarify that the insurance company shall date stamp each provider application when the application is initially received by the insurance company.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tyler Hoblitzell, Legislative and Regulatory Analyst, Maryland Insurance Administration, 200 Saint Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2488, or email to insuranceregreview.mia@maryland.gov, or fax to 410-

468-2020. Comments will be accepted through August 20, 2018. A public hearing has not been scheduled.

.05 Document Retention.

A. (text unchanged)

B. A carrier shall:

(1) Date stamp each application received from a provider *upon initial receipt*; and

(2) (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Errata

COMAR 09.12.81.01

At 45:14 Md. R. 695 (July 6, 2018), column 2, line 4 from the top:
 For: Authority: Public Safety Article, §§12-805, 12-806, 12-809, and 12-912,
 Read: Authority: Public Safety Article, §§12-805, 12-806, and 12-809[[, and 12-912]],
 [18-15-23]

COMAR 10.09.78.07 and .08

At 45:14 Md. R. 697 (July 6, 2018), column 1, line 5 from the bottom:
 For: proposed for adoption in 45:3 Md. R. 430—431 (April 13, 2018), has
 Read: proposed for adoption in 45:8 Md. R. 430—431 (April 13, 2018), has
 [18-15-21]

COMAR 15.14.10.05

At 45:14 Md. R. 698 (July 6, 2018), column 2, line 9 from the top:
 For: amendments to Regulation **.04** under **COMAR 15.14.10 Continuing**
 Read: amendments to Regulation **.05** under **COMAR 15.14.10 Continuing**
 [18-15-22]

Special Documents

DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Minor Modifications

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the minor modifications approved for a previously approved project by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: April 1-30, 2018.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists previously approved projects, receiving approval of minor modifications, described below, pursuant to 18 CFR § 806.18 for the time period specified above:

Minor Modifications Issued Under 18 CFR § 806.18

Pro-Environmental, LLC, Docket No. 20140610-1, Lathrop Township, Susquehanna County, Pa.; approval to changes in the authorized water uses; Approval Date: April 27, 2018.

Ski Roundtop Operating Corp, Docket No. 20031209-1, Warrington Township, York County, Pa.; approval to changes in the authorized water uses; Approval Date: April 27, 2018.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: June 26, 2018.

STEPHANIE L. RICHARDSON
Secretary to the Commission
[18-15-09]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: April 1—30, 2018.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, 717-238-0423, ext. 1312, joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(e) and §806.22 (f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR 806.22(f):

Chesapeake Appalachia, L.L.C., Pad ID: Parkhurst, ABR-201309017.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 9, 2018.

SWN Production Company, LLC, Pad ID: Martin (Pad 11), ABR-201304009.R1, Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 9, 2018.

SWN Production Company, LLC, Pad ID: Ferguson-Keisling (Pad B), ABR-201304010.R1, Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 9, 2018.

SWN Production Company, LLC, Pad ID: Tice (13 Pad), ABR-201304011.R1, Orwell Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 9, 2018.

SWN Production Company, LLC, Pad ID: RU-23 MITCHELL PAD, ABR-201304012.R1, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 9, 2018.

Repsol Oil & Gas USA, LLC, Pad ID: TWIN RIDGE (02 185), ABR-201804001, Covington Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 13, 2018.

Cabot Oil & Gas Corporation, Pad ID: MooreS P1, ABR-201804002, Jessup Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: April 13, 2018.

Repsol Oil & Gas USA, LLC, Pad ID: HUGHES (02 204) E, ABR-201804003, Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 18, 2018.

SWEPI LP, Pad ID: Flack 502, ABR-201304014.R1, Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 20, 2018.

SWEPI LP, Pad ID: Edkin 499, ABR-201304018.R1, Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 20, 2018.

SWN Production Company, LLC, Pad ID: WY-10-FALCONERO-PAD, ABR-201804004, Forkston Township, Wyoming County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 23, 2018.

Campbell Oil & Gas, Inc., Pad ID: Mid Penn Unit A Well Pad, ABR-201304002.R1, Bigler Township, Clearfield County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 24, 2018.

