

Maryland Register

Issue Date: September 24, 2021

Volume 48 • Issue 20 • Pages 839—872

IN THIS ISSUE

Governor
Open Meetings Compliance
Board
Regulations
Special Documents
General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before September 3, 2021, 5 p.m.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 September 3, 2021.

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)

Maryland Register (ISSN 0360-2834). Postmaster: Send address changes and other mail to: Maryland Register, State House, Annapolis, Maryland 21401. Tel. 410-260-3876; Fax 410-280-5647. Published biweekly, with cumulative indexes published quarterly, by the State of Maryland, Division of State Documents, State House, Annapolis, Maryland 21401. The subscription rate for the Maryland Register is \$225 per year (first class mail). All subscriptions post-paid to points in the U.S. periodicals postage paid at Annapolis, Maryland and additional mailing offices.
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.
Front cover: State House, Annapolis, MD, built 1772—79.
Illustrations by Carolyn Anderson, Dept. of General Services

Note: All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland). By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.

Contents

841

Closing Dates for the Maryland Register

Schedule of Closing Dates and Issue Dates for the Maryland Register	842
---	-----

COMAR Research Aids

Table of Pending Proposals	843
----------------------------------	-----

Index of COMAR Titles Affected in This Issue

COMAR Title Number and Name	Page
01 Executive Department	852
08 Department of Natural Resources	855
09 Maryland Department of Labor	851
10 Maryland Department of Health	856
26 Department of the Environment	865
30 Maryland Institute for Emergency Medical Services Systems (MIEMSS)	850
33 State Board of Elections	867

PERSONS WITH DISABILITIES

Individuals with disabilities who desire assistance in using the publications and services of the Division of State Documents are encouraged to call (410) 974-2486, or (800) 633-9657, or FAX to (410) 974-2546, or through Maryland Relay.

The Governor

PROCLAMATION

Termination and Rescission of the Proclamation of the State of Emergency and Catastrophic Health Emergency — COVID-19	846
---	-----

Open Meetings Compliance Board

SUMMARY OF OPINIONS ISSUED FROM OCTOBER 1 TO DECEMBER 31, 2020	847
SUMMARY OF OPINIONS ISSUED FROM JANUARY 1 TO MARCH 31, 2021	848
SUMMARY OF OPINIONS ISSUED FROM APRIL 1 TO JUNE 30, 2021	849

Emergency Action on Regulations

30 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS) COMMERCIAL AMBULANCE SERVICES	
Eligibility, Application, and License Renewal	850

Final Action on Regulations

09 MARYLAND DEPARTMENT OF LABOR	
COMMISSIONER OF FINANCIAL REGULATION	
Mortgage Lenders	851
WORKFORCE DEVELOPMENT AND ADULT LEARNING	
Correctional Institutions Mandatory Educational and Workforce Skills Training Program	851

Proposed Action on Regulations

01 EXECUTIVE DEPARTMENT	
SECRETARY OF STATE	
Maryland Safe at Home Address Confidentiality Program	852

08 DEPARTMENT OF NATURAL RESOURCES

BOATING—SPEED LIMITS and OPERATION OF VESSELS	
Middle Creek	855

10 MARYLAND DEPARTMENT OF HEALTH

MARYLAND HEALTH CARE COMMISSION	
Data Release	856

26 DEPARTMENT OF THE ENVIRONMENT

AIR QUALITY	
Mobile Sources	865

33 STATE BOARD OF ELECTIONS

DEFINITIONS; GENERAL PROVISIONS	
Definitions	867
VOTER REGISTRATION	
Processing VRAs and Other Requests	867
ABSENTEE BALLOTS	
Applications	867
Issuance and Return	867
EARLY VOTING	
Election Judges	867

Special Documents

DEPARTMENT OF STATE POLICE	
HANDGUN ROSTER BOARD	
Proposed Additions to Handgun Roster and Notice of Right to Object or Petition	869

General Notices

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL	
Public Meeting	871
EMERGENCY MEDICAL SERVICES BOARD	
Public Meeting	871
COMMISSIONER OF FINANCIAL REGULATION	
Bank Merger	871
FIRE PREVENTION COMMISSION	
Public Meeting	871
MARYLAND DEPARTMENT OF HEALTH	
Public Meeting	871
Receipt of Application	871
MARYLAND STATE LOTTERY AND GAMING CONTROL COMMISSION	
Public Meeting	872
MARYLAND CYBERSECURITY COORDINATING COUNCIL	
Public Meeting	872
BOARD OF REVENUE ESTIMATES	
Public Meeting	872
STATE TREASURER'S OFFICE	
Public Meeting	872
Public Meeting	872
Public Meeting	872
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS	
Public Meeting	872
BOARD OF WELL DRILLERS	
Public Meeting	872
WORKERS' COMPENSATION COMMISSION	
Public Meeting	872
Public Meeting	872

Contents

COMAR Online

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.

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.

CLOSING DATES AND ISSUE DATES THROUGH JANUARY 2022

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Notices, etc. 10:30 a.m.	Final Regulations 10:30 a.m.
2021			
October 8	September 20	September 27	September 29
October 22	October 4	October 8**	October 13
November 5	October 18	October 25	October 27
November 19	November 1	November 8	November 10
December 3	November 15	November 22	November 24
December 17	November 29	December 6	December 8
2022			
January 3***	December 13	December 20	December 22
January 14	December 27	January 3	January 5
January 28	January 10	January 14**	January 19

* Deadlines are for submissions to **DSD** for publication in the Maryland Register and do not take into account the 15-day AELR review period. Due date for documents containing 8 to 18 pages is 48 hours before the date listed; due date for documents exceeding 18 pages is 1 week before the date listed.

NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9-POINT, SINGLE-SPACED FORMAT. THE 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 Chapter Section Paragraph
 Subtitle Regulation Subsection 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.

01 EXECUTIVE DEPARTMENT

01.02.11.01—,03,,05—,07,,09—,16,,18,,19,
.22 • 48:20 Md. R. 852 (9-24-21)

03 COMPTROLLER OF THE TREASURY

03.02.04.01 • 48:1 Md. R. 13 (1-4-21)

07 DEPARTMENT OF HUMAN SERVICES

07.01.13.07 • 48:18 Md. R. 696 (8-27-21)
07.02.11.08 • 48:17 Md. R. 670 (8-13-21)

08 DEPARTMENT OF NATURAL RESOURCES

08.02.13.03,,05 • 48:15 Md. R. 596 (7-16-21)
08.18.13.04 • 48:18 Md. R. 697 (8-27-21)
08.18.14.05 • 48:20 Md. R. 855 (9-24-21)
08.18.25.02 • 48:18 Md. R. 697 (8-27-21)
08.18.29.03 • 48:18 Md. R. 698 (8-27-21)
08.18.33.03 • 48:18 Md. R. 698 (8-27-21)

09 MARYLAND DEPARTMENT OF LABOR

09.09.01.01—,04 • 48:17 Md. R. 671 (8-13-21)
09.09.02.01—,03 • 48:17 Md. R. 671 (8-13-21)
09.09.03.02 • 48:17 Md. R. 671 (8-13-21)
09.10.03.08 • 48:7 Md. R. 261 (3-26-21)

10 MARYLAND DEPARTMENT OF HEALTH

Subtitles 01—08 (1st volume)

10 • 48:4 Md. R. 190 (2-12-21) (err)

Subtitle 09 (2nd volume)

10.09.05.01,,03—,07 • 48:15 Md. R. 603 (7-16-21) (ibr)
10.09.23.01-1,,05 • 48:19 Md. R. 804 (9-10-21) (ibr)
10.09.48.01—,08 • 48:19 Md. R. 805 (9-10-21)
10.09.50.07 • 48:17 Md. R. 672 (8-13-21)
10.09.51.05 • 48:19 Md. R. 810 (9-10-21)
10.09.92.08 • 48:3 Md. R. 104 (1-29-21)
48:4 Md. R. 190 (2-12-21) (err)

Subtitles 10—22 (3rd volume)

10.15.03.27 • 48:18 Md. R. 699 (8-27-21)

Subtitles 23—36 (4th volume)

10.24.11.01 • 48:15 Md. R. 605 (7-16-21) (ibr)
10.25.05.01—,14 • 48:20 Md. R. 856 (9-24-21)
10.25.06.01—,18 • 48:15 Md. R. 606 (7-16-21)
10.26.02.02—,05,,08 • 48:18 Md. R. 700 (8-27-21)
10.26.06.01—,03 • 48:18 Md. R. 700 (8-27-21)
10.28.12.01,,03—,07 • 48:18 Md. R. 703 (8-27-21)
10.32.12.01—,07 • 48:19 Md. R. 811 (9-10-21)

Subtitles 37—52 (5th volume)

10.37.10.03,,07-1 • 48:19 Md. R. 813 (9-10-21)

Subtitles 53—68 (6th volume)

10.57.02.01 • 48:19 Md. R. 814 (9-10-21)
10.57.03.01 • 48:19 Md. R. 814 (9-10-21)
10.62.01.01 • 48:12 Md. R. 476 (6-4-21)
10.62.03.01 • 48:12 Md. R. 476 (6-4-21)
10.62.04.04,,05 • 48:12 Md. R. 476 (6-4-21)

- 10.62.08.02.,05.,10 • 48:12 Md. R. 476 (6-4-21)
- 10.62.10.02 • 48:12 Md. R. 476 (6-4-21)
- 10.62.15.08 • 48:12 Md. R. 476 (6-4-21)
- 10.62.16.06 • 48:12 Md. R. 476 (6-4-21)
- 10.62.18.01.,04—,10 • 48:12 Md. R. 476 (6-4-21)
- 10.62.19.02.,04.,09 • 48:12 Md. R. 476 (6-4-21)
- 10.62.21.02 • 48:12 Md. R. 476 (6-4-21)
- 10.62.22.02.,03.,06.,07 • 48:12 Md. R. 476 (6-4-21)
- 10.62.25.02.,05.,10 • 48:12 Md. R. 476 (6-4-21)
- 10.62.27.02.,08—,10 • 48:12 Md. R. 476 (6-4-21)
- 10.62.28.02.,03 • 48:12 Md. R. 476 (6-4-21)
- 10.62.30.04.,08.,09 • 48:12 Md. R. 476 (6-4-21)
- 10.62.35.01 • 48:12 Md. R. 476 (6-4-21)
- 10.62.36.01 • 48:12 Md. R. 476 (6-4-21)
- 10.64.02.01—,03 • 47:23 Md. R. 1002 (11-6-20)
- 10.67.04.03.,03-1.,03-2.,19.,19-3—
.19-5 • 48:15 Md. R. 610 (7-16-21)
- 10.67.05.05-1 • 48:15 Md. R. 610 (7-16-21)
- 10.67.08.02 • 48:18 Md. R. 705 (8-27-21)

11 DEPARTMENT OF TRANSPORTATION

Subtitles 01—10

- 11.02.09.01—,03 • 48:11 Md. R. 429 (5-21-21)

Subtitles 11—23 (MVA)

- 11.13.12.01—,09 • 48:18 Md. R. 706 (8-27-21) (ibr)
- 11.16.05.01—,04 • 48:15 Md. R. 613 (7-16-21)

13A STATE BOARD OF EDUCATION

- 13A.06.01.02.,03 • 48:19 Md. R. 815 (9-10-21)

13B MARYLAND HIGHER EDUCATION COMMISSION

- 13B.08.11.04.,07 • 48:15 Md. R. 614 (7-16-21)

14 INDEPENDENT AGENCIES

- 14.07.01.01—,18 • 48:18 Md. R. 709 (8-27-21)
- 14.07.02.01—,08 • 48:18 Md. R. 709 (8-27-21)
- 14.07.03.01—,06 • 48:18 Md. R. 709 (8-27-21)
- 14.09.01.01—,04.,08.,09 • 48:16 Md. R. 633 (7-30-21)
- 14.09.02.01—,04.,06—,08 • 48:16 Md. R. 633 (7-30-21)
- 14.09.03.02—,05, .07—,09.,11—,16 • 48:16 Md. R. 633 (7-30-21)
- 14.09.04.01—,03 • 48:16 Md. R. 633 (7-30-21)
- 14.09.05.01.,03.,07 • 48:16 Md. R. 633 (7-30-21)
- 14.09.06.04 • 48:16 Md. R. 633 (7-30-21)
- 14.09.07.02.,07 • 48:16 Md. R. 633 (7-30-21)
- 14.09.09.02.,04 • 48:16 Md. R. 633 (7-30-21)
- 14.09.10.02 • 48:16 Md. R. 633 (7-30-21)
- 14.09.11.02—,04 • 48:16 Md. R. 633 (7-30-21)
- 14.09.12.02.,03.,07.,08 • 48:16 Md. R. 633 (7-30-21)
- 14.09.13.01.,02.,08.,12 • 48:16 Md. R. 633 (7-30-21)
- 14.09.14.01-1.,03 • 48:16 Md. R. 633 (7-30-21)
- 14.09.15.01 • 48:16 Md. R. 633 (7-30-21)
- 14.09.16.03.,07—,09.,11.,13.,15.,17 • 48:16 Md. R. 633 (7-30-21)
- 14.09.17.03 • 48:16 Md. R. 633 (7-30-21)
- 14.22.02.01.,02 • 48:19 Md. R. 815 (9-10-21)
- 14.35.07.02 • 48:19 Md. R. 822 (9-10-21)
- 14.35.10.01 • 48:19 Md. R. 822 (9-10-21)
- 14.35.11.01.,02.,09.,12 • 48:19 Md. R. 822 (9-10-21)
- 14.35.19.01—,07 • 48:19 Md. R. 822 (9-10-21)

15 MARYLAND DEPARTMENT OF AGRICULTURE

- 15.01.05.10 • 48:16 Md. R. 644 (7-30-21)

22 STATE RETIREMENT AND PENSION SYSTEM

- 22.03.05.01—,05 • 48:19 Md. R. 825 (9-10-21)
- 22.04.01.01—,04 • 48:19 Md. R. 826 (9-10-21)

26 DEPARTMENT OF THE ENVIRONMENT

Subtitles 08—12 (Part 2)

- 26.11.20.02 • 48:20 Md. R. 865 (9-24-21)

Subtitles 13 — 18 (Part 3)

- 26.13.01.02.,03.,03-1.,04.,05 • 48:14 Md. R. 547 (7-2-21)
- 26.13.02.01.,02.,04.,04-3.,04-4.,05.,06.,10.,15.,17.,19-1—,19-8,
.23 • 48:14 Md. R. 547 (7-2-21)
- 26.13.03.01.,04.,06.,07—,07-5 • 48:14 Md. R. 547 (7-2-21)
- 26.13.04.01.,02 • 48:14 Md. R. 547 (7-2-21)
- 26.13.05.,01.,02.,02-2.,05.,11—,14 • 48:14 Md. R. 547 (7-2-21)
- 26.13.06.01.,02.,19—,22.,25 • 48:14 Md. R. 547 (7-2-21)
- 26.13.07.02-4.,02-5.,02-8.,13-2 • 48:14 Md. R. 547 (7-2-21)
- 26.13.09.01—,03 • 48:14 Md. R. 547 (7-2-21)
- 26.13.10.03.,04.,18.,21—,24 • 48:14 Md. R. 547 (7-2-21)

29 DEPARTMENT OF STATE POLICE

- 29.01.02.02 • 48:19 Md. R. 828 (9-10-21)
- 29.03.03.11 • 48:19 Md. R. 828 (9-10-21)

30 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

- 30.01.02.01 • 48:18 Md. R. 710 (8-27-21) (ibr)
- 30.08.11.15 • 48:12 Md. R. 483 (6-4-21)
- 30.08.17.01—,19 • 48:18 Md. R. 710 (8-27-21)
- 30.08.19.01—,15 • 48:18 Md. R. 714 (8-27-21)
- 30.09.04.08 • 48:19 Md. R. 829 (9-10-21)

31 MARYLAND INSURANCE ADMINISTRATION

- 31.01.02.06.,07.,10 • 48:19 Md. R. 830 (9-10-21)
- 31.03.13.02.,04 • 48:11 Md. R. 432 (5-21-21)
- 31.05.08.24.,28 • 48:8 Md. R. 322 (4-9-21)
- 31.08.03.04—,06.,10 • 48:18 Md. R. 716 (8-27-21)

33 STATE BOARD OF ELECTIONS

- 33.01.01.01 • 48:20 Md. R. 867 (9-24-21)
- 33.05.01.02 • 48:17 Md. R. 673 (8-13-21)
- 33.05.04.02 • 48:20 Md. R. 867 (9-24-21)
- 33.11.01.01 • 48:17 Md. R. 673 (8-13-21)
- 33.11.02.01 • 48:20 Md. R. 867 (9-24-21)
- 33.11.02.03 • 48:17 Md. R. 674 (8-13-21)
- 33.11.02.05 • 48:17 Md. R. 673 (8-13-21)
- 33.11.03.06 • 48:17 Md. R. 674 (8-13-21)
- 33.11.03.08 • 48:20 Md. R. 867 (9-24-21)
- 33.11.05.07 • 48:17 Md. R. 674 (8-13-21)
- 33.17.04.03.,06 • 48:17 Md. R. 674 (8-13-21)
- 33.17.05.01 • 48:20 Md. R. 867 (9-24-21)

**36 MARYLAND STATE LOTTERY AND GAMING
CONTROL AGENCY**

- 36.01.01.01,.05** • 48:18 Md. R. 718 (8-27-21)
- 36.01.02.04—.06** • 48:18 Md. R. 718 (8-27-21)
- 36.10.01.01—.02** • 48:18 Md. R. 718 (8-27-21)
- 36.10.02.01—.14** • 48:18 Md. R. 718 (8-27-21)
- 36.10.03.01—.06** • 48:18 Md. R. 718 (8-27-21)
- 36.10.04.01—.11** • 48:18 Md. R. 718 (8-27-21)
- 36.10.05.01—.05** • 48:18 Md. R. 718 (8-27-21)
- 36.10.06.01—.11** • 48:18 Md. R. 718 (8-27-21)
- 36.10.07.01—.06** • 48:18 Md. R. 718 (8-27-21)
- 36.10.08.01—.11** • 48:18 Md. R. 718 (8-27-21)
- 36.10.09.01—.03** • 48:18 Md. R. 718 (8-27-21)
- 36.10.10.01—.03** • 48:18 Md. R. 718 (8-27-21)
- 36.10.11.01—.09** • 48:18 Md. R. 718 (8-27-21)
- 36.10.12.01—.04** • 48:18 Md. R. 718 (8-27-21)
- 36.10.13.01—.44** • 48:18 Md. R. 718 (8-27-21)
- 36.10.14.01—.07** • 48:18 Md. R. 718 (8-27-21)
- 36.10.15.01—.04** • 48:18 Md. R. 718 (8-27-21)
- 36.10.16.01—.06** • 48:18 Md. R. 718 (8-27-21)
- 36.10.17.01—.03** • 48:18 Md. R. 718 (8-27-21)
- 36.10.18.01—.06** • 48:18 Md. R. 718 (8-27-21)

The Governor

PROCLAMATION

Termination and Rescission of the Proclamation of the State of Emergency and Catastrophic Health Emergency — COVID-19

WHEREAS, on March 5, 2020, in an effort to control and prevent the spread of COVID-19, a state of emergency and catastrophic health emergency was proclaimed within the entire State of Maryland pursuant to the Maryland Constitution and Laws of Maryland, including but not limited to Title 14 of the Public Safety Article, and;

WHEREAS, since the declaration of a state of emergency and the existence of a catastrophic health emergency on March 5, 2020, there have been three safe and effective vaccines created and the medical community has gained a better understanding of COVID-19;

WHEREAS, Maryland has one of the highest vaccination rates among eligible persons in the nation with over 78% of eligible persons receiving at least one dose of a vaccine and more than 3.5 million people fully vaccinated;

WHEREAS, Maryland's hospitals currently have adequate resources and space to treat all Marylanders; and

WHEREAS, as of August 15, 2021, the emergency has been dealt with to the extent that the emergency conditions no longer exist, the state of emergency no longer exists, and the catastrophic health emergency no longer exists;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE MARYLAND CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, HEREBY DECLARE THAT THE STATE OF EMERGENCY NO LONGER EXISTS, TERMINATE THE STATE OF EMERGENCY, AND RESCIND THE MARCH 5, 2020, PROCLAMATION OF THE STATE OF EMERGENCY AND CATASTROPHIC HEALTH EMERGENCY AS OF 11:59 P.M. ON AUGUST 15, 2021.

GIVEN Under My Hand and the Great Seal of the State of Maryland in the City of Annapolis, this 15th day of August, 2021.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[21-20-22]

Open Meetings Compliance Board

SUMMARY OF OPINIONS ISSUED FROM OCTOBER 1 TO DECEMBER 31, 2020*

14 Official Opinions of the Compliance Board 79 (2020)

Prince George's County Commission for Children, Youth and Families (Local Management Board)

Topics Discussed: Administrative Function Exclusion, Notice Requirement, Open Meeting Requirement, Meeting Minutes, Complaint process

Opinion: The Board provided guidance pertaining to the Administrative Function Exclusion and its procedures. It found no violations of the minutes requirements but found violations of the notice and meeting access requirements.

Violations: § 3-301

14 Official Opinions of the Compliance Board 83 (2020)

Talbot County Council

Topics Discussed: Administrative Function, Open Meeting Requirements, Meeting Minutes

Opinion: No violation was found in the Council's claim of Administrative Function exclusion from the Act. The Board also found no violation regarding public comment, meeting access via live streaming, and timeliness of minutes.

Violations: None

14 Official Opinions of the Compliance Board 89 (2020)

Montgomery County Council

Topics Discussed: Agenda Requirement, Open Meeting Requirements, Board Authority

Opinion: The Board found no violation regarding the Council's altering its agenda contents or public comment procedures. Additionally, the Board provided guidance on the limitations of its authority.

Violations: None

14 Official Opinions of the Compliance Board 92 (2020)

Maryland State Board of Education

Topics Discussed: Administrative Function Exclusion, Open Meeting Requirements, Closed Session Requirements

Opinion: The Board provided guidance on the Administrative Function Exclusion to the Act and noted that the State Board of Education's complained-of meetings were within the exclusion. The Board also found no violation in open meeting requirements or closed meeting procedures. The Board provided guidance for conducting a closed session vote.

Violations: None

14 Official Opinions of the Compliance Board 98 (2020)

Housing Opportunities Commission of Montgomery County

Topics Discussed: Public Body Definition, Open Meeting Requirements, Closed Session Requirements, Training Requirement

Opinion: Committees of the Montgomery County Housing Opportunities Commission were determined to be public bodies. The Board found notice violations, open meeting violations, and closed session violations. The Board also provided guidance on the Act's training requirement.

Violations: § 3-301

14 Official Opinions of the Compliance Board 102 (2020)

Howard County Board of Education

Topics Discussed: Agenda Requirement, Board Complaint Procedures

Opinion: The Board found no violation with the agenda contents or procedures of the County School Board. It also provided guidance pertaining to its complaint procedures.

Violations: None

14 Official Opinions of the Compliance Board 105 (2020)

Talbot County Council

Topics Discussed: Administrative Function Exclusion, Meeting Definition

Opinion: The Board found no violation by the County Council regarding the complained-of meeting and the Council's claim of the Administrative Function exclusion. The Board determined that a telephone call limited to improving interpersonal relations was not a meeting.

Violations: None

14 Official Opinions of the Compliance Board 108 (2020)

Caroline County Board of Education

Topics Discussed: Administrative Function Exclusion, Closed Session – Personnel Exception.

Opinion: The Board found that the Caroline County School Board violated the Act with its claimed Administrative Function Exclusion for a meeting to approve personnel recommendations of the Superintendent, and provided guidance on the Personnel Exception to the Act.

Violations: § 3-301

14 Official Opinions of the Compliance Board 111 (2020)

Baltimore County Board of Education

Topics Discussed: Open Meeting Requirement, Meeting Minutes, Limitations of Board's Authority.

Opinion: The Board found no violation pertaining to public comment, meeting access via live-streaming, and posting of minutes. It also provided guidance on the limitations of its authority.

Violations: None

* The Compliance Board's opinions are posted at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/index.aspx>. Statutory references are to General Provisions Article, Annotated Code of Maryland.

[21-20-19]

**SUMMARY OF OPINIONS ISSUED
FROM JANUARY 1 TO MARCH 31,
2021***

15 Official Opinions of the Compliance Board 1 (2021)

Mayor and City Council of Ocean City

Topics Discussed: Notice Requirement, Agenda Requirement, Limitations of Board’s Authority.

Opinion: The Board found no violation in the web notice posted by the City Council for its meeting. It did, however, find a violation with the agenda not including all known topics to be discussed. The Board provided guidance on the Act’s agenda requirement and the limitations of its authority.

Violations: § 3-302.1

15 Official Opinions of the Compliance Board 5 (2021)

Mayor and Council of the Town of Berlin

Topics Discussed: Notice Requirement, Agenda Requirement, Closed Session Procedures, Board Procedures.

Opinion: The Board found violations in the notice and agenda procedures of the Town pertaining to meetings held whose sole purpose was to hold a vote to close. The Board also found multiple violations in the Town’s closed session practices, including its vote to close, closing statement, and closed session minutes. The Board determined that a discussion of public health protective measures was not within the claimed Public Security Exception. It found no violation, however, in the timing of the Town’s meeting notice. Additionally, the Board provided guidance on its procedures regarding sealed meeting minutes.

Violations: §§ 3-302, 3-302.1, 3-305(c)(d), 3-306(c)

15 Official Opinions of the Compliance Board 11 (2021)

Wicomico County Board of Education

Topics Discussed: Administrative Function Exclusion, Closed Session Procedures, Board Procedures.

Opinion: The Board provided guidance pertaining to the Administrative Function Exclusion, and closed session procedures. It determined that a discussion of future measures and approving plans exceeded scope of the exclusion. The Board found meeting access, and minutes violations as well. The Board provided guidance as to its treatment of confidential sealed minutes.

Violations: §§ 3-301, 3-104

15 Official Opinions of the Compliance Board 19 (2021)

Housing Opportunities Commission of Montgomery County

Topics Discussed: Administrative Function Exclusion, Notice Requirement, Closed Session Procedures.

Opinion: The Board provided guidance pertaining to the Administrative Function Exclusion’s applicability to personnel matters. It found violations by the Commission pertaining to meeting notice, closed session procedures, and closed session minutes.

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

15 Official Opinions of the Compliance Board 24 (2021)

Rockville Economic Development, Inc. (REDI)

Topics Discussed: Public Body Definition, Notice Requirement, Agenda Requirement, Meeting Minutes

Opinion: The Board determined REDI, a nonprofit created by the city to perform a variety of public functions, was a public body. The Board found multiple violations pertaining to REDI’s meeting notice procedures and provided guidance on the agenda and minutes requirements of the Act.

Violations: § 3-302(a)

15 Official Opinions of the Compliance Board 28 (2021)

Chestertown Town Council

Topics Discussed: Open Meeting Requirement, Limitations of Board’s Authority

Opinion: The Board found that the Town Council violated the Act by continuing a virtual meeting when the live stream failed to provide public access. The Board also issued guidance pertaining to the limitations of its authority.

Violations: § 3-301

15 Official Opinions of the Compliance Board 31 (2021)

Carroll County Board of Education

Topics Discussed: Meeting Minutes

Opinion: The Board found no minutes violation when the school board failed to prepare written minutes because the live and archived video of the open session was readily available as minutes.

Violations: None

15 Official Opinions of the Compliance Board 32 (2021)

Section 3 of the Village of Chevy Chase

Topic Discussed: Open Meeting Requirement

Opinion: The Board provided guidance for noticing virtual open meetings. It found that the Village violated the act by not informing nonresident members of the public how to obtain Zoom information for its remote-only meetings.

Violations: § 3-303(a)

15 Official Opinions of the Compliance Board 34 (2021)

Maryland Racing Steering Committee

Topic Discussed: Public Body Definition

Opinion: The Board determined that the Racing Steering workgroup was not a public body.

Violations: None

15 Official Opinions of the Compliance Board 37 (2021)

Housing Opportunities Commission of Montgomery County

Topics Discussed: Agenda Requirement, Closed Session procedures

Opinion: The Board provided guidance pertaining to procedures for holding a vote to close on a virtual meeting platform. It found violations pertaining to the closed session procedures of the Commission but found no violation of the Act with an agenda that failed to include the closed session agenda.

Violations: § 3-305(d)(2)

* The Compliance Board’s opinions are posted at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/index.aspx>. Statutory references are to General Provisions Article, Annotated Code of Maryland.

[21-20-20]

SUMMARY OF OPINIONS ISSUED FROM APRIL 1 TO JUNE 30, 2021*

15 Official Opinions of the Compliance Board 46 (2021)

Town of Keedysville

Topics Discussed: Meeting Definition, Closed Session – Personnel Exception, Closed Session Requirements, Board Complaint Procedures

Opinion: The Board provided guidance related to electronic communications and meetings, as well as closed session procedures. It determined the Town's consideration of public business, via a continuous exchange of electronic communications, over a discrete period of time to be a meeting. The Board also found violations of the Act by the Town in its closed session procedures, and minutes. The Board found the closed session personnel discussion was within the exception and reached no conclusion about an email exchange in which it had insufficient information to determine whether the exchange constituted a meeting.

Violations: §§ 3-305(d), 3-306(c)(2)

15 Official Opinions of the Compliance Board 51 (2021)

Prince George's County Board of Education

Topics Discussed: Notice Requirements, Closed Session – Personnel Exception, Closed Session – Legal Advice Exception

Opinion: The Board provided guidance pertaining to the Legal Advice Exception to the Act, and in terms of the Personnel Exception found the discussion of office reorganization, pertaining to positions and not individuals, outside of the exception. The Board also found a notice violation by the school board.

Violations: § 3-301, 3-302(a)

15 Official Opinions of the Compliance Board 55 (2021)

Mayor and Council, Town of Cheverly

Topics Discussed: Open Meeting Requirements

Opinion: The Board provided guidance regarding meeting access and overflow in the case of virtual meetings. It noted no violation in the Town's choice of online venue but found a violation when the Town continued to meet virtually despite notification that some members of the public were deprived of the opportunity to observe.

Violations: § 3-301

15 Official Opinions of the Compliance Board 57 (2021)

City Commission of District Heights

Topics Discussed: Notice Requirement, Agenda Requirement, Open Meeting Requirement, Limitations of Board's Authority

Opinion: The Board provided guidance related to methods of meeting notice, its own complaint procedures, and the limitations of its own authority. The Board found no violation in the City's method of notice, but found a violation in the City's failure to retain a copy of its notice for one year. The Board also found a violation when the City failed to make its meeting agenda available to the public. The Board found no violation of the Act in the public comment procedures of the City.

Violations: §§ 3-302.1, 3-302(d)

15 Official Opinions of the Compliance Board 63 (2021)

Charles County Planning Commission

Topics Discussed: Open Meeting Requirement, Closed Session – Legal Advice Exception, Closed Session Procedures, Limitations of Board's Authority

Opinion: The Board offered guidance to the Legal Advice Exception to the Act as well as the limitation of the Board's authority. The Board found no violation of the Act in the public comment procedures of the Commission, or its closed session statement.

Violations related to the failure to timely report an objection to close, and failure to report each member's vote on a motion to close.

Violations: §§ 3-305(d)(3), and 3-306(c)(2)(ii)

15 Official Opinions of the Compliance Board 71 (2021)

The Family League of Baltimore City, Inc.

Topics Discussed: Public Body Definition

Opinion: The Board determined that the Local Management Board, established pursuant to a State statute was a public body.

Violations: § 3-301

15 Official Opinions of the Compliance Board 76 (2021)

Glenarden City Council

Topic Discussed: Agenda Requirement

Opinion: The Board found no violation of the agenda requirement and provided guidance, noting that using multiple agendas to satisfy the agenda requirement should be avoided.

Violations: None

* The Compliance Board's opinions are posted at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/index.aspx>. Statutory references are to General Provisions Article, Annotated Code of Maryland.

[21-20-21]

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 30

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Subtitle 09 COMMERCIAL AMBULANCE SERVICES

30.09.04 Eligibility, Application, and License Renewal

Authority: Education Article, §§13-508 and 13-515, Annotated Code of
Maryland

Notice of Emergency Action

[21-131-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .08 under **COMAR 30.08.04 Eligibility, Application, and License Renewal**.

Emergency status began: August 26, 2021.

Emergency status expires: February 1, 2022.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 48:19 Md. R. 829—830 (September 10, 2021), referenced as [21-131-P].

THEODORE R. DELBRIDGE, M.D.
Executive Director

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 MARYLAND DEPARTMENT OF LABOR

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.06 Mortgage Lenders

Authority: Business Regulation Article, §2-105; Financial Institutions Article, §§2-105.1, 11-503, 11-503.1, 11-505, 11-506(a) and (c)(1), 11-507, 11-508(g), 11-511, 11-511.1, 11-513(a), and 11-515(c); Real Property Article, §3-104.1; Annotated Code of Maryland

Notice of Final Action

[21-091-F]

On September 1, 2021, the Commissioner of Financial Regulation adopted amendments to Regulation **.04** under **COMAR 09.03.06 Mortgage Lenders**. This action, which was proposed for adoption in 48:15 Md. R. 602—603 (July 16, 2021), has been adopted as proposed.

Effective Date: October 4, 2021.

ANTONIO P. SALAZAR
Commissioner of Financial Regulation

Subtitle 37 WORKFORCE DEVELOPMENT AND ADULT LEARNING

09.37.02 Correctional Institutions Mandatory Educational and Workforce Skills Training Program

Authority: Labor and Employment Article, §§11-902(b) and 11-903, Annotated Code of Maryland

Notice of Final Action

[21-097-F]

On September 13, 2021, the Division of Workforce Development and Adult Learning adopted amendments to Regulation **.05** under **COMAR 09.37.02 Correctional Institutions Mandatory Educational and Workforce Skills Training Program**. This action, which was proposed for adoption in 48:16 Md. R. 632—633 (July 30, 2021), has been adopted as proposed.

Effective Date: October 4, 2021.

TIFFANY P. ROBINSON
Secretary of Labor

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 01

EXECUTIVE DEPARTMENT

Subtitle 02 SECRETARY OF STATE

01.02.11 Maryland Safe at Home Address Confidentiality Program

Authority: [Family Law Article, §§4-519—4-531;] Real Property Article, [§§3-112] §§3-114—3-120; State Government Article, §§7-301—7-313; Annotated Code of Maryland

Notice of Proposed Action

[21-140-P]

The Secretary of State proposes to amend Regulations .01—.03, .05—.07, .09—.16, .18, .19, and .22 under COMAR 01.02.11 Maryland Safe at Home Address Confidentiality Program.