Seneca Resources Corporation, Pad ID: Gamble Pad K, ABR-201309018.R1, Lewis and Gamble Townships, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 27, 2018.

Chief Oil & Gas LLC, Pad ID: Loch Drilling Pad, ABR-201311001.R1, Nicholson Township, Wyoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 30, 2018.

Chief Oil & Gas LLC, Pad ID: Kupscznk D Drilling Pad, ABR-201311003.R1, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: April 30, 2018.

Repsol Oil & Gas USA, LLC, Pad ID: KROPP (07 017) C, ABR-201305010.R1, Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 30, 2018.

Repsol Oil & Gas USA, LLC, Pad ID: TAYLOR BUCKHORN LAND CO (07 010), ABR-201305011.R1, Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 30, 2018.

Repsol Oil & Gas USA, LLC, Pad ID: SCHMITT (07 043) D, ABR-201305012.R1, Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: April 30, 2018.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: June 26, 2018.

STEPHANIE L. RICHARDSON
Secretary to the Commission
[18-15-08]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on August 2, 2018, in Harrisburg, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 7, 2018, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is August 13, 2018.

DATES: The public hearing will convene on August 2, 2018, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is August 13, 2018.

ADDRESSES: The public hearing will be conducted at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, Pa.

FOR FURTHER INFORMATION CONTACT: Gwyn Rowland, Manager, Governmental and Public Affairs, telephone: (717) 238-0423, ext. 1316; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://mdw.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

SUPPLEMENTARY INFORMATION: The public hearing will cover the following projects:

Projects Scheduled for Action:

Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Beech Mountain System, Butler Township, Luzerne County, Pa. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Beech Mountain Well

Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Beech Mountain System, Butler Township, Luzerne County, Pa. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Beech Mountain Well. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Beech Mountain System, Butler Township, Luzerne County, Pa. Application for groundwater withdrawal of up to 0.124 mgd (30-day average) from Beech Mountain Well

Project Sponsor and Facility: ARD Operating, LLC (Pine Creek), McHenry Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20140902).

Project Sponsor and Facility: BKV Operating, LLC (East Branch Wyalusing Creek), Jessup Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20140904).

Project Sponsor and Facility: Cabot Oil & Gas Corporation (Tunkhannock Creek), Nicholson Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20140903).

Project Sponsor and Facility: Columbia Water Company, Hellam Township, York County, Pa. Application for groundwater withdrawal of up to 0.015 mgd (30-day average) from Dugan Well 4.

Project Sponsor and Facility: Eclipse Resources-PA, LP (Cowanesque River), Deerfield Township, Tioga County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

Project Sponsor and Facility: Eclipse Resources-PA, LP (Pine Creek), Gaines Township, Tioga County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough, Lancaster County, Pa. Application for renewal of groundwater withdrawal of up to 0.300 mgd (30-day average) from Well 5 (Docket No. 19880402).

Project Sponsor and Facility: Inflection Energy (PA) LLC (Loyalsock Creek), Upper Fairfield Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.700 mgd (peak day) (Docket No. 20140905).

Project Sponsor: Lancaster County Solid Waste Management Authority. Project Facility: Solid Waste Resource Recovery, Conoy Township, Lancaster County, Pa. Application for renewal of consumptive use of up to 0.950 mgd (peak day) (Docket No. 19880901).

- Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Susquehanna River), Terry Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20140909). Dated: June 28, 2018.
- Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Wappasening Creek), Windham Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20140910).
- Project Sponsor and Facility: SWEPI LP (Cowanesque River), Deerfield Township, Tioga County, Pa. Modification to reduce surface water withdrawal from 2.000 mgd to 1.000 mgd (peak day) and reassess passby flow thresholds (Docket No. 20161218).
- Project Sponsor and Facility: Togg Mountain LLC, Town of Fabius, Onondaga County, N.Y. Application for consumptive use of up to 0.485 mgd (peak day).
- Project Sponsor and Facility: Togg Mountain LLC (West Branch of Tioughnioga Creek), Town of Fabius, Onondaga County, N.Y. Application for surface water withdrawal of up to 2.200 mgd (peak day).
- Project Sponsor and Facility: Towanda Municipal Authority, North Towanda Township, Bradford County, Pa. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Church Production Well 1.
- Project Sponsor and Facility: Towanda Municipal Authority, North Towanda Township, Bradford County, Pa. Application for groundwater withdrawal of up to 1.000 mgd (30-day average) from Roberts Production Well 1.
- Project Sponsor and Facility: Towanda Municipal Authority, North Towanda Township, Bradford County, Pa. Application for groundwater withdrawal of up to 1.000 mgd (30-day average) from Roberts Production Well 2.