Statement of Purpose

The purpose of this action is to update regulations in anticipation of statutory changes going into effect on October 1, 2021 pursuant to Ch. 124 (S.B. 109) 2021 Legislative Session. This legislation merges the Address Confidentiality Program for victims of domestic violence and the Human Trafficking Address Confidentiality Program for victims of human trafficking into a single Address Confidentiality Program administered by the Secretary of State. This action clarifies that program eligibility requirements are expanded to expressly include threatened individuals and victims of sexual assault, stalking and harassment, as well as individuals who reside in the same household as an eligible applicant or program participant. This action also informs the cancellation of Program participation and makes certain technical 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 Brittany Lore, Director of Special Projects, Address Confidentiality Program, 16 Francis Street, Annapolis, MD 21401, or call 410-974-2679, or email to brittany.lore@maryland.gov, or fax to . Comments will be accepted through October 25, 2021. A public hearing has not been scheduled.

.01 Purpose.

A. The purpose of the Maryland Safe at Home Address Confidentiality Program is to:

(1) Allow a [victim of domestic violence or human trafficking] *survivor of threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking* to have a State or local government agency and private entities use a substitute address in place of an actual address;

(2) Enable State and local agencies to respond to requests for public records without disclosing the location of a [victim of domestic violence or human trafficking] *survivor of threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking*;

(3) Enable interagency cooperation in providing address confidentiality for [victims of domestic violence or human trafficking] *survivors of threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking*; and

(4) (text unchanged)

B. This chapter describes the process to be followed to apply for participation in the Program. While the law permits an individual to apply for participation in the Program on that individual's own behalf, it is anticipated and encouraged that assistance with the application be provided by domestic violence programs or other professionals who may be counseling the [victim] *survivor*. In this regard, the

regulations streamline the application process when the required documentation is provided by individuals associated with domestic violence programs or other application assistants registered with the Secretary.

C. (text unchanged)

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Application assistant" means an employee or volunteer:

(a) Of a federal, State, or local agency, or of a nongovernmental program, that provides counseling, referral, shelter, or other services to [victims] *survivors* of domestic violence, *sexual assault, stalking*, or human trafficking; and

(b) (text unchanged)

(2)—(3) (text unchanged)

(4) "Domestic Violence program" means a local domestic violence service program, in the State, designed to meet the needs of a victim of domestic violence and the victim's family.]

[(5)] (4) "Notice of ACP Participation" means the form prescribed by the Secretary in accordance with [Family Law Article, §4-529(c)(1), or] State Government Article, §7-311(c)(1), Annotated Code of Maryland, to identify an individual as a participant, request the use of the participant's substitute address, and prohibit disclosure of a participant's identity information.

[(6)] (5) (text unchanged)

[(7)] (6) "Program" means [both] the[

(a) Maryland Safe at Home] Address Confidentiality Program established under [Family Law Article, §§4-519—4-531, Annotated Code of Maryland; and

(b) Human Trafficking Address Confidentiality Program established under] State Government Article, [§§7-301—7-313,] *Title 7, Subtitle 3*, Annotated Code of Maryland.

[(8)] (7) (text unchanged)

[(9)] (8) "Religious, medical, or other professional" means an individual:

(a) (text unchanged)

(b) Who is a minister, pastoral counselor, or associate of an organization providing *services to survivors of domestic violence, sexual assault, stalking, harassment, or human trafficking* [services] under the auspices of a bona fide religious organization.

[(10)] (9) (text unchanged)

[(11)] "Victim of domestic violence" means an individual who has received deliberate, severe, and demonstrable physical injury, or is in fear of imminent, deliberate, severe, and demonstrable physical injury from a current or former intimate partner or individual with whom the person has lived.

(12) "Victim of human trafficking" means an individual who has been recruited, harbored, transported, provided, or obtained for labor, services, or a sexual act through the use of force, fraud, or coercion.]

.03 Who May Apply.

Beginning October 1, 2006, an individual may apply to participate in the Program. To be designated as a participant in the Program, the individual shall:

A. Satisfy the requirements of [Family Law Article, §4-522,] *State Government Article, §7-304*, Annotated Code of Maryland;

B.—C. (text unchanged)

[D. Sign the blank authorization card provided as part of the application materials;]

[E.] D. (text unchanged)

[F.] E. Submit evidence of *threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking* satisfactory to the Secretary.

.05 Application Assistants.

A. Before being approved as an application assistant, an individual shall:

(1) Be recommended by a federal, State, or local governmental agency or a domestic violence, *sexual assault, stalking, or human trafficking prevention or assistance* program, or certify that the individual is a religious, medical, or other professional actively providing services to [victims] *survivors* of domestic violence, *sexual assault, stalking, harassment, or human trafficking*;

(2)—(4) (text unchanged)

B.—F. (text unchanged)

.06 Documentation.

A. The application of a [victim of domestic violence or human trafficking] *survivor of threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking* shall be supported by documentation under [Family Law Article, §4-522(b)(2), or] State Government Article, §7-304(b)(2), Annotated Code of Maryland, and facilitated by an application assistant registered with the Secretary.

B. (text unchanged)

.07 Authorization Card.

A. (text unchanged)

B. If an application is approved, an authorization card shall be issued within 5 working days after the application is approved. The Secretary shall issue an authorization card to each [victim of domestic violence] *survivor or household member* named on the application form. The authorization card shall include:

(1)—(6) (text unchanged)

(7) A list of the Program requirements for the purposes of a notification under [Family Law Article, §4-529(c)(1), and] State Government Article, §7-311(c)(1), Annotated Code of Maryland.

C. (text unchanged)

D. Use of Authorization Card.

(1)—(4) (text unchanged)

(5) Agency personnel or any person:

(a)—(b) (text unchanged)

(c) May not require any additional proof of Program participation other than the Notice of ACP Participation in accordance with [Family Law Article, §4-526 (b)(2), or] State Government Article, §7-308(b)(2), Annotated Code of Maryland;

(d)—(e) (text unchanged)

(6) A current and valid authorization card presented to agency personnel or any person shall be acceptable as a form to put an agency or a person on notice of Program participation in accordance with [Family Law Article, §4-529, or] State Government Article, §7-311, Annotated Code of Maryland.

E. (text unchanged)

.09 Change of Name, Address, or Telephone Number.

A. (text unchanged)

B. Sufficient evidence of a legal name change under [Family Law Article, §4-524] *State Government Article, §7-306*, Annotated Code of Maryland, includes, but is not limited to, a marriage certificate.

C. A participant may change the participant's address in accordance with [Family Law Article, §4-524, or] State Government Article, §7-306, Annotated Code of Maryland, by filing a form provided by the Secretary.

D. A participant may change the participant's telephone number in accordance with [Family Law Article, §4-524, or] State Government Article, §7-306, Annotated Code of Maryland, by notifying the Secretary by telephone or by filing a form provided by the Secretary.

.10 Withdrawal from Program.

A. Withdrawal from the Program is governed by [Family Law Article, §4-522(c)(2)] *State Government Article, §7-304(c)(2)*, Annotated Code of Maryland. The participant shall make the request on a form provided by the Secretary. [This form shall be signed before a notary.]

B.—E. (text unchanged)

.11 Cancellation [of Participant] from Program.

A. The provisions of [Family Law Article, §§4-523 and 4-525,] *State Government Article, §§7-305 and 7-307*, Annotated Code of Maryland, govern when the Secretary [shall] *may* cancel the participation of a participant.

B. Under [Family Law Article, §4-525(a)(4),] *State Government Article, §§7-307(a)(4)*, Annotated Code of Maryland, if the Secretary forwards mail to a participant and it is returned three times in succession as undeliverable, then the Secretary shall cancel the participant from the Program.

C. Under *State Government Article, §§7-307(a)(5)*, Annotated Code of Maryland, if the Secretary determines that the actual address of a participant is readily accessible to the general public, the Secretary shall notify the participant of the determination and intent to cancel participation. The participant may remain in the Program if they intend to relocate within 30 days to an address unknown to the abuser and not readily accessible to the general public.

.12 Appeal of Cancellation.

If the Secretary cancels participation of a participant under [Family Law Article, §4-523 or 4-525], *State Government Article, §§7-305 or 7-307*, Annotated Code of Maryland, the participant may appeal the decision by completing and filing an appeal form provided by the Secretary. The form shall require that the participant explain the circumstances that caused the violation of [Family Law Article, §§4-523 and 4-525,] *State Government Article, §§7-305 or 7-307*, Annotated Code of Maryland. The Secretary may speak to the participant informally to determine whether the participant understands and will comply with the Program requirements. A participant may request an informal hearing before the Secretary within 30 days of the cancellation.

.13 Waiver.

A. A State or local agency may request a waiver[,] under [Family Law Article, §4-526(c),] *State Government Article, §7-308(d)*, Annotated Code of Maryland, from the requirements of the Program for specific individual participants.

B.—D. (text unchanged)

.14 Board of Elections.

Under [Family Law Article, §4-527, and] *State Government Article, §7-309*, Annotated Code of Maryland, a participant's residential address must be used for voter registration purposes. The local board may not disclose a participant's address except as described in [Family Law Article, §4-527, or] *State Government Article, §7-309*, Annotated Code of Maryland. A participant may request a local board of elections or the State Board of Elections to keep the address confidential under COMAR 33.04.02.02C. To register to vote as a participant, the participant shall contact the State Board directly to identify as a participant. The State Board shall verify Program participation and voting precinct with the Secretary.

.15 Disclosure.

A. (text unchanged)

B. The Secretary may verify the participation of a participant and may provide the substitute address in accordance with [Family Law Article, §4-528(b)(2) and (c),] *State Government Article, §7-*

310(b)(2) and (c), Annotated Code of Maryland, or at the request of the participant.

C. (text unchanged)

.16 Service of Process.

A. Under [Family Law Article, §4-530(b), and] *State Government Article, §7-312(b)*, Annotated Code of Maryland, service of process on a participant, by a person or an agency that has received notice that the individual is a participant, shall be made:

(1)—(2) (text unchanged)

B. (text unchanged)

.18 Obligation on Receipt of Notice of Program Participation.

A. An agency or person who receives notification of Program participation in accordance with [Family Law Article, §4- 529(c)(1), or] *State Government Article, §7-311(c)(1)*, Annotated Code of Maryland, shall adhere to the requirements under Regulation .07 of this chapter.

B. Written notification acceptable as a form to put an agency or a person on notice under [Family Law Article, §4-529(c)(1), or] *State Government Article, §7-311(c)(1)*, Annotated Code of Maryland, includes any one of the following as long as they state the requirements of the Program and that the individual is a participant:

(1)—(4) (text unchanged)

C. The Notice of ACP Participation shall be on the form that the Secretary prescribes and shall include the:

(1)—(3) (text unchanged)

(4) Program requirements in accordance with [Family Law Article, §4-529(c)(1), and] *State Government Article, §7- 311(c)(1)*, Annotated Code of Maryland;

(5)—(6) (text unchanged)

D. The Notice of ACP Participation satisfies the request that a bank, a credit union, any other depository institution, or any other financial institution within the meaning of *Financial Institutions Article, §1-101*, Annotated Code of Maryland, may require under [Family Law Article, §4-526(b)(2), or] *State Government Article, §7-308(b)(2)*, Annotated Code of Maryland.

E. An agency or person who receives notification of Program participation in accordance with [Family Law Article, §4-529(c)(1), or] *State Government Article, §7-311(c)(1)*, Annotated Code of Maryland, may not knowingly disclose the participant's name, home address, work address, or school address unless the:

(1)—(2) (text unchanged)

F. An agency or person on notice and authorized to disclose the name, home address, work address, or school address of a participant by the participant's consent under [Family Law Article, §4-529(c)(1)(ii), or] *State Government Article, §7-311(c)(1)(ii)*, Annotated Code of Maryland, shall limit disclosure to only those disclosures that are necessary for the purpose for which the consent is provided.

G. On disclosure under [Family Law Article, §4-529(c), or] *State Government Article, §7-311(c)*, Annotated Code of Maryland, an agency or person on notice shall forward the notification of Program participation to the agency or person to whom the disclosure is made in order to put that agency or person on notice.

H.—I. (text unchanged)

J. Consent of the participant as set forth in [Family Law Article, §4-529(c), and] *State Government Article, §7-311(c)*, Annotated Code of Maryland, is required before an agency or person on notice may use the participant's actual address on internal records or electronic databases that may be sold, transferred, or shared with third parties.

.19 Procedure to Request Shielding of Real Property Records.

A. (text unchanged)

B. On request for shielding, the Secretary shall provide the following forms to the participant:

(1) Notice of ACP Participation in accordance with [Family Law Article, §4-529(c)(1), and] State Government Article, §7-311(c)(1), Annotated Code of Maryland; and

(2) (text unchanged)

C.—E. (text unchanged)

F. A participant *or any agent of the participant* shall submit a copy of any Real Property ACP Notice submitted under Real Property Article, §3-115(b), Annotated Code of Maryland.

G. If a participant intends to request the shielding of real property records, the participant *or any agent of the participant* may not submit any instrument for recordation electronically.

H. A participant *or any agent of the participant* shall use a separate Real Property ACP Notice for each property in which the participant acquires an ownership interest.

.22 Authorized Disclosure for Title Examination.

A.—C. (text unchanged)

D. The Secretary shall approve a properly completed request under Real Property Article, §§3-118, Annotated Code of Maryland, if:

(1) The Secretary confirms that the property subject to the title examination is the property identified in the Real Property ACP Notice of a current participant; [and]

(2) The Secretary determines that the request is for the purpose of performing a bona fide title examination[.]; *and*

(3) *The Secretary determines that the request is by a current participant for the participant's own real property records as identified in the Real Property ACP Notice.*

JOHN C. WOBENSMITH
Secretary of State

Title 08
DEPARTMENT OF NATURAL
RESOURCES

Subtitle 18 BOATING—SPEED LIMITS
and OPERATION OF VESSELS

08.18.14 Middle Creek

Authority: Natural Resources Article, §8-704, Annotated Code of Maryland

Notice of Proposed Action

[21-143-P]

The Secretary of Natural Resources proposes to amend Regulation **.05** under **COMAR 08.18.14 Middle River**.

Statement of Purpose

The purpose of this action is to change the speed limit in the Frog Mortar Creek and Stansbury Creek area from 6 knots on Saturdays, Sundays, and State holidays all year to a speed limit of 6 knots on Saturdays, Sundays, and State holidays during the boating season.

Many years ago, a request was made to change the speed limit for the areas described as Frog Mortar Creek and Stansbury Creek, tributaries of Middle River. The change was discussed with the public and the Boat Act Advisory Committee (BAAC) and the Department agreed that a change needed to be made in the area. A proposal for the Middle River was completed in 2013, but the specific change for Frog Mortar Creek and Stansbury Creek was overlooked.

The speed limits for Middle River are located in the Code of Maryland Regulations (COMAR) 08.18.14. Each regulation in Chapter 14 describes a part of Middle River. Upper Middle River is described in Regulation .03 and, as written, includes Frog Mortar Creek and Stansbury Creek. The creeks are currently described in Regulation .05. The speed limit was changed for the larger area described in Regulation .03, but not for the creeks described in Regulation .05. Since the requirements were located in different regulations, they were overlooked when making changes. By removing the speed zone described in Regulation .05, the speed limit described in Regulation .03 will apply to those creeks.

The change is consistent with the recommendation from the BAAC regarding speed limits on Saturdays, Sundays, and State holidays. The BAAC has recommended that any speed limit that is considered for Saturday, Sunday, and State holidays be limited to during the boating season, not in place year round. Their recommendation is based on the idea that boat traffic on any weekday in the summer would be similar to any boat traffic on the winter weekends.

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 Middle River Regulations, Regulatory Staff, Department of Natural Resources Fishing & Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8417, or email to boatingregpubliccomment.dnr@maryland.gov. Comments will be accepted through October 25, 2021. A public hearing has not been scheduled.

.05 Frog Mortar Creek [and Stansbury Creek].

[A. Frog Mortar Creek and Stansbury Creek encompass the area upstream of a line beginning at Wilson Point at or near Lat. 39° 18.485' N., Long. 76° 24.500' W., then running 89° (True) to Galloway Point, at or near Lat. 39° 18.488' N., Long. 76° 24.148' W. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, all year.]

[B.] A. Prohibited Area.

(1) *Area.* All of the waters of Frog Mortar Creek north and west (shoreward) of a line beginning at a point on the shore of Martin State Airport, at or near Lat. 39° 19.110' N., Long. 76° 24.208' W., then running 133° (True) to a point, at or near Lat. 39° 19.092' N., Long. 76° 24.183' W., then running 180° (True) to a point, at or near Lat. 39° 19.058' N., Long. 76° 24.183' W., then running 226° (True) to a point on the shore of the airport.

(2) *Vessels may not enter the area described in §A(1) of this regulation.*

[C.] B. Exclusion Area. [All masted vessels and/or any obstacle that extends more than 19 feet above mean sea level are prohibited in addition to anchoring or mooring of any kind.]

(1) *Area.* All of the waters of Frog Mortar Creek north and west (shoreward) of a line beginning at a point on the shore of Martin State Airport, at or near Lat. 39° 19.188' N., Long. 76° 24.160' W., then running 136° (True) to a point, at or near Lat. 39° 19.162' N., Long. 76° 24.127' W., then running 225° (True) to a point, at or near Lat. 39° 19.112' N., Long. 76° 24.192' W., then running 129° (True)

to a point, at or near Lat. 39° 19.085' N., Long. 76° 24.150' W., then running 224° (True) to a point, at or near Lat. 39° 19.058' N., Long. 76° 24.183' W., then running 0° (True) to a point, at or near Lat. 39° 19.092' N., Long. 76° 24.183' W., then running 313° (True) to a point on the shore of the airport, at or near Lat. 39° 19.110' N., Long. 76° 24.208' W.

(2) *The following are prohibited in the area described in §B(1) of this regulation:*

- (a) *All masted vessels;*
- (b) *Any obstacle that extends more than 19 feet above mean sea level;*
- (c) *Anchoring; or*
- (d) *Mooring of any kind.*

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 25 MARYLAND HEALTH CARE COMMISSION

10.25.05 Data Release

Authority: Health-General Article, §§19-103(c)(3), 19-109(a)(1) and (7) and (b)(5), 19-133(d), and 19-134, Annotated Code of Maryland

Notice of Proposed Action [21-139-P]

The Maryland Health Care Commission proposes to repeal existing Regulations .01—.05 under **COMAR 10.25.05 Small Group Market Data Collection** and adopt new Regulations .01—.14 under a new chapter, **COMAR 10.25.05 Data Release**. This action was considered at an open meeting held on June 17, 2021, a notice of which was given through publication in the Maryland Register, in accordance with General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to repeal existing Regulations .01—.05 under COMAR 10.25.05 Small Group Market Data Collection in its entirety and adopt new Regulations .01—.14 under COMAR 10.25.05 Data Release. The entire existing chapter of COMAR 10.25.05 is being repealed because it is now obsolete, as the Commission no longer collects enrollment and premium information from participating carriers in Maryland’s small group insurance market since the enactment of the Affordable Care Act and the establishment of the Maryland Health Benefit Exchange, which now regulates that market. The new regulations governing data release will be inserted as a new COMAR 10.25.05 that will replace the repealed and removed Small Group Market Data Collection regulations currently occupying COMAR 10.25.05. The new data release regulations broaden the scope of permissible uses of Maryland Medical Care Data Base (MCDB) data through an expanded and updated data release process. The expansion will allow the Commission to offer standard, limited, and custom data sets with the capabilities for linkage to other data sources safely and securely and broaden the potential data recipients to include individuals, governmental, and nongovernmental entities. In addition, the new data release regulations will better align the review standards for requests for release of Medicaid data with those for privately insured

data. Finally, the new regulations will provide for the implementation of a new data fee structure and improve the transparency and efficiency of the overall application review and approval process.

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 has an economic impact. These new regulations provide requirements for the private and secure creation, exchange and use of data files from the Commission’s MCDB to approved data recipients. The initial economic impact on certain entities is expected to be moderate; however, ensuring a safe and secure exchange and use of these data files builds trust in the data release process and is essential to ensure that the potential for any data breach is eliminated.

II. Types of Economic Impact.	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency: Maryland Health Care Commission			Within Budget
B. On other State agencies:			Moderate
C. On local governments:	NONE		
	Benefit (+) Cost (-)	Magnitude	
D. On regulated industries or trade groups:			
(1)	(+)		Moderate
(2)	(-)		Moderate
E. On other industries or trade groups:	NONE		
F. Direct and indirect effects on public:	(+)		Moderate

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

A. The Maryland Health Care Commission (MHCC) is the State agency responsible for claims data collection from payors and other reporting entities in Maryland and for making that data available to qualified data recipients to facilitate uses of data that are in the public interest. The chapter requires MHCC to monitor compliance with the regulations. The MHCC can support this chapter using current staff within the MHCC’s budget.

B. Other State agencies do not collect these claims data files, as defined in COMAR 10.25.06, nor do they release these files to approved data recipients, as defined in this chapter; as such, there is no impact on State agencies.

C. Local governments do not collect these claims data files, as defined in COMAR 10.25.06, nor do they release these files to approved data recipients, as defined in this chapter; as such, there is no impact on local governments.

D(1). The regulations are essential to ensuring the privacy, confidentiality, and secure transfer of particularly sensitive patient information encrypted in these data files. The regulations ensure

positive changes to the industry, increase access to data for health care data consumers, and improve consumer trust in the data release process and use of the data.

D(2). The regulations are expected to have a moderate financial impact on organizations that have been approved as data recipients under this chapter, as there is a fee associated with release of these data files.

E. The regulations are not expected to have an impact on other industries and trade groups.

F. The regulations are expected to have a positive impact on the public. They ensure a safe, secure, and confidential release of encrypted claims files to be used mainly by health policy researchers, as they develop critical reports and analysis on population health, chronic health conditions, and other areas of health policy that can benefit all Maryland consumers by lowering insurance costs, providing transparent health care information, etc.

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 Mahlet Nigatu, Chief, APCD Public Reporting and Data Release, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-5598, or email to mahlet.nigatu@maryland.gov, or fax to 410-358-1236 . Comments will be accepted through October 24, 2021, at 4:30 p.m. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Health Care Commission during a public meeting to be held on November 18, 2021, at 1 p.m., at 4160 Patterson Avenue, Baltimore, MD 21215.

.01 Scope and Purpose.

A. This chapter addresses the requirements, parameters, administrative process, and procedures for submission, review, approval, and disapproval of requests for data from the Maryland Medical Care Data Base, any other information collected and stored in the Maryland Medical Care Data Base, and any data submitted to the Maryland Health Care Commission from a claims clearinghouse certified by the Commission that qualify as directly or indirectly individually identifiable health information, as defined in the Health Insurance Portability and Accountability Act of 1996, including all pertinent implementing regulations at 45 CFR Parts 160 and 164.

B. The Commission releases data pursuant to this chapter to facilitate uses of data that are in the public interest, such as to develop public policy, promote improvement in health care access, delivery, efficiency, quality, safety, and public health outcomes, contain costs, and advance the transparency of the health care system.

C. The Commission retains all ownership rights to any data released pursuant to this chapter. A recipient of data released pursuant to this chapter does not obtain any right, title, or interest in data released to a data recipient pursuant to this chapter.

D. This chapter does not apply to:

(1) Requests for information from the Maryland Medical Care Data Base or any other Commission data base considered public under the Maryland Public Information Act and any other applicable laws and regulations;

(2) Internal activities that are required of the Commission to conduct its lawful business of assembling the Maryland Medical Care

Data Base, or any other data base that it is authorized to create and maintain;

(3) Data released to any person, governmental entity, or other entity with which the Commission has contracted pursuant to State procurement policy and laws;

(4) Data released, pursuant to the terms and conditions of a written, signed data use agreement entered into between the Commission and a State governmental entity, as defined in Regulation .02B of this chapter, that has an express statutory or regulatory mandate under Maryland law to access and use requested data;

(5) Data that the Commission is expressly authorized and required to release under applicable federal or State law requirements, provided the release of the data complies with and is limited to the relevant requirements of the applicable law.

(6) Data released pursuant to compulsory process, such as a subpoena, discovery request, warrant, or court order, issued under lawful authority in the course of litigation or an administrative proceeding before a State or federal court or administrative tribunal of competent jurisdiction, provided that prior to release of the data the Commission has made a reasonable effort to secure, or has secured, an appropriate protective order from the court or administrative tribunal, or a stipulation of the parties that:

(a) Prohibits the use or disclosure of the data by the parties for any purpose other than the litigation or proceeding for which the data was sought; and

(b) Requires the return of the data to the Commission or destruction of the data, including all copies of the data, at the end of the litigation or proceeding.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "All-payor claims database" or "APCD" means a large-scale database that systematically collects and aggregates enrollment, claims, and provider information from private and public payors in a state.

(2) "Applicant" means a person, governmental entity, or other entity that submits an application requesting data from the Commission.

(3) "Application" means a written request for data submitted in the form and manner specified by the Commission.

(4) "Commission" means the Maryland Health Care Commission.

(5) "Data extract" means a subset of information from the Maryland medical care database or other data base maintained by the Commission based on criteria provided by an applicant.

(6) "Data recipient" means a person, governmental entity, or other entity whose application has been approved and who is authorized to access and use data requested in an application in accordance with a data use agreement.

(7) "Data release" means the process of providing a data recipient with access and use of data requested in an application in accordance with a data use agreement.

(8) "Data Release Advisory Committee" or "DRAC" means a multi-stakeholder group of individuals appointed by the Commission whose functions include but are not limited to that of privacy board review as described in 45 CFR §164.512, reviewing completed applications, and making a written recommendation to the Executive Director regarding whether an application should be approved, approved with conditions, or disapproved.

(9) "Data set" means a collection of separate data elements or variables that can be manipulated as a unit.

(10) “Data use agreement” means a written contractual document entered into between the Commission and a data recipient that contains terms and conditions that govern a data recipient’s access to and use of data provided by the Commission.

(11) “De-identified data” means information that does not identify an individual and for which there is no reasonable basis to believe that it can be used to identify an individual.

(12) “Direct individual identifier” means personal information such as name, Social Security number, and date of birth that uniquely identifies an individual or that can be combined with other readily available information to uniquely identify an individual.

(13) “Disclose” means the release, redisclosure, transfer, provision, access, transmission, communication, or divulgence in any other manner of data release pursuant to this chapter.

(14) Entity.

(a) “Entity” means a person, partnership, firm, association, limited liability company, limited liability partnership, or public or private corporation.

(b) “Entity includes a county or municipality of Maryland or a governmental entity of another state.

(15) “Executive Director” means the Executive Director of the Maryland Health Care Commission.

(16) “Funding source” means any federal or state governmental entity, public or private corporation or organization, educational or research institution or organization, foundation, person, individual, or other entity that has committed to give or grant, or has already given or granted, monetary funds to an applicant to cover all or part of the costs of the proposed use of the data described in an application submitted to the Commission.

(17) Governmental Entity.

(a) “Governmental entity” means any agency, authority, board, commission, council, department, instrumentality, unit, or other body of State government or the federal government that is established by law.

(b) “Governmental entity” does not include a county or municipality of Maryland or a governmental entity of another state.

(18) “HIPAA” means the United States Health Insurance Portability and Accountability Act of 1996, P.L.10491, as implemented and amended in federal regulations, including the HIPAA Privacy and Security Rules, 45 CFR Parts 160 and 164, as they may be amended, modified, or renumbered, including as amended by the Health Information Technology for Economic and Clinical Health (HITECH) Act.

(19) “Identifiable data” means information that contains data elements that can be used to identify a specific individual.

(20) “Indirect individual identifier” means a data element that can be used to identify an individual when combined with other information or data.

(21) “Institutional Review Board” or “IRB” has the meaning stated in 45 CFR Part 46, and any subsequent revisions of those regulations, as they may be amended, modified, or renumbered, regarding the protection of human subject research.

(22) “Medicaid” means the Maryland Medical Assistance Program.

(23) “Medical Care Data Base” or “MCDB” means the data base established and maintained by the Commission pursuant to Health-General Article, §19-133, Annotated Code of Maryland, that collects eligibility data, professional services claims, institutional services claims, pharmacy claims, and provider data for Maryland residents enrolled in private insurance, Medicaid, or Medicare. The MCDB is Maryland’s all-payer claims data base.

(24) “Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.

(25) “Product” means any creation derived in whole or part from data released pursuant to this chapter, including an analysis, article, chart, compilation, display, finding, graph, information, manuscript, map, presentation, publication, report, service, software, study, subscription service, summary, table, or website.

(26) “Protected health information” or “PHI” means individually identifiable health information as defined in the HIPAA Privacy Rule at 45 CFR §160.103, as it may be amended, modified, or renumbered.

(27) “State” means:

(a) When capitalized, the State of Maryland; or

(b) When lowercase, any state, possession, territory, or commonwealth of the United States, or the District of Columbia.

.03 Types of Data Available for Release.

A. The types of data specified in §C of this regulation may be released to an applicant whose application has been approved in accordance with the requirements of this chapter.

B. The availability of the types of data specified in §C of this regulation requesting Medicaid data are subject to a determination of availability by Medicaid.

C. Data may be provided pursuant to an approved application at the following levels of detail:

(1) De-identified standard analytic file: A data extract that contains only data elements that are not considered PHI because the extract excludes direct and indirect individual identifiers as defined in the HIPAA Privacy Rule.

(2) Limited data set: A data extract that contains a limited set of indirect individual identifiers as defined in the HIPAA Privacy Rule and excludes direct individual identifiers.

(3) Custom data file: A data extract that is created based on criteria provided by an applicant and deemed the minimum amount necessary for an applicant’s proposed use of the data and consists of:

(a) Indirect individual identifiers that can be used to identify individuals when combined with other information or data; or

(b) Aggregate, summary data in which the risk of identifying individuals is minimal.

.04 Requests for Medicaid Data.

A. An application submitted to the Commission that includes a request for Medicaid data shall be referred to Medicaid for review after Commission staff has reviewed the application and determined the application to be complete in accordance with Regulation .06 of this chapter.

B. Medicaid shall review an application referred pursuant to §A of this regulation and notify Commission staff in writing within 15 business days of the date of referral of Medicaid’s decision to:

(1) Proceed with its own independent application review and decision-making process on that part of an application requesting Medicaid data:

(a) Without further involvement or participation of Commission staff, the DRAC, or the full Commission; and

(b) That is not governed by the review and decision-making process in Regulations .07–.14 of this chapter;

(2) Decline to proceed with its own independent application review and decision-making process as described in §B(1) of this regulation and direct Commission staff to proceed with processing the referred application in accordance with Regulations .07–.11 of this chapter; or

(3) Disapprove the request for Medicaid data based on the information provided in an application, in which case Medicaid shall provide reasons for the disapproval in the written notification to Commission staff.

C. If Commission staff does not receive written notification from Medicaid within 15 business days of referring an application to Medicaid pursuant to §§A and B of this regulation, Commission staff

shall proceed with processing the application in accordance with Regulations .07–.11 of this chapter.

.05 Requests for Data from Governmental Entities.

A. A governmental entity requesting data shall submit a written data request in the form and manner specified by the Commission that shall:

(1) Be signed by the agency head or chief executive officer of a governmental entity; and

(2) Include a signed statement by a governmental entity’s legal counsel that the governmental entity has legal authority to use the requested data for the purpose described in the written data request.

B. The written data request submitted in accordance with §A of this regulation shall include at a minimum:

(1) A description of the proposed purpose and use of the data requested and, if applicable, a description of an intention to incorporate the data requested into a product;

(2) A description of, and reasons for, any proposed linkages to other data;

(3) A data management plan that demonstrates appropriate privacy and security controls for access and storage of the data and for protection against inadvertent and unauthorized access and disclosure of the data; and

(4) The safeguards against re-identification of an individual in a product that will be created or published publicly by the governmental entity.

C. The Executive Director may make a final decision on whether to approve, approve with conditions, or disapprove a governmental entity’s data request provided that, prior to making a final decision, the Executive Director considers each of the criteria for approval and each reason for disapproval described in §E of this regulation.

D. The Executive Director may exercise the discretion not to make a final decision on a governmental entity’s request for data and refer the data request to the DRAC for review and a written recommendation in accordance with Regulation .09 of this chapter. Upon receipt of a written report and recommendation from the DRAC, the Executive Director may, in the Executive Director’s discretion, either:

(1) Make a final decision in accordance with Regulation .10A–C of this chapter; or

(2) Refer the DRAC’s report and recommendation to a panel of three Commission members or the full Commission in accordance with Regulation .10D–E of this chapter for a decision on the data request.

E. In reviewing and making a recommendation or final decision on whether a data request shall be approved, approved with conditions, or disapproved, the Executive Director, the DRAC, a panel of three Commission members, or the full Commission, as applicable, shall determine whether the proposed use of the data requested:

(1) Falls within the public interest uses described in Regulation .01B of this chapter;

(2) Meets the applicable criteria for approval in Regulation .09C of this chapter; or

(3) Should be disapproved for any of the reasons in Regulation .09D of this chapter.

F. Prior to the receipt of data pursuant to an approved data request, a governmental entity shall enter into a written data use agreement with the Commission in accordance with Regulation .13 of this chapter.

.06 Requests for Data from Nongovernmental Entities.

A. Submission of Applications.

(1) An applicant shall complete and submit a written application in the form and manner specified by the Commission.

(2) An applicant shall disclose on an application all potential or approved funding sources at the time of submission of an application.

(3) If applicable, an applicant shall disclose any data sharing or other requirements imposed by a funding source as a condition of receipt of funding.

(4) An applicant shall disclose on an application whether an applicant or any person or entity that is an officer, owner, operator, or part of management of an applicant’s organization who will have access and use of the requested data is currently, or has been within 10 years prior to the date of the application, a subject of or a party to a state or federal regulatory agency action or civil or criminal action involving a data breach, HIPAA violation, or other matter involving unauthorized access, use, and disclosure of data regardless of whether there has been a finding or admission of guilt, including being:

(a) Convicted of a felony or pleading guilty, nolo contendere, entering a best interest plea of guilty, or receiving a diversionary disposition regarding a felony;

(b) A subject of an investigation conducted by, or a pending complaint, charge, or indictment issued by, a local, state, or federal governmental regulatory agency or other state or federal law enforcement agency; or

(c) A party to a final dispositive action in a state or federal governmental agency regulatory action or a civil action that resulted in entry into a settlement agreement, consent agreement, decree or order, corporate integrity agreement, corrective action agreement, or other similar agreement or other disposition in a civil action regardless of whether there has been an admission or finding of guilt or liability.

(5) A person who signs an application shall:

(a) Be an officer of an applicant’s organization who has been given signatory authority to bind the organization, unless an applicant is not part of an organization and is requesting data in an applicant’s individual capacity, in which case the applicant shall sign an application; and

(b) Sign the following affirmation statement: “I solemnly affirm under the penalties of perjury that the contents of the application and any supplementary information are true to the best of my knowledge, information, and belief.”

(6) An applicant shall pay a nonrefundable application fee in the amount specified in the list of fees published on the Commission’s website at the time of submission of an application.

B. Completeness Review.

(1) An application is not complete until an applicant has submitted a completed application, as determined by Commission staff, and provided any additional information, documentation, answers to questions, and clarifications requested by Commission staff within the time limit specified by Commission staff.