STEPHANIE L. RICHARDSON
Secretary to the Commission
[18-15-11]

The Commission will also be considering a resolution to approve a consumptive use water storage and mitigation project proposed by the Commission pursuant to Articles 3, 4, 7, 12, 14 and 15 of the Susquehanna River Basin Compact, at the Billmeyer Quarry, a nonoperational quarry located on property owned by the Lancaster County Solid Waste Management Authority in Conoy Township, Lancaster County, Pa. Information concerning the project (Pending Project Number 2018-054) is also available at the Commission's Water Application and Approval Viewer at <http://mdw.srbc.net/waav>.

Opportunity to Appear and Comment:

Interested parties may appear at the hearing to offer comments to the Commission on any business listed above required to be subject of a public hearing. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Guidelines for the public hearing are posted on the Commission's website, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any business listed above required to be subject of a public hearing may also be mailed to Ms. Gwyn Rowland, Manager, Governmental and Public Affairs, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/public-hearing.html. Comments mailed or electronically submitted must be received by the Commission on or before August 13, 2018, to be considered.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

General Notices

Notice of ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Subject: Public Meeting
Date and Time: August 6, 2018, 1 — 3 p.m.
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Advisory Council meets regularly on the 1st Thursday of each month.
Contact: Leandrea Gilliam (410) 706-4449
 [18-15-07]

FIRE PREVENTION COMMISSION

Subject: Public Meeting
Date and Time: August 16, 2018, 9:30 a.m.
Place: Laurel Municipal Bldg., 8103 Sandy Spring Rd., Council Chambers, Laurel, MD
Add'l. Info: Portions of the meeting may be held in closed session.
Contact: Heidi Ritchie (877) 890-0199
 [18-15-14]

MARYLAND INSURANCE ADMINISTRATION

Subject: Public Hearing
Date and Time: July 30, 2018, 1 — 4:30 p.m.
Place: Maryland Insurance Administration, 200 St. Paul Pl., Baltimore, MD 21202
Add'l. Info: The public hearing will be held in the Hearing Room on the 24th floor. Written testimony may be submitted by emailing healthinsuranceratereview.mia@maryland.gov or by faxing 410-468-2038 or by mailing the Maryland Insurance Administration.
Contact: Nancy Muehlberger (410) 468-2050
 [18-15-13]

MARYLAND HEALTH BENEFIT EXCHANGE

Subject: Public Hearing on Regulations for the State Reinsurance Program
Date and Time: July 26, 2018, 2—4 p.m.
Additional Dates: August 2, 2018, 2—4 p.m.; August 9, 2018, 1—3 p.m.; August 16, 2018, 2—4 p.m.
Place: Office of the Maryland Health Benefit Exchange, 750 E. Pratt St., 6th Fl., Baltimore, MD 21202

Add'l. Info: The Maryland Health Benefit Exchange (MHBE) is required to adopt regulations for a State Reinsurance Program, as provided for in House Bill 1795/Senate Bill 1267. To help guide the promulgation of these regulations, MHBE will hold a series of public hearings on the above dates and times. Agendas for the meetings will be posted at least 1 week in advance of the first public hearing on the MHBE Website located at <https://www.marylandhbe.com/>. The public will also be allowed to call into the meetings. The contact number and conference code will be provided with the agenda.
Contact: Kris Vallecillo (410) 547-1276, mhbe.publiccomments@maryland.gov (preferred)
 [18-15-24]

MARYLAND HEALTH CARE COMMISSION

Subject: Notice of Project Change
Add'l. Info: Additional Information: On June 28, 2018 the Maryland Health Care Commission (MHCC) received notice and a request for approval of project changes under COMAR 10.24.01.17B from Washington Adventist Hospital, holder of a Certificates of Need (CON), Docket No. 13-15-2349.