(2) After Commission staff has determined that an application is complete, Commission staff shall refer an application requesting Medicaid data to Medicaid for review in accordance with Regulation .04 of this chapter.

(3) If Commission staff has received a written response from Medicaid specifying its decision on whether to proceed on the request for Medicaid data under either Regulation .04B(1), (2) or (3) of this chapter, Commission staff shall refer a completed application, Medicaid’s written response, all supporting documentation, and any public comment received under Regulation .07 of this chapter, to the DRAC for further review in accordance with Regulation .09 of this chapter.

(4) In accordance with Regulation .04C of this chapter, if Commission staff has not received a written response from Medicaid within 15 business days of Commission staff’s referral of the application to Medicaid, then Commission staff shall proceed with

processing the application, including the request for Medicaid data, in accordance with Regulations .07—.11 of this chapter.

(5) If Medicaid disapproves the part of an application requesting Medicaid data pursuant to Regulation .04B(3) of this chapter, an applicant shall notify Commission staff in writing within 15 business days of an applicant's wishes regarding further consideration of a non-Medicaid part of an application, specifically, whether an applicant requests that:

(a) Commission staff refer the part of a completed application requesting non-Medicaid data to the DRAC for further review in accordance with Regulation .09 of this chapter; or

(b) An applicant's entire application be withdrawn and receive no further consideration, in which case Commission staff shall administratively close the application pursuant to §B(7) of this regulation.

(6) If an applicant fails to notify Commission staff in writing within 15 business days of receiving notice that Medicaid has disapproved the Medicaid part of an application as required under §B(5) of this regulation, Commission staff may administratively close an application pursuant to §B(7) of this regulation.

(7) An application may be administratively closed and receive no further consideration if:

(a) An applicant fails to provide a complete application, in the judgment of Commission staff, including providing all additional information, documentation, answers to questions, and clarifications requested by Commission staff, or by the DRAC during its review of an application under Regulation .09 of this chapter, within the time limit specified by Commission staff or the DRAC; or

(b) An applicant fails to provide the written notification within 15 business days as required under §B(5) of this regulation.

(8) For an applicant to receive further consideration of a request for data in an application that was administratively closed under §B(7) of this regulation, an applicant shall file a new application and pay the required fees that are in effect at the time of submission of a new application.

.07 Transparency of Data Request and Data Release Process.

A. Except for applications submitted by governmental entities pursuant to an express state or federal statutory or regulatory mandate, all completed applications shall be published on the Commission's website during the pendency of the review process, without those parts of the application that specify an applicant's proposed data management plan and security measures.

B. Members of the public may submit written comment on an application for a period of 10 business days following the date on which an application is published on the Commission's website.

C. Commission staff shall provide all public comments received on an application to the DRAC for review and consideration in accordance with Regulation .09 of this chapter.

D. After a decision has been made on an application, the following information shall be published on the Commission's website:

(1) The disposition of an application; that is, whether the application has been:

- (a) Approved;
- (b) Approved with conditions;
- (c) Disapproved; or
- (d) Withdrawn;

(2) For approved applications:

- (a) The amount of fees charged for requested data;
- (b) A statement that all fees were waived; or

(c) In the case of a partial waiver of fees, the amount of fees waived;

(3) If applicable, notice that further review of a decision on the application is pending under Regulation .11 of this chapter and a

description of the final decision when the further review process is completed; and

(4) A summary description of a product derived in whole or part from data released to an applicant pursuant to this chapter, subject to any prohibition on public disclosure under applicable federal or State law, including the Maryland Public Information Act.

.08 Data Release Advisory Committee.

A. The Commission shall establish a Data Release Advisory Committee (DRAC) that meets the membership composition requirements and performs the review functions of a privacy board as described in 45 CFR §164.512.

B. The Commission shall appoint the members of the DRAC and a chairperson from among the appointed members.

C. The number of members appointed to the DRAC shall be at the discretion of the Commission but large enough to:

(1) Represent the appropriate range of stakeholder groups described in §D of this regulation; and

(2) Provide relevant experience, professional competency, and subject matter expertise in the areas of consumer privacy and advocacy, data analytics, data privacy, data security, health policy research, individual privacy issues, information technology, public health, and the use and analysis of health care claims data.

D. The membership of the DRAC shall include, but not be limited to:

(1) Representatives of various stakeholder groups, including academic research organizations, consumer advocacy organizations, employers, health care providers, health maintenance organizations, insurers, and nonprofit health service plans, that possess the relevant experience, professional competency, and subject matter expertise described in §C(2) of this regulation;

(2) At least one representative from Medicaid;

(3) At least one Commission staff member who shall serve as an ex-officio member; and

(4) Any additional representatives that the Commission determines are needed.

E. Members of the DRAC shall serve for a term not to exceed 3 years. At the end of a term, a member continues to serve until a successor is appointed. A member of the DRAC may be reappointed.

F. The DRAC shall meet as necessary to:

(1) Review completed applications requesting data;

(2) Prepare reports and recommendations, with the administrative support of Commission staff, and submit them to the Executive Director;

(3) If requested by Commission staff or the Executive Director, provide advice, consultation, and expertise on issues and questions that may arise:

(a) During Commission staff's review of applications under Regulations .05 and .06 of this chapter;

(b) During the Executive Director's review of applications under Regulation .10 of this chapter; and

(c) After an application has been approved and requested data has been released to a data recipient, regarding compliance and enforcement of a data use agreement under Regulations .13 and .14 of this chapter; and

(4) Perform any other duties and obligations required of the DRAC under this chapter.

G. Commission staff shall provide the necessary administrative support required for the DRAC to perform its duties and obligations under this chapter, such as facilitating the scheduling and conducting of DRAC meetings, providing DRAC meeting agendas and supporting reference materials, conducting research and obtaining additional information as requested by the DRAC, and assisting in the preparation of written reports and recommendations.

H. The Executive Director may remove a member of the DRAC for neglect of duty or misconduct by providing written notification to the DRAC member, stating the reason for the removal.

I. A member of the DRAC who receives written notification of removal under §H of this regulation may submit a written request for full Commission review of the Executive Director's removal decision within 20 business days of the date of the Executive Director's written notification of removal. The written request for full Commission review shall state with particularity the grounds and factual basis for the DRAC member's disagreement with the Executive Director's decision to remove the DRAC member.

.09 Data Release Advisory Committee Review.

A. The following data requests are not subject to review by the DRAC:

- (1) Those categories of data requests and data release described in Regulation .01D(1)–(5) of this chapter;
- (2) Requests for data submitted by a governmental entity that the Executive Director determines warrants an expedited review under Regulation .05 of this chapter; and
- (3) Requests for aggregate, summarized data as described in Regulation .03C(3)(b) of this chapter.

B. In reviewing an application, the DRAC shall consider the criteria for approval and reasons for disapproval of an application in §§C and D of this regulation and all public comment received under Regulation .07 of this chapter before preparing a written report and recommendation.

C. The DRAC shall determine whether an application has met the following criteria for approval:

- (1) An applicant has provided documentation of relevant education, training, and experience that demonstrates the applicant is capable of undertaking and accomplishing the objective of the proposed use of the data and being a responsible steward of the requested data.
- (2) The data elements requested by an applicant are the minimum amount necessary to achieve the intended purpose for which the data is requested.
- (3) The proposed use of the data complies with applicable State and federal laws, including those laws relating to the privacy and security of protected health information (PHI).
- (4) The applicant has provided a written data management plan that demonstrates appropriate privacy and security controls for access and storage of the data and for safeguarding individual privacy and preventing unauthorized access and use of the data.
- (5) The requirement of obtaining written authorization from each individual who is the subject of requested identifiable data can be waived in accordance with 45 CFR §164.512.
- (6) If the applicant has proposed linkage of the requested data to other data source(s), the applicant has provided:
 - (a) Sufficient written justification of the need to link the requested data to the other data source(s) named in the application to accomplish the objective and achieve the results of the proposed use of the data; and
 - (b) Written proof that an additional level of data privacy and security controls will be in place to protect the privacy and identification of the individuals who are the subject of the requested data and the other data source(s) to which the requested data is to be linked.
- (7) An applicant who proposes to develop and sell a product that contains de-identified data has provided satisfactory written justification of how the proposed sale of the product using the de-identified data will serve the public interest.

(8) The proposed use of the data is in the public interest. Examples of uses of data that serve the public interest include:

- (a) Health care cost and utilization analysis to guide and develop public policy;
- (b) Studies that promote improvement in public health, health care quality, and health care access;
- (c) Health planning and resource allocation studies;
- (d) Making information on cost and quality accessible to the public; and
- (e) Studies directly tied to evaluation and improvement of federal and State government initiatives.

D. The DRAC shall determine whether an application has met any of the following criteria for disapproval:

- (1) The proposed use of the data violates State or federal law.
- (2) The proposed use of the data is not in the public interest.
- (3) The proposed use of the data is designed so that the stated objective of the project cannot be met.
- (4) False information or documentation on, or related to, an application was provided to Commission staff, the DRAC, the Executive Director, or the Commission.
- (5) An applicant provided incomplete information upon which to base a decision on the application.
- (6) An applicant or any person or entity that is an officer, owner, operator, or part of management of an applicant's organization who will have access and use of the requested data is currently, or has been within 10 years prior to the date of the application, a subject of or a party to a state or federal regulatory agency action or civil or criminal action involving a data breach, HIPAA violation, or other matter involving unauthorized access, use, and disclosure of data regardless of whether there has been a finding or admission of guilt, including being:
 - (a) Convicted of a felony or pleading guilty, *nolo contendere*, entering a best interest plea of guilty, or receiving a diversionary disposition regarding a felony;
 - (b) A subject of an investigation conducted by, or a pending complaint, charges, or indictment issued by a local, state, or federal governmental regulatory agency or other state or federal law enforcement agency; or
 - (c) A party to a final dispositive action in a state or federal governmental agency regulatory action or a civil action that resulted in entry into a settlement agreement, consent agreement, decree or order, corporate integrity agreement, corrective action agreement, or other similar agreement or other disposition in a civil action regardless of whether there has been an admission or finding of guilt or liability.
- (7) Violation of a previous data use agreement.
- (8) The data management plan does not demonstrate privacy and security controls for safeguarding individual privacy and preventing unauthorized access to or use of the data.
- (9) The proposed use of the data is for an impermissible purpose, which includes but is not limited to:
 - (a) Using the requested data to identify an individual using a particular product or drug in order to develop a marketing campaign and directly contact an individual;
 - (b) Using the requested data to contact an individual for fund-raising purposes directly; and
 - (c) Using the requested data to contact an individual who is the subject of the data for any reason.
- (10) An applicant who proposes to develop and sell a product that contains requested de-identified data has not provided satisfactory written justification of how the proposed sale of the product using the de-identified data will serve the public interest.

E. A member of the DRAC who has an affiliation with an applicant, or with any entity sponsoring, participating, or otherwise affiliated with an applicant's proposed use of the requested data or

any other conflict of interest or appearance of impropriety, shall recuse from consideration of that applicant's application and may not participate in any discussions with other DRAC members or vote on the application.

F. The DRAC may request that the Executive Director authorize the DRAC to invite an individual with expertise and competence in certain areas to assist the DRAC in the review of complex issues that require expertise beyond, or in addition to, that available among the membership of the DRAC. An individual invited pursuant to this section may not:

- (1) Have an affiliation with an applicant, or with any entity sponsoring, participating in, or otherwise affiliated with an applicant's proposed use of the requested data or any other conflict of interest or appearance of impropriety; and
- (2) Vote on an application.

G. The DRAC may require an applicant to obtain Institutional Review Board review prior to deciding on a recommendation for an application.

H. The DRAC may request that Commission staff obtain additional information and documentation from an applicant if needed to determine whether the criteria for approval in §C of this regulation have been met or the reasons for disapproval in §D of this regulation exist. If an applicant does not provide the additional information within the time limit specified by the DRAC, the DRAC may refer the application to Commission staff with a request that the application submitted by the applicant be administratively closed per Regulation .06B(7) of this chapter.

I. The DRAC, at its discretion, may require that an applicant meet with the DRAC to provide additional information, answer questions, or provide clarification on information provided in an application, the proposed use of the data requested, or the capability of an applicant to accomplish the objective of the proposed use of requested data.

J. The DRAC shall review and consider all public comment received regarding an application under Regulation .07 of this chapter before making a recommendation to the Executive Director.

K. The DRAC, with the administrative support of Commission staff, shall prepare a written report and recommendation for the Executive Director on each application reviewed, which shall address:

- (1) Each of the approval criteria in §C of this regulation;
- (2) Each of the disapproval criteria in §D of this regulation;
- (3) Any public comment received; and
- (4) The DRAC's recommendation on whether an application should be approved, approved with conditions, or disapproved.

L. After an application is approved pursuant to Regulation .10 of this chapter, Commission staff may:

- (1) Seek the advice and expertise of the DRAC on any issues regarding the applicant's receipt of data or compliance with the terms and conditions of a data use agreement entered into under Regulation .13 of this chapter; and
- (2) Request that the DRAC prepare a written report and recommendation to the Executive Director regarding whether any compliance and enforcement actions may be warranted under Regulation .14 of this chapter.

M. A DRAC recommendation on an application or on other issues related to an applicant's receipt of data or compliance with the terms and conditions of a data use agreement entered into under Regulation .13 of this chapter is advisory and not binding on the Executive Director's decision on an application or on whether to pursue an enforcement action under Regulation .14 of this chapter for noncompliance with a data use agreement.

.10 Executive Director Review and Decision on Requests for Data.

A. Before making a decision on an application requesting data, the Executive Director shall:

- (1) Review and consider the DRAC's written report and recommendation;
- (2) Review all public comment received;
- (3) Determine whether the approval criteria set forth in Regulation .09C of this chapter have been met; and
- (4) Determine whether any of the disapproval criteria set forth in Regulation .09C of this chapter exists for disapproval of an application under Regulation .09D of this chapter.

B. If the Executive Director determines that there is insufficient information upon which to base a decision on an application, the Executive Director may refer an application back to the DRAC with a request that the DRAC, through Commission staff, obtain and provide more specific or additional information, conduct a more detailed review and evaluation of the review criteria, and, if appropriate, submit a revised written report and recommendation.

C. After considering the DRAC's written report and recommendation on an application, the Executive Director shall issue a written decision:

- (1) Approving an application;
- (2) Approving an application subject to conditions, which shall be included as conditions in the data use agreement required under Regulation .13 of this chapter; or
- (3) Disapproving an application.

D. If the Executive Director decides not to adopt the DRAC's recommendation, specifically to approve an application that the DRAC has recommended be disapproved, or to disapprove an application that the DRAC has recommended be approved, then the Executive Director shall prepare a proposed recommended decision and refer to the full Commission for consideration and issuance of a final decision affirming, reversing, or modifying the Executive Director's recommended decision.

E. The Executive Director may exercise the discretion not to make a decision on an application and refer the DRAC's written report and recommendation, and all public comment received on an application, to a review panel of 3 Commission members, which shall include a consumer member of the Commission. A review panel may render a final written decision on the application, or elect not to make a decision and refer the application to the full Commission for a decision.

F. The Executive Director may not make a decision on an application that proposes to develop and sell a product that contains requested de-identified data and shall refer the application, the DRAC's written report and recommendation, and all public comment received on the application to the full Commission for a decision.

G. The Executive Director, a review panel, or the full Commission, as applicable, shall issue a written decision notifying an applicant that an application has been approved, approved with conditions, or disapproved. The written decision shall state the conditions imposed, if any, and, if an application is disapproved, state the reasons for disapproval.

.11 Review of Decisions on Requests for Data.

A. Request for Further Review of Decisions on Requests for Data.

(1) An applicant may submit a written request for full Commission review of a written decision issued by the Executive Director or a review panel, as applicable, under Regulation .10G of this chapter, within 20 business days of the date the written decision is issued, which shall:

- (a) State with particularity the grounds and factual basis for an applicant's disagreement with the decision and include citations to specific documentation or authority for each argument made in support of an applicant's disagreement with the decision;

(b) Include all relevant supporting documentation and authority cited in §A(1)(a) of this regulation;

(c) Specify the remedy requested:

(i) Reversal of the decision and unconditional release of the requested data; or

(ii) Modification of the decision to release the requested data subject to conditions; and

(d) If desired, include a written request to present oral argument to the full Commission, which shall be scheduled if requested.

(2) After reviewing and considering an applicant's written request for review of a decision and any oral argument, if applicable, the full Commission shall issue a written decision affirming, reversing, or modifying the decision reviewed.

B. Request for Reconsideration of Commission Decisions on Requests for Data.

(1) If the full Commission, instead of the Executive Director or a review panel, issues a decision on an application, an applicant may submit, within 20 business days of the date the Commission's written decision was issued, a written request, which shall conform to §A(1) of this regulation, that the Commission reconsider its decision.

(2) The Commission shall review and consider an applicant's written request for reconsideration of its previous decision and any oral argument, if requested, and issue a written decision affirming, reversing, or modifying its previous decision.

.12 Fees.

A. The Commission may charge fees to an applicant and data recipient for:

(1) Submission of an application; and

(2) The cost of accessing data, which may include but is not limited to the costs of producing and releasing data to a data recipient.

B. A list of fees to be charged pursuant to §A of this regulation shall be published on the Commission's website, reviewed annually, and updated as needed.

C. A list of proposed fees shall be published on the Commission's website for receipt of written public comment for a period of 30 days before the proposed fees become final. All public comment received shall be considered before the proposed fees become final.

D. An applicant shall pay the required application fee in full before Commission staff may begin the application review process. An application fee paid by an applicant is nonrefundable.

E. An applicant who is approved to receive requested data shall pay all required fees in full prior to receipt of requested data. Fees paid by an approved data recipient for receipt of requested data are nonrefundable.

F. If an approved applicant does not pay the required fees in full within 30 days of the date of written notification of application approval, the applicant will not receive the requested data and the application shall be deemed withdrawn and will receive no further consideration.

G. The Executive Director may grant a partial or full waiver of fees for requested data if:

(1) An applicant submits a written request for partial or full waiver of fees detailing reasons for the waiver request and, if applicable, state the amount of partial waiver requested;

(2) An applicant provides financial statements or any other supporting documentation requested by the Executive Director regarding the applicant's inability to pay required fees;

(3) An applicant is a recipient of monetary funds from a funding source that covers all or part of the costs of an applicant's use of the data, and the applicant provides documentation of:

(a) An applicant's written proposal requesting funding submitted to a funding source;

(b) A funding source's response to an applicant's request for funding and, if applicable, funding approval;

(c) Any requirements, including data sharing, imposed by a funding source as a condition of receipt of funding;

(d) The budget governing an applicant's use and allocation of the monetary funds that a funding source has granted or given to an applicant; and

(e) Any other documentation regarding a funding source requested by the Executive Director;

(4) An applicant timely provides any other information and documentation requested by the Executive Director; and

(5) After considering all information provided by an applicant in support of a full or partial fee waiver, the Executive Director determines that a full or partial waiver of fees is in the public interest.

H. Before making a final decision on a request for a partial or full waiver of fees under §G of this regulation, the Executive Director may consult with a review panel or the full Commission if the Executive Director deems it appropriate.

.13 Data Use Agreement.

A. An approved applicant shall enter into and sign a data use agreement prior to receipt of the requested data. If an approved applicant does not sign a data use agreement within 30 days of the date of written notification of application approval, the application shall be deemed withdrawn and will receive no further consideration.

B. Prior to entry into a data use agreement and receipt of requested data, an approved applicant shall disclose any data sharing plan or agreement required by a funding source as a condition of an applicant's receipt of funding.

C. A data use agreement entered into with a data recipient under §A of this regulation shall, at a minimum:

(1) Define the scope of use of the requested data and the research methodology;

(2) Provide a plan for safeguarding the privacy and security of the data and complying with all applicable laws governing the privacy and security of data;

(3) Require a data recipient to adhere to security processes and procedures aimed at preventing unauthorized access, use, or disclosure of the data;

(4) Require that a data recipient notify Commission staff of any potential or actual data breach, including any instance of unauthorized access, use, or disclosure of data, no later than 7 days from the date of knowledge of the breach;

(5) Require a data recipient to notify Commission staff in writing within 24 hours of receipt of any request from a third party requesting a data recipient to disclose all or part of the data received from the Commission, including but not limited to compulsory process, such as a subpoena, discovery request, warrant, or judicial or administrative order, or a public information act request, to provide the Commission adequate time to intervene and respond before the date that a data recipient has been requested or ordered to provide the data;

(6) Specify the beginning and end dates of a data use agreement;

(7) Provide for the return or destruction of data by a certain date upon termination of a data use agreement, or upon a determination that a data recipient has failed to comply with a data use agreement;

(8) Require that a data recipient comply and assist, if requested, in any audit of compliance with a data use agreement;

(9) Provide that a breach of any term or condition of a data use agreement is a breach of contract;

(10) Permit that appropriate administrative and judicial remedies under applicable law may be pursued against a data

recipient for failing to comply with the terms and conditions of a data use agreement; and

(11) Be signed by:

(a) A person authorized to contractually bind a data recipient's organization; or

(b) A data recipient, if a data recipient is not part of an organization.

D. The Executive Director may consider a request from a data recipient for an extension of time or a modification of a term or condition of an executed data use agreement if:

(1) A data use agreement includes an express provision allowing a request for an extension of time or a modification of a term or condition;

(2) A data recipient submits a written request in the form and manner specified by the Commission, which shall include the reasons for the request, or specify good cause for the extension or modification request;

(3) A request for an extension of time states the requested new end date for the data use agreement; and

(4) A request for modification does not seek approval of a new or different use of the released data that was not approved under Regulation .10 of this chapter.

E. Commission staff shall refer a written request for an extension of time or a modification of a term or condition of a data use agreement to the Executive Director for a decision. The Executive Director shall:

(1) Consider a data recipient's written request submitted under §D of this regulation before making a decision; and

(2) Make a decision to approve, approve with conditions, or disapprove the request, and notify the data recipient in writing of the decision.

F. If the Executive Director approves an extension or modification request, or approves with conditions, the Executive Director shall issue a signed, dated written amendment to the data use agreement approving the extension or modification request, stating the new end date of the data use agreement, if applicable, and specifying any additional conditions on the extension or modification.

G. Re-Use of Data.

(1) A data recipient who wishes to re-use data previously released, pursuant to an approved application and executed data use agreement prior to the termination of the data use agreement and destruction of the data, for a different use or purpose or to link with other data sources not described in the approved application shall submit a written application in the form and manner specified by the Commission and pay a nonrefundable application fee in the amount published on the Commission's website at the time of submission of an application for re-use of previously released data.

(2) Commission staff shall refer a data recipient's completed application for re-use of previously released data prior to termination of a data use agreement for a different use for DRAC and Executive Director review, in accordance with Regulations .09—.11 of this chapter.

(3) If a re-use application is approved, a data recipient shall pay the applicable nonrefundable data re-use fees in full in the amount published on the Commission's website before a data recipient can use the previously released data for a different use or purpose.

H. A data recipient who wishes to request additional data not requested in a data recipient's approved application and described in a data use agreement shall:

(1) Submit a new application in the form and manner specified by the Commission and pay a new nonrefundable application fee in accordance with Regulation .12 of this chapter, regardless of whether a data recipient intends to use the additional data for the

same use described in a data recipient's previously approved application; and

(2) Pay required fees for receipt of additional data in accordance with Regulation .12 of this chapter if a data recipient's request for additional data is approved.

.14 Compliance and Enforcement.

A. If a data recipient fails to comply with any of the terms and conditions of a data use agreement, or it becomes known after execution of a data use agreement that a data recipient provided false information during the application process, the Commission, acting through the Executive Director, may take one or more of the following administrative and judicial enforcement actions, depending upon the facts, circumstances, and gravity of the acts of noncompliance:

(1) Terminate a data recipient's current access to data;

(2) Suspend a data recipient's current access to data for a period of time:

(a) Subject to conditions that a data recipient must satisfy before the suspension may be lifted and access to data reinstated; or

(b) If required by the Executive Director, until a data recipient enters into a new data use agreement that requires compliance with a corrective action plan addressing the acts of noncompliance;

(3) Require a data recipient to suspend or retract for a designated period of time a product that has been created or published from the data, subject to conditions that a data recipient must satisfy before the suspension or retraction may be lifted;

(4) Demand the secure destruction or return of data and require documentary proof that all data released to a data recipient has been destroyed;

(5) Terminate a data use agreement; or

(6) Prohibit a data recipient from submitting a new application requesting data for a designated period of time.

B. The Executive Director may refer an instance of unauthorized access, use, or disclosure of data to the Office of the Attorney General of Maryland, the Maryland State's Attorney Office, or any other appropriate State or federal law enforcement authority.

C. The Commission, based upon information provided by the Executive Director, may seek any appropriate administrative and judicial remedy allowed by State or federal law for:

(1) Failing to comply with any terms and conditions for accessing and using data; and

(2) Any instance of unauthorized or impermissible access, use, and disclosure of data.

ANDREW N. POLLAK, M.D.
Chair

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.20 Mobile Sources

Authority: Environment Article, §§2-102, 2-103, and 2-301, Annotated Code of Maryland

Notice of Proposed Action

[21-142-P]

The Secretary of the Environment proposes to repeal existing Regulation .02 and adopt new Regulation .02 under **COMAR 26.11.20 Mobile Sources**.

Statement of Purpose

The purpose of this action is to repeal existing Regulation .02A—C and propose new Regulation .02A—F under COMAR 26.11.20.02, pertaining to Motor Vehicle Emission Control Devices. This action clarifies and expands Maryland’s regulations prohibiting (1) the removal or alteration of a motor vehicle’s air pollution control systems, and (2) the operation of motor vehicles with removed, altered, or inoperative air pollution control systems. The proposed regulation prohibits the manufacture, sale, installation, and use of any device that prevents a motor vehicle’s air pollution control system from operating as originally designed. The proposed regulation also prohibits the offering for sale, sale, lease, auction, or transfer of any motor vehicle with removed, altered, or inoperative air pollution control systems. The proposed regulation requires a vehicle dealer or business that sells, auctions, or transfers a motor vehicle to maintain records confirming all air pollution control systems are in operating condition at the time of sale. The proposed regulation also codifies the Department’s rights to conduct inspections of new and used motor vehicles for the purposes of determining compliance with the requirements of the regulation.

Motor vehicles contribute to nearly half of the air pollution in the United States. Tampering with the emission controls of a motor vehicle can allow a vehicle to emit hundreds to thousands of times more pollution than when properly controlled. By specifically targeting those vehicles which excessively and wantonly contribute pollution to our air, the Department believes significant emission reductions can be realized with efficient use of enforcement resources.

The proposed action pertaining to motor vehicle emission control devices will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland’s SIP.

Background. Tampering with a vehicle’s emissions control system is illegal under existing State regulations, COMAR 26.11.20.02, and the federal Clean Air Act (CAA), 42 U.S.C. §7522. The CAA also prohibits manufacturing, selling, offering for sale, and installing aftermarket devices which effectively defeat those controls. Tampering causes excess emissions of nitrogen oxides (NO_x), particulate matter (PM), and other pollutants to the air we breathe. Both existing Maryland and federal law prohibit the removal of, alteration of, or otherwise tampering with a vehicle’s pollution control equipment. Maryland regulations also currently prohibit the operation of a motor vehicle that has had its air pollution control equipment tampered with or removed. Tampering can take two basic forms: (1) Removing hardware, filters, and catalysts in the stock emission control system. This hardware can be located in the engine (e.g., Exhaust Gas Recirculation (EGR)) or in the exhaust system

(e.g., Diesel Particulate Filter (DPF) or Selective Catalytic Reduction (SCR)), or (2) Replacing or altering the software or calibrations that control engine operation, sometimes referred to as “tuning”. Tuning may increase engine emissions, allow a vehicle or engine to operate without emissions controls, or prevent the onboard diagnostic system from recognizing that the vehicle or engine is functioning differently than originally designed and certified. Violation of Maryland’s anti-tampering laws may result in a civil penalty of up to \$25,000 per day per violation (Environment Article, §§2-610 and 2-610.1, Annotated Code of Maryland). In addition, a person who knowingly tampers with a vehicle may be found guilty of a misdemeanor, subject to a fine not exceeding \$25,000, imprisonment of up to 1 year, or both for a first offense (Environment Article, §2-609.1, Annotated Code of Maryland).

Federal Prohibitions. The CAA contains two relevant requirements — one related to tampering and the other to defeat devices. The following acts (and causing them to occur) are prohibited: (1) For anyone to remove or render inoperative any device or element of design that had previously been installed on a motor vehicle or engine in order to comply with CAA regulations. See CAA §203(a)(3)(A), 42 U.S.C. §7522(a)(3)(A), and (2) For any person to manufacture or sell, or offer to sell, or install, a part or component for a motor vehicle, where: a principal effect of the part or component is to bypass, defeat, or render inoperative any device or element of design that had previously been installed on a motor vehicle or engine in order to comply with CAA regulations, and the person knows or should know that such part or component is being offered for sale or installed for such use or put to such use. See CAA §203(a)(3)(B), 42 U.S.C. §7522(a)(3)(B). The CAA states that it is a crime to knowingly falsify, tamper with, render inaccurate, or fail to install any monitoring device or method required under the CAA. See CAA §113(c)(2)(C), 42 U.S.C. §7413(c)(2)(C). Vehicle Onboard Diagnostics (OBD) systems are a “monitoring device or method” required under the CAA.

Federal Enforcement. On November 23, 2020, EPA updated its “Enforcement Policy on Vehicle and Engine Tampering and Aftermarket Defeat Devices”. Recent EPA enforcement activity is highlighted in the April 30, 2020, press release “EPA Highlights Enforcement Actions Against Those Who Violate The Defeat Device and Tampering Prohibitions under the Clean Air Act”. Violations are widespread and financial penalties are significant. Those who sell or install devices to defeat emission controls can be fined over \$4,800 per defeat device, and dealers can be fined over \$48,000 per tampered-with vehicle. Over the past 5 years, EPA has closed over 60 civil tampering cases, and the Department of Justice has filed criminal charges in others.

Sources Affected. The proposed action applies to: a person who services any emissions-related aspect of any vehicle, engine, or piece of equipment; a person who manufactures, distributes, or installs emissions-related parts; a person who offers for sale, leases, auctions, sells, or transfers a motor vehicle; and a person who operates a motor vehicle.

Requirements. The proposed action maintains Maryland’s current prohibitions on the installation or use of defeat devices, and will expand Maryland’s regulations to prohibit (1) the manufacture and sale of defeat devices, and (2) the sale, auction, or transfer of vehicles that have had the air pollution control equipment tampered with or removed. Specifically, the proposed regulation will include the following prohibitions: a person may not tamper with any air pollution control system on a motor vehicle or on a motor vehicle engine; a person may not operate a motor vehicle originally equipped with an air pollution control system unless that system is in place and in operating condition; a person may not manufacture, offer for sale, sell, install, or use a device that prevents any air pollution control system from functioning as designed by the original manufacturer; a

person may not offer for sale, lease, sell, auction, or transfer a motor vehicle with an air pollution control system that has been tampered with or removed or is otherwise not functional as designed by the original manufacturer.

Exemptions. The proposed regulation does not apply to the sale or transfer of a motor vehicle for the purpose of scrapping, dismantling, or destroying the motor vehicle if: (1) A certificate of salvage has been issued by the Maryland Motor Vehicle Administration that establishes a motor vehicle may not be operated on public roads; or (2) Sufficient documentation and proof is provided to the Department's satisfaction that a motor vehicle has been scrapped, or will be scrapped within 30 days.

Furthermore, the proposed regulation does not prevent the service or repair of any air pollution control system. Finally, the proposed regulation does not apply to motorcycles.

Record-Keeping Requirements. Records are to be maintained on-site for a period of 5 years by a vehicle dealer or business that sells, auctions, or transfers motor vehicles. Records must be made available to the Department upon request. A vehicle dealer or business that sells, auctions, or transfers a motor vehicle must maintain records including: date of sale or transfer of motor vehicle; fuel type of motor vehicle; motor vehicle description (i.e., make, model, year, GVWR); vehicle identification number (VIN); and statement that all air pollution control systems are in place and in operating condition.

Compliance Inspections. The Department or its agents have the right to conduct inspections of new and used motor vehicles for the purposes of determining compliance with the requirements of the proposed regulation. The inspections may: be conducted on any premises owned, operated, used, leased, or rented by any vehicle dealer; extend to all emissions-related parts and their operation; require the on-premises operation and testing of an engine or vehicle; and require inspection of any related records, including records of emissions-related part repairs performed under warranty. Refusal to allow, or interference with, the inspections shall be considered a violation of the regulation. A person who violates any provision of the proposed regulation is subject to the sanctions set forth in Environment Article, Title 2, Annotated Code of Maryland. Each noncompliant vehicle is a separate violation.

Projected Emission Reductions. Tampering can cause a vehicle to emit more pollution than it otherwise would. Recent EPA investigations indicate that controls on over 500,000 diesel pickup trucks, or about 13 percent of those registered that were originally certified with emissions controls, have been fully removed or deleted through tampering. The excess NO_x emissions from these vehicles are the equivalent of adding 9 million trucks to our roads. Even more pickups could be tampered with, as well as heavy duty trucks and off-road equipment used in agriculture and construction. In a letter from EPA AED to MARAMA dated Nov. 18, 2019, Re: Aggregated Evidence of Tampered Diesel Pickup Trucks, the EPA estimates that in the next decade close to 100,000 excess tons of NO_x and 890 tons of PM could be emitted in the Mid-Atlantic States due to aftermarket tampering of diesel mobile sources. While the Mid-Atlantic region is already susceptible to increased mobile source emissions due to a dense population and the I-95 corridor, the use of after-market defeat devices and tampering in diesel-powered vehicles significantly exacerbates the problem of excess NO_x, which is also a precursor to ground-level ozone formation. Each diesel-powered truck that does not have the proper emissions control system is estimated to emit more than one ton of excess NO_x, which for Mid-Atlantic States could be the equivalent of 60,000 tons of excess NO_x from 2009—2019. EPA estimates that roughly 58,000 diesel vehicles in Mid-Atlantic States had their emissions controls completely removed in the preceding decade, or “deleted”, which would be 8.5 percent of diesel vehicles registered in Mid-Atlantic States in 2016. EPA estimates that from 2009—2019, Maryland had 5,900 diesel trucks

operating with deleted devices. Excess NO_x emissions from these vehicles amounted to 6,000 tons during this period (600 tons per year or 1.64 tons per day). Excess PM emissions from these vehicles amounted to 64 tons during this period (6.4 tons per year).