The project's sponsor has requested approval:

1. To move 10 adult psychiatric beds from Takoma Park to the relocated hospital at White Oak which is currently under construction; and
2. To increase in capital cost by \$3,274,553.

Please refer to the Docket No. listed above in any correspondence on this request, a copy of which is available for review by appointment in MHCC offices during regular business hours. All correspondence should be addressed to Kevin McDonald, Chief, Certificate of Need, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby (410) 764-3276
 [18-15-19]

MARYLAND HEALTH CARE COMMISSION

Subject: Exemption from CON Review
Add'l. Info: The Maryland Health Care Commission has received a request from: Adventist Health Care — Merger, consolidation and relocation of 29 of the 39 acute, general hospital beds used for psychiatric services currently located at Washington Adventist Hospital in Takoma Park to the Shady Grove Medical Center in Rockville and added to the 117 acute general psychiatric beds for a total of 146 acute general psychiatric beds at Shady Grove Medical Center. The 10 remaining beds will be relocated to the new White Oak Campus of Washington.

A copy of the Exemption Request is available, for review, in the office of the MHCC, during regular business hours by appointment, or on the Commission's website at www.mhcc.maryland.gov.

All correspondence should be addressed to Paul Parker, Director, Center for Health Care Facilities Planning & Development, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215-2299.

Contact: Ruby Potter (410) 764-3276
 [18-15-20]

DEPARTMENT OF NATURAL RESOURCES/FISHING AND BOATING SERVICES

Subject: Public Notice — Changes to the Recreational Blueline Tilefish Season — Effective 7/1/2018

Add'l. Info: The Secretary of the Maryland Department of Natural Resources, pursuant to the Code of Maryland Regulations 08.02.05.29F, announces that the recreational blueline tilefish season closes October 31, 2018, at 11:59 p.m. This action is in response to action taken for species management by the Mid-Atlantic Fishery Management Council in Amendment 6 to the Tilefish Fishery Management Plan.

Mark J. Belton
 Secretary of Natural Resources
Contact: Jacob Holtz (410) 260-8262
 [18-15-10]

**DEPARTMENT OF NATURAL
RESOURCES/FISHING AND
BOATING SERVICES**

Subject: Commercial Striped Bass Common Pool Hook and Line Season Modification

Add'l. Info: The Secretary of Maryland Department of Natural Resources pursuant to Code of Maryland Regulations 08.02.15.12H announces the opening of the 2018 commercial striped bass common pool hook and line fishery on Tuesday, July 10, 2018, 1 hour before sunrise, with a catch limit of 250 lbs/permittee/week and 500 lbs/vessel/day. The common pool fishery will close on Wednesday, July 11, 2018, 1 hour before sunset.

Mark J. Belton

Secretary of Natural Resources

Contact: Jacob Holtz (410) 260-8262
[18-15-12]

**PUBLIC INFORMATION ACT
COMPLIANCE BOARD**

Subject: Public Meeting

Date and Time: August 7, 2018, 12:30 — 2:30 p.m.

Place: 200 St. Paul Pl., Baltimore, MD

Add'l. Info: Annual Meeting of the PIACB. If you are interested in attending, please contact Ms. Janice Clark (at piaopengov@oag.state.md.us or 410-576-6560) NO LATER THAN JULY 31 so that we may make the necessary arrangements. When you arrive, please check in at the guard desk in the building lobby.

If you are interested in receiving email notifications about future meetings of the PIACB, please contact Janice Clark at PIAOpengov@oag.state.md.us.