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. Tampering with a vehicle's emissions control system and operating a tampered-with motor vehicle is illegal under existing State regulations and the federal CAA. The proposed regulations further prohibit the manufacture and sale of defeat devices, and the offering for sale, lease, sale, auction, or transfer a motor vehicle with an air pollution control system that has been tampered with or removed or is otherwise not functional as designed by the original manufacturer. The CAA already prohibits the manufacture, sale, offering for sale, and installation of aftermarket devices which effectively defeat a motor vehicle's pollution controls. There will be an economic impact upon motor vehicle dealers that may need to restore the emission control equipment to normal operating conditions on all the tampered vehicles they may have in their possession. There will also be a minimal economic impact upon motor vehicle dealers that will need to maintain records and offer records and vehicles for inspection by the Department upon request. There will be an economic impact upon manufacturers and retailers of emission control defeat devices. The small business impact is expected to be minimal. The practice of tampering with vehicle emissions is currently prohibited by existing COMAR regulations.

There will be a minimal impact upon the Department as compliance inspectors will need to undergo training and inspect affected sources as needed. There will be a positive general public health benefit, especially to those with asthma, but the exact projected benefit is undetermined.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E+)	Minimal
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)	Indeterminable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(+)	Indeterminable

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

- A. Compliance inspectors will need to undergo training.
- D. Confirm emission control equipment and maintain records.
- F. Avoided emissions provide public health protection.

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

The Department of the Environment will hold a virtual public hearing on the proposed action on October 26, 2021, at 10 a.m. See the Department’s website for virtual hearing information, <https://mde.maryland.gov/programs/Regulations/air/Pages/reqcomments.aspx>. Interested persons are invited to attend and express their views. Comments must be received by 5 p.m. on October 26, 2021. Comments may be submitted to Marcia Ways, Mobile Sources Control Program Manager, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, MD 21230-1720, or by email at marcia.ways@maryland.gov. For more information contact Marcia Ways at telephone (410) 537-3270 or email marcia.ways@maryland.gov.

.02 Motor Vehicle Emission Control Devices.

A. Definitions.

(1) “Air pollution control system” means any device or element of design installed on or in a motor vehicle or motor vehicle engine in order to comply with pollutant emission restrictions established for the motor vehicle or motor vehicle engine by federal or State statute or regulation.

(2) “Gross vehicle weight rating (GVWR)” means the value specified by the manufacturer as the maximum loaded weight of a single or combination vehicle.

(3) “Motor vehicle” means any self-propelled vehicle powered by an internal combustion engine and designed for use on public roads, such as automobiles, trucks, and buses.

(4) “Tamper” means to remove, alter, or otherwise render inoperative an air pollution control system.

B. Applicability. The provisions of this regulation apply to all motor vehicles, except as listed in §C of this regulation.

C. Exemptions.

(1) This regulation does not apply to the sale or transfer of a motor vehicle for the purpose of scrapping, dismantling, or destroying the motor vehicle if:

(a) A certificate of salvage has been issued by the Maryland Motor Vehicle Administration that establishes a motor vehicle may not be operated on public roads; or

(b) Sufficient documentation and proof is provided to the Department’s satisfaction that a motor vehicle has been scrapped, or will be scrapped within 30 days.

(2) This regulation does not prevent the service or repair of any air pollution control system.

(3) This regulation does not apply to motorcycles.

D. Anti-Tampering Prohibitions.

(1) A person may not tamper with any air pollution control system on a motor vehicle or on a motor vehicle engine.

(2) A person may not operate a motor vehicle originally equipped with an air pollution control system unless that system is in place and in operating condition.

(3) A person may not manufacture, offer for sale, sell, install or use a device that prevents any air pollution control system from functioning as designed by the original manufacturer.

(4) A person may not offer for sale, lease, sell, auction, or transfer a motor vehicle with an air pollution control system that has been tampered with or removed or is otherwise not functional as designed by the original manufacturer.

E. Compliance Inspections.

(1) The Department or its agents have the right to conduct inspections of new and used motor vehicles for the purposes of determining compliance with the requirements of this regulation.

(2) The inspections authorized under §E(1) of this regulation may:

(a) Be conducted on any premises owned, operated, used, leased, or rented by any vehicle dealer;

(b) Extend to all air pollution control systems and their operation;

(c) Require the on-premises operation and testing of an engine or vehicle; and

(d) Require inspection of any related records, including records of emissions-related part repairs performed under warranty.

(3) Refusal to allow, or interference with, the inspections under this section shall be considered a violation of this regulation.

(4) A person who violates any provision of this regulation is subject to the sanctions set forth in Environment Article, Title 2, Annotated Code of Maryland. Each noncompliant vehicle is a separate violation.

F. Record Keeping.

(1) A vehicle dealer or business that sells, auctions, or transfers a motor vehicle shall maintain records, including:

(a) Date of sale or transfer of motor vehicle;

(b) Fuel type of motor vehicle;

(c) Motor vehicle description (that is, make, model, year, and GVWR);

(d) Vehicle Identification Number (VIN); and

(e) Statement that all air pollution control systems are in place and in operating condition.

(2) Records shall be maintained on-site for 5 years and available to the Department upon request.

BENJAMIN H. GRUMBLES
Secretary of the Environment

**Title 33
STATE BOARD OF
ELECTIONS**

Notice of Proposed Action

[21-144-P]

The State Board of Elections proposes to amend:

(1) Regulation .01 under COMAR 33.01.01 **Definitions**;

(2) Regulation .02 under COMAR 33.05.04 **Processing VRAs and Other Requests**;

(3) Regulation .01 under COMAR 33.11.02 **Applications**;

(4) Regulation .08 under COMAR 33.11.03 **Issuance and Return**; and

(5) Regulation .01 under COMAR 33.17.05 **Election Judges**.

This action was considered by the State Board of Elections at its July 22, 2021, meeting, notice of which was given in accordance with General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to formalize procedures implemented for the 2020 elections and update and correct other provisions, including:

(1) Defining the term “ballot drop box”;

(2) Determining when a voter registration application or mail-in ballot envelope is timely when an application or mail-in ballot envelope is returned via a ballot drop box; and

(3) Removing the requirement that a representative of the local board must be physically present to open or close the voting center every day of early voting.

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 Tracey Hartman, Director of Special Projects, State Board of Elections, 151 West Street, Suite 200, Annapolis, MD 21401, or call 410-269-2931, or email to traceye.hartman@maryland.gov, or fax to 410-974-2019. Comments will be accepted through October 25, 2021. A public hearing has not been scheduled.

Subtitle 01 DEFINITIONS; GENERAL PROVISIONS

33.01.01 Definitions

Authority: Election Law Article, §§1-101, 2-102(b)(4), 3-101, and 3-305(e); State Government Article, §15-715(g); Annotated Code of Maryland; 52 U.S.C. 21083(a)(5)(A)—(B)

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(3) (text unchanged)

(4) *“Ballot drop box” has the meaning stated in Election Law Article, §1-101(d-1), Annotated Code of Maryland.*

[(4)] (5)—[(38)] (39)

Subtitle 05 VOTER REGISTRATION

33.05.04 Processing VRAs and Other Requests

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-101, 3-204.1, and 3-301—3-305, Annotated Code of Maryland; 42 U.S.C. 15483(b)(2)

.02 Receipt of Completed VRAs.

A.—B. (text unchanged)

C. When VRA Is Timely.

(1) (text unchanged)

(2) Any other VRA is timely for purposes of the next election if:

(a) It is received by the State Board office, [or] local board office, *or authorized ballot drop box* on or before the registration deadline; or

(b) (text unchanged)

D.—E. (text unchanged)

Subtitle 11 ABSENTEE BALLOTS

33.11.02 Applications

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 11-301, and 11-302; *Public Safety Article, §14-107(d)*; Annotated Code of Maryland

.01 In General.

A.—C. (text unchanged)

D. Timely Request.

(1) (text unchanged)

(2) If voter’s request was submitted:

(a) (text unchanged)

(b) By mail *or via a ballot drop box* and the voter requested the absentee ballot be sent by:

(i) Mail or facsimile, the request must be received *by mail or deposited into a ballot drop box* on or before 8 p.m. on the Tuesday before the election; or

(ii) Internet, the request must be received *by mail or deposited into a ballot drop box* on or before 5 p.m. on the Friday before the election; or

(c) (text unchanged)

E.—G. (text unchanged)

33.11.03 Issuance and Return

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), §2-305, 9-303, 9-305, 9-306, 11-301, 11-302, and 11-304, Annotated Code of Maryland

.08 When Ballots Are Timely.

A. (text unchanged)

B. In General. An absentee ballot is considered to have been timely received only if:

(1) (text unchanged)

(2) The ballot is received by a polling place before the polls close at that polling place on election day; [or]

(3) *The ballot is deposited into a ballot drop box before the polls close on election day; or*

[(3)] (4) (text unchanged)

C. (text unchanged)

Subtitle 17 EARLY VOTING

33.17.05 Election Judges

Authority: Election Law Article, §§2-102(b)(4), 9-102(i), 10-206(g), 10-301.1(h), and 12-106(a), Annotated Code of Maryland

.01 Local Board Employees.

A.—B. (text unchanged)

C. *Applicability.*

(1) *Except as provided in §C(2) of this regulation, all federal and State laws, regulations, and procedures that apply to voting during early voting and on election day apply to voting at a voting center.*

(2) *An employee or board member of a local board shall:*

(a) *Be present at an early voting center to open and close an early voting center on the first day of early voting;*

(b) *Be present at an early voting center to close an early voting center on the last day of early voting; and*

(c) *Provide remote support to open or close an early voting center on the other days of early voting if the local board does not have an employee or board member present.*

LINDA H. LAMONE
State Administrator of Elections

Special Documents

DEPARTMENT OF STATE POLICE

HANDGUN ROSTER BOARD

Proposed Additions to Handgun Roster and Notice of Right to Object or Petition

The following is a list of handguns that the Handgun Roster Board proposes to add to the official handgun roster. These handguns will be officially placed on the Handgun Roster if no timely objection is received or if all timely objections are dismissed.

Under the Public Safety Article, §5-405, Annotated Code of Maryland and COMAR 29.03.03.13 and .14, any person may object to the placement of any of those handguns on the Handgun Roster. Objections must be filed within 30 days after **September 24, 2021**. In addition, any person may petition for the placement of an additional handgun on the Handgun Roster. Forms for objections or petitions may be obtained from: Rachel Rosenberg, Administrator, Handgun Roster Board, 1201 Reisterstown Road, Baltimore, Maryland 21208 (Phone: 410-653-4247).

Make	Model	Caliber	Additional Comments
FK BRNO (FKBUS)	PSD	7.5 FK, 9 mm, 10 mm, 40 S&W	
Stag Arms	Stag-15 Tactical Pistol	5.56 NATO	
WILSON COMBAT	X-TAC SUPERGRADE FULL SIZE	9 mm	Model addition
WILSON COMBAT	SUPERGRADE COMMANDER SPECIAL	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P320 AXG Classic	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P320 AXG Pro	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P320X COMPACT SPECTRE	9 mm	Model addition
SIG SAUER/SIGARMS INC.	P365 XL SPECTRE	9 mm	Model addition
SPRINGFIELD ARMORY/INC.	Saint Victor PDW	5.56 NATO	Model addition
CABOT GUNS	Apocalypse Commander Size	9 mm	Model addition
SMITH & WESSON	686-5	357 Mag, 38 Spl	Model addition
CABOT GUNS	The Gran Torino SS Full Size	9 mm	Model addition
WILSON COMBAT	SFX9 Sub-Compact	9 mm	Model addition
CMMG, INC.	MK 47 Pistol	7.62X39mm	Model addition
WILSON COMBAT	EXPERIOR 5" DOUBLE STACK	9 mm	Model addition
WILSON COMBAT	EXPERIOR COMPACT DOUBLE STACK	9 mm	Model addition
WILSON COMBAT	EXPERIOR COMMANDER DOUBLE STACK	9 mm	Model addition
Volkman Precision	Combat Carry Commander Size	9 mm	Model addition
Volkman Precision	Engraved Classic Government Size	9 mm	Model addition
Volkman Precision	Engraved Classic Commander Size	9 mm	Model addition
WILSON COMBAT	X-TAC SUPERGRADE COMMANDER	9 mm	Model addition
HECKLER & KOCH	SP5L	9 mm	Model addition
ROCK ISLAND ARMORY	XTM-22	22 Mag	Model addition
ISRAEL WEAPON INDUSTRIES (IWI US)	Zion-15 Pistol	5.56 NATO	
SMITH & WESSON	M&P 15 Pistol	5.56 NATO, 223 Rem	
ISRAEL WEAPON INDUSTRIES (IWI US)	GALIL ACE SAR GEN II PISTOL	7.62x39mm	Model addition
Battle Arms Development, Inc.	WORKHORSE PISTOL	5.56 NATO	Model addition
Battle Arms Development, Inc.	SILENT PROFESSIONAL (BAD556) PISTOL	5.56 NATO	Model addition
Battle Arms Development, Inc.	SILENT PROFESSIONAL (BADPDW) PISTOL	5.56 NATO	Model addition
Battle Arms Development, Inc.	AUTHORITY ELITE (BAD556) PISTOL	5.56 NATO	Model addition

SPECIAL DOCUMENTS

870

Make	Model	Caliber	Additional Comments
Battle Arms Development, Inc.	XIPHOS PISTOL	9 mm	Model addition
BRUGGER & THOMET (BRUGGER & THOMET USA)	APC308	308 Win	
KORTH (NIGHTHAWK CUSTOM)	NXR	44 Mag	
Big Horn Armory Inc.	AR500 Pistol	500 Auto Max	
Moriarti Armaments LLC	AR-15	5.56 NATO, 223 Rem	
STURM RUGER	LCP MAX	380 ACP	
MAXIM DEFENSE	MD-15 Pistol	300 BLK, 5.56 NATO	Model addition
MAXIM DEFENSE	MDX Pistol	5.56 NATO	Model addition
ANDERSON MANUFACTURING	AM-15	5.56 NATO	Model addition
Tommy Guns USA	1911	357 Sig	
TAURUS S.A. FORJAS (TAURUS INTERNATIONAL INC.)	GX4 Micro-Compact	9 mm	
SIG SAUER/SIGARMS INC.	P220 X-Six Skeleton	9 mm	Model addition
Andro Corp Industries	ACI-15	5.56 NATO	
Charter Arms/Charco Inc.	Undercoverette	32 H&R Mag, 32 S&W Long	
PIONEER ARMS CORPORATION	PPS 43-C	9 mm	Caliber addition
CIMARRON ARMS (ALDO UBERTI)	1860 Richards Type II Transition Model	45 LC	Model addition
Stag Arms	Stag-15 Tactical Pistol	300 BLK	Caliber addition
AREX (GLOBAL ORDNANCE LLC)	DELTA L GEN 2	9 mm	Model addition
KEL-TEC	P50	5.7x28 mm	
MERIDIAN DEFENSE CORP	MDC-47 Pistol	7.62X39mm	
MKE (CENTURY ARMS)	AP5	9 mm	
DIAMONDBACK FIREARMS	DBX57	5.7x28mm	
MKE (CENTURY ARMS)	AP5-P	9 mm	Model addition
MKE (CENTURY ARMS)	AP5-M	9 mm	Model addition
TAURUS S.A. FORJAS (TAURUS INTERNATIONAL INC.)	460 Tracker	45 LC	Model addition
BEARMAN INDUSTRIES	LBG38	38 Spl	Model addition
MANURHIN	MR88	38 Spl	
ALDO UBERTI & CO. (TAYLOR & CO.)	Open Top Army	38 Spl, 45 LC	Model addition
SPRINGFIELD ARMORY/INC.	1911 Emissary	45 ACP	
SIG SAUER/SIGARMS INC.	M400 Switchblade Pistol	5.56 NATO	Model addition
ARMSCOR PHILIPPINES-ROCK ISLAND ARMORY (ARMSCOR PRECISION INTERNATIONAL)	M1911 A2 FSP	45 ACP	Model addition
AREX (GLOBAL ORDNANCE LLC)	DELTA X GEN 2	9 mm	Model addition
Primary Weapons Systems	MK111 MOD 2-M Pistol	223 Wylde, 223 Rem, 5.56 NATO	

[21-20-16]

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: October 7, 2021, 1 — 3 p.m.
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Advisory Council (SEMSAC) meets regularly the 1st Thursday of each month. Due to COVID, this meeting may be held virtually. Please call 410-706-5074 for access information.
Contact: Sheilé McAllister (410) 706-4449
 [21-20-07]

EMERGENCY MEDICAL SERVICES BOARD

Subject: Public Meeting
Date and Time: October 12, 2021, 9 a.m. — 12 p.m.
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Board (EMS Board) meets regularly the 2nd Tuesday of each month. Due to COVID, this meeting may be held virtually. Please call 410-706-5074 for access information. Part of the meeting may include a closed session.
Contact: Sheilé McAllister (410) 706-4449
 [21-20-08]

COMMISSIONER OF FINANCIAL REGULATION

Subject: Bank Merger
Add'l. Info: On August 30, 2021, BayVanguard M.H.C., its subsidiary BV Financial, Inc., a Maryland bank holding company, and its wholly owned subsidiary, BayVanguard Bank, a Maryland state-chartered subsidiary savings bank, each located in Baltimore, Maryland, filed an application with the Commissioner of Financial Regulation, pursuant to Md. Financial Institutions Article, §§ 4-701 and 5-904, Annotated Code of Maryland, for approval to merge North Arundel Savings Bank, a Maryland state-chartered mutual savings bank located in Pasadena, Maryland, with and into BayVanguard Bank.

This application is on file at the Office of the Commissioner of Financial Regulation, 500 N. Calvert St., Ste. 402,

Baltimore, MD 21202. Comments regarding this application must be submitted in writing and must be received by the Commissioner within 15 calendar days of the date of publication of this notice in the Maryland Register.