Contact: Janice Clark (410) 576-6560
[18-15-18]

**COMMISSION OF REAL ESTATE
APPRAISERS AND HOME
INSPECTORS**

Subject: Public Meeting

Date and Time: August 14, 2018, 10:30 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Patricia Schott (410) 230-6165
[18-15-01]

STATE TREASURER'S OFFICE

Subject: Public Meeting

Date and Time: September 5, 2018, 1 p.m.

Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114—116, Annapolis, MD

Add'l. Info: Legislative Review and the Size and Condition of Tax-Supported Debt

Contact: Christian Lund (410) 260-7920
[18-15-04]

STATE TREASURER'S OFFICE

Subject: Public Meeting

Date and Time: September 12, 2018, 1 p.m.

Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114—116, Annapolis, MD

Add'l. Info: Review of Capital Programs and the Size and Condition of Debt of Higher Education Institutions

Contact: Christian Lund (410) 260-7920
[18-15-05]

STATE TREASURER'S OFFICE

Subject: Public Meeting

Date and Time: September 26, 2018, 1 p.m.

Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm. #114—116, Annapolis, MD

Add'l. Info: Recommendation of General Obligation Bond Authorizations

Contact: Christian Lund (410) 260-7920
[18-15-09]

BOARD OF WELL DRILLERS

Subject: Public Meeting

Date and Time: July 25, 2018, 9 a.m. — 1 p.m.

Place: 1800 Washington Blvd., Baltimore, MD

Add'l. Info: A portion of this meeting may be held in closed session.

Contact: Elaine Nolen (410) 537-4466
[18-15-02]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting

Date and Time: August 9, 2018, 9:30 — 11:30 a.m.

Place: 10 E. Baltimore St., Baltimore, MD

Add'l. Info: Portions of this meeting may be held in closed session.

Contact: Amy Lackington (410) 864-5300
[18-15-03]

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| <b>Title 29</b>                            | State Police                                                     | \$30               | \$18                      | _____         | _____ |
| <b>Title 30</b>                            | MD Institute for Emergency Medical Services Systems              | \$25               | \$17                      | _____         | _____ |
| <b>Title 31</b>                            | Maryland Insurance Administration                                | \$68               | \$45                      | _____         | _____ |
| <b>Title 32</b>                            | Aging                                                            | \$25               | \$15                      | _____         | _____ |
| <b>Title 33</b>                            | State Board of Elections                                         | \$42               | \$25                      | _____         | _____ |
| <b>Title 34</b>                            | Planning                                                         | \$31               | \$18                      | _____         | _____ |
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| <b>Title 09</b>                                          | Labor, Licensing and Regulation                                  | \$116              | \$75                      | _____                     | _____ |
| <b>Title 10</b>                                          | Maryland Department of Health (All Parts)**                      | \$350              | \$230                     | _____                     | _____ |
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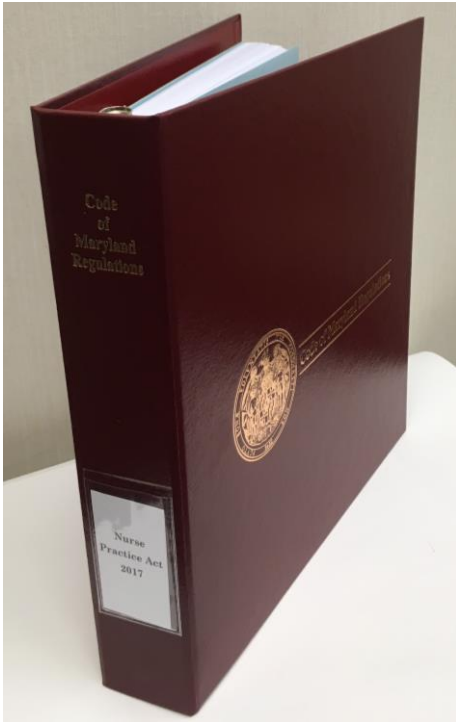
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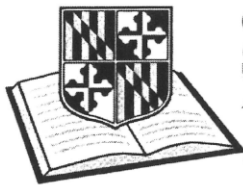
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