For further information, contact Michelle A. Denoncourt, Assistant Commissioner, at (410) 230-6104.
Contact: Michelle Denoncourt (410) 230-6104

[21-20-14]

FIRE PREVENTION COMMISSION

Subject: Public Meeting
Date and Time: October 21, 2021, 10 a.m.
Place: Odenton Volunteer Fire Dept., 1425 Annapolis Rd., Odenton, MD
Add'l. Info: Portions of the meeting may be held in closed session. Check Commission website for additional information or changes:
<https://mdsp.maryland.gov/Organization/Pages/StateFirePreventionCommission.aspx>.

If public schools in Anne Arundel County are CLOSED due to inclement weather, the meeting and any appeals will be rescheduled

Contact: Heidi Ritchie (877) 890-0199
 [21-20-17]

MARYLAND DEPARTMENT OF HEALTH

Subject: Public Meeting
Date and Time: November 4, 2021, 9 a.m. — 1 p.m.

Place: Virtual meeting—please see details below.

Add'l. Info: Due to the State of Emergency as a result of the 2019 Novel Coronavirus (COVID-19) Pandemic, please be advised that the November 4, 2021, P & T (Pharmacy and Therapeutics) Committee public meeting will be conducted virtually by way of a Webinar.

As soon as available, classes of drugs to be reviewed, speaker registration guidelines, and procedure to register to attend the virtual meeting will be posted on the Maryland Pharmacy Program website at:

<https://health.maryland.gov/mmcp/pap/Pages/Public-Meeting-Announcement-and-Procedures-for-Public-Testimony.aspx>

Please submit questions to:
 mdh.marylandpdquestions@maryland.gov.
Contact: Deborah Washington (410) 767-1455

[21-20-12]

MARYLAND DEPARTMENT OF HEALTH

Subject: Receipt of Application
Add'l. Info: Call for applications and nominations for physicians and pharmacists to serve on the Maryland Medicaid Drug Use Review (DUR) Board beginning January, 2022

The implementation of the Omnibus Budget Reconciliation Act of 1990 (OBRA 90), §1927g(3), requires that the Maryland Department of Health (MDH) establish a Medicaid DUR Board. The DUR Board is comprised of licensed and actively practicing physicians and pharmacists in Maryland and has been in operation since November 1992. The activities of the DUR Board include but are not limited to:

- Reviewing prospective and retrospective DUR criteria, prior authorization criteria and quantity or dosage form limitations developed by the Division of Clinical Pharmacy Services or by contracted vendors.

- The use of criteria and interventions, including assessing the operational effect of the criteria and interventions, in order to identify areas of prescribing and dispensing of specific drugs that may result in adverse participant outcomes.

- Evaluating participant drug utilization that may represent potential fraud and abuse and making disposition recommendations.

- Identifying educational needs and developing educational plans to improve prescribing or dispensing practices, and evaluating the effect of these educational interventions.

- Advising the Office of Pharmacy Services (OPS) in the area of enrollment of participants into the Corrective Managed Care (CMC) Program through the DUR Board's CMC Advisory Committee. This subcommittee of the DUR Board develops Corrective Managed Care enrollment recommendations by considering the Lock-In Criteria for participants (as defined by the CMC Advisory Committee Policy and Procedures).

GENERAL NOTICES

872

The DUR Board meets quarterly for 3—4 hours in the Baltimore area. Meetings are normally scheduled on the first Thursday morning of the months of March, June, September, and December. Members are appointed by the Secretary of MDH and serve terms of 3 years from the date of their appointment with the option to serve an additional 3 year term.

The membership of the Maryland DUR Board includes health care professionals who have recognized knowledge and expertise in one or more of the following areas:

- (1) The clinically appropriate prescribing of outpatient drugs.
- (2) The clinically appropriate dispensing and monitoring of outpatient drugs.
- (3) Drug use review, evaluation, and intervention.
- (4) Medical quality assurance.

All interested applicants are required to submit a formal application through the MDH Office of Appointments and Executive Nominations application link at <https://mdhappointments.health.maryland.gov/BoardAppointments/>. Applications must be submitted no later than Sunday, October 31, 2021.

Any additional questions regarding applications may be addressed to Deborah Washington at the Office of Pharmacy Services (deborah.washington@maryland.gov) or call 410-767-1455.

Contact: Deborah Washington (410) 767-1455

[21-20-18]

MARYLAND STATE LOTTERY AND GAMING CONTROL COMMISSION

Subject: Public Meeting

Date and Time: October 21, 2021, 10 a.m. — 12 p.m.

Place: Montgomery Park Business Center, 1800 Washington Blvd., Ste. 330, Baltimore, MD

Add'l. Info: The October Commission meeting will be conducted in person, and via a livestream link available on the day of the meeting on the website: <https://www.mdgaming.com/commission-meeting-10-21-2021/>.

Be advised that masks are required to enter the building.

Contact: Kathy Lingo (410) 230-8790

[21-20-15]

MARYLAND CYBERSECURITY COORDINATING COUNCIL

Subject: Public Meeting

Date and Time: October 14, 2021, 9 — 10 a.m.

Place: 100 Community Pl., 1st Fl. Conf. Rm. (Side B), Crownsville, MD

Contact: Maria Hooe (410) 697-9406

[21-20-06]

BOARD OF REVENUE ESTIMATES

Subject: Public Meeting

Date and Time: September 30, 2021, 2 — 3 p.m.

Place: Virtual meeting — please see details below.

Add'l. Info: The Board of Revenue Estimates will hold a September Board Meeting on the 30th of September at 2 p.m. The meeting will be held virtually and streamed live on the Comptroller of Maryland's official Facebook page for all to view.

Contact: Kynara Fogan (410) 260-7450

[21-20-13]

STATE TREASURER'S OFFICE

Subject: Public Meeting

Date and Time: October 4, 2021, 2 — 4 p.m.

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

Add'l. Info: Legislative Review, Revenue Estimates, and Review of Capital Programs

Contact: Christian Lund (410) 260-7920

[21-20-09]

STATE TREASURER'S OFFICE

Subject: Public Meeting

Date and Time: October 14, 2021, 1 — 3 p.m.

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

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

Contact: Christian Lund (410) 260-7920

[21-20-10]

STATE TREASURER'S OFFICE

Subject: Public Meeting

Date and Time: October 18, 2021, 1 — 3 p.m.

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

Add'l. Info: Recommendation of General Obligation Bond Authorizations

Contact: Christian Lund (410) 260-7920

[21-20-11]

BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS

Subject: Public Meeting

Date and Time: October 21, 2021, 10 a.m. — 12:30 p.m.

Place: Via Google Hangouts

Add'l. Info: A portion of this meeting may be held in closed session. The access link to the open meeting is available on the MDE website:

https://mde.maryland.gov/programs/permits/environmentalboards/pages/bww_meetings.aspx

Contact: Dee Settar (410) 537-4162

[21-20-03]

BOARD OF WELL DRILLERS

Subject: Public Meeting

Date and Time: October 27, 2021, 9 a.m. — 12 p.m.

Place: Via Google Hangouts

Add'l. Info: A portion of this meeting may be held in closed session. The access link to the open meeting is available on the MDE website:

https://mde.maryland.gov/programs/permits/environmentalboards/pages/meeting_of_theboard_ofwelldrillers.aspx

Contact: Duane M Johnson (410) 537-4466

[21-20-01]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting

Date and Time: October 14, 2021, 9:30 — 11:30 a.m.

Place: 10 E. Baltimore St., 3rd Fl., Baltimore, MD

Add'l. Info: Portions of this meeting may be held in closed session.

Contact: Amy S. Lackington (410) 864-5300

[21-20-04]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting

Date and Time: October 14, 2021, 1 — 3 p.m.

Place: 10 E. Baltimore St., 3rd Fl., Baltimore, MD

Add'l. Info: Medical Fee Guide Committee Meeting only. The meeting will take place in person and via Microsoft Teams. Portions of this meeting may be held in closed session.

Contact: Janet Vanderpuije (410) 864-5326

[21-20-05]

COMAR ORDER INFORMATION SHEET

Date _____ Subscriber I.D. _____
 Name _____
 Company _____
 Address _____
 City _____ State _____ Zip _____
 Tel. _____ Fax _____
 Email: _____

_____ Check enclosed, made payable to "Division of State Documents"
 _____ Visa/Master Card/American Express/Discover card payment:
Acct.# _____ **Exp.** _____
 Signature _____ Tel: _____

Return form & payment to: Office of the Secretary of State, Division of State Documents ~
 State House ~ Annapolis, MD 21401 ~ Tel: 410-260-3876 ~ 800-633-9657 ~ Fax: 410-280-5647

~~~~~

## SPECIAL COMAR PUBLICATIONS

| Publication / Handbook                                             | Print Price | S & H | Quantity | Total |
|--------------------------------------------------------------------|-------------|-------|----------|-------|
| Control of Ionizing Radiation (through supplement 30)              | \$165       | \$25  | _____    | _____ |
| Control of Ionizing Radiation Supplement 29 ONLY                   | \$14        | \$0   | _____    | _____ |
| Control of Ionizing Radiation Supplement 30 ONLY                   | \$17        | \$0   | _____    | _____ |
| Forest Conservation Law (2019)                                     | \$15        | \$8   | _____    | _____ |
| Forest Conservation Technical Manual 3 <sup>rd</sup> Edition, 1997 | \$20        | \$10  | _____    | _____ |
| Preventive Maintenance Handbook (PM Handbook) (green cover)        | \$15        | \$8   | _____    | _____ |
| Vehicle Inspection Handbook (Feb 2012) (including binder)          | \$48        | \$15  | _____    | _____ |
| Child Care Regulations (13A.14 – 13A.18) opt. binder addl. \$15    | \$40        | \$15  | _____    | _____ |
|                                                                    |             |       | Total    | _____ |

**If quantity is more than one, shipping charges may vary, please call 410-260-3876 for pricing.**

## COMAR SUBSCRIPTION SCHEDULES

| PDF QUARTERLY UPDATES            | PRINT SEMI-ANNUAL UPDATES       |
|----------------------------------|---------------------------------|
| After March 30 <sup>th</sup>     | After June 30 <sup>th</sup>     |
| After June 30 <sup>th</sup>      | After December 31 <sup>st</sup> |
| After September 30 <sup>th</sup> |                                 |
| After December 31 <sup>st</sup>  |                                 |

**PDF – A replacement title in its entirety will be sent in electronic format.**

**PRINT – Entire chapters affected will be sent for replacement and insertion into COMAR title book(s).**

**COMAR IN PDF — ORDER FORM**

| Titles                                     | Agency Name                                                      | Price <sup>1</sup> | Subscription <sup>2</sup> | Quantity      | Total |
|--------------------------------------------|------------------------------------------------------------------|--------------------|---------------------------|---------------|-------|
| <b>Complete set of COMAR in PDF format</b> |                                                                  | \$1,100            | \$550                     | _____         | _____ |
| <b>Title 01</b>                            | Executive Department                                             | \$35               | \$24                      | _____         | _____ |
| <b>Title 02</b>                            | Office of the Attorney General                                   | \$22               | \$13                      | _____         | _____ |
| <b>Title 03</b>                            | Comptroller of the Treasury                                      | \$30               | \$20                      | _____         | _____ |
| <b>Title 04</b>                            | Department of General Services                                   | \$16               | \$10                      | _____         | _____ |
| <b>Title 05</b>                            | Department of Housing and Community Development                  | \$78               | \$50                      | _____         | _____ |
| <b>Title 07</b>                            | Department of Human Services                                     | \$80               | \$53                      | _____         | _____ |
| <b>Title 08</b>                            | Department of Natural Resources                                  | \$78               | \$51                      | _____         | _____ |
| <b>Title 09</b>                            | Maryland Department of Labor                                     | \$89               | \$60                      | _____         | _____ |
| <b>Title 10</b>                            | Maryland Department of Health (All parts) **                     | \$300              | \$195                     | _____         | _____ |
| <b>Title 10</b>                            | Part 1 **                                                        | \$45               | \$30                      | _____         | _____ |
| <b>Title 10</b>                            | Part 2 **                                                        | \$75               | \$50                      | _____         | _____ |
| <b>Title 10</b>                            | Part 3 **                                                        | \$75               | \$50                      | _____         | _____ |
| <b>Title 10</b>                            | Part 4 **                                                        | \$75               | \$50                      | _____         | _____ |
| <b>Title 10</b>                            | Part 5 **                                                        | \$45               | \$30                      | _____         | _____ |
| <b>Title 10</b>                            | Part 6 **                                                        | \$45               | \$30                      | _____         | _____ |
| <b>Title 11</b>                            | Transportation (All parts) **                                    | \$106              | \$75                      | _____         | _____ |
| <b>Title 11</b>                            | Part 1 (Transportation) **                                       | \$42               | \$25                      | _____         | _____ |
| <b>Title 11</b>                            | Part 2 (MVA)**                                                   | \$74               | \$50                      | _____         | _____ |
| <b>Title 12</b>                            | Department of Public Safety and Correctional Services            | \$67               | \$43                      | _____         | _____ |
| <b>Title 13A</b>                           | Maryland State Department of Education                           | \$63               | \$42                      | _____         | _____ |
| <b>Title 13B</b>                           | Maryland Higher Education Commission                             | \$25               | \$15                      | _____         | _____ |
| <b>Title 14</b>                            | Independent Agencies                                             | \$80               | \$53                      | _____         | _____ |
| <b>Title 15</b>                            | Maryland Department of Agriculture                               | \$48               | \$30                      | _____         | _____ |
| <b>Title 16</b>                            | Department of Juvenile Services                                  | \$23               | \$15                      | _____         | _____ |
| <b>Title 17</b>                            | Department of Budget and Management                              | \$28               | \$16                      | _____         | _____ |
| <b>Title 18</b>                            | Department of Assessments and Taxation                           | \$20               | \$12                      | _____         | _____ |
| <b>Title 19A</b>                           | State Ethics Commission                                          | \$24               | \$14                      | _____         | _____ |
| <b>Title 20</b>                            | Public Service Commission                                        | \$49               | \$32                      | _____         | _____ |
| <b>Title 21</b>                            | State Procurement Regulations                                    | \$48               | \$30                      | _____         | _____ |
| <b>Title 22</b>                            | State Retirement and Pension System                              | \$22               | \$13                      | _____         | _____ |
| <b>Title 23</b>                            | Board of Public Works                                            | \$18               | \$11                      | _____         | _____ |
| <b>Title 24</b>                            | Department of Commerce                                           | \$34               | \$20                      | _____         | _____ |
| <b>Title 25</b>                            | State Treasurer                                                  | \$16               | \$9                       | _____         | _____ |
| <b>Title 26</b>                            | Department of Environment (All parts) **                         | \$189              | \$125                     | _____         | _____ |
| <b>Title 26</b>                            | Part 1 **                                                        | \$54               | \$35                      | _____         | _____ |
| <b>Title 26</b>                            | Part 2 **                                                        | \$83               | \$52                      | _____         | _____ |
| <b>Title 26</b>                            | Part 3 **                                                        | \$57               | \$38                      | _____         | _____ |
| <b>Title 26</b>                            | Part 4 **                                                        | \$37               | \$24                      | _____         | _____ |
| <b>Title 27</b>                            | Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays | \$18               | \$10                      | _____         | _____ |
| <b>Title 28</b>                            | Office of Administrative Hearings                                | \$16               | \$9                       | _____         | _____ |
| <b>Title 29</b>                            | Maryland State Police                                            | \$30               | \$18                      | _____         | _____ |
| <b>Title 30</b>                            | MD Institute for Emergency Medical Services Systems (MIEMSS)     | \$25               | \$17                      | _____         | _____ |
| <b>Title 31</b>                            | Maryland Insurance Administration                                | \$68               | \$45                      | _____         | _____ |
| <b>Title 32</b>                            | Department of Aging                                              | \$25               | \$15                      | _____         | _____ |
| <b>Title 33</b>                            | State Board of Elections                                         | \$42               | \$25                      | _____         | _____ |
| <b>Title 34</b>                            | Department of Planning                                           | \$31               | \$18                      | _____         | _____ |
| <b>Title 35</b>                            | Maryland Department of Veterans Affairs                          | \$16               | \$9                       | _____         | _____ |
| <b>Title 36</b>                            | Maryland State Lottery and Gaming Control Agency                 | \$48               | \$30                      | _____         | _____ |
|                                            | Binders ( <u>not</u> included in PDF price)                      | \$15               | + S & H                   | _____         | _____ |
|                                            |                                                                  |                    |                           | <b>Total:</b> | _____ |

Prices are for single-user license only ~ Multi-user licenses are available. Please call 410-260-3876 for pricing information.

<sup>1</sup> Price is per copy of each Title.

<sup>2</sup> Annual Subscription - Receive updated COMAR Title(s) quarterly. ~ Subscription quantities MUST match Title quantities.

\*\* See the following page for description of contents.

## COMAR IN PRINT — ORDER FORM (8 ½ x 11 format)

| Titles                                                   | Agency Name                                                      | Price <sup>1</sup> | Subscription <sup>2</sup> | Quantity | Total |
|----------------------------------------------------------|------------------------------------------------------------------|--------------------|---------------------------|----------|-------|
| <b>Complete set of COMAR in Print (includes binders)</b> |                                                                  | \$1,475            | \$755                     | _____    | _____ |
| <b>Title 01</b>                                          | Executive Department                                             | \$47               | \$30                      | _____    | _____ |
| <b>Title 02</b>                                          | Office of the Attorney General                                   | \$31               | \$20                      | _____    | _____ |
| <b>Title 03</b>                                          | Comptroller of the Treasury                                      | \$41               | \$25                      | _____    | _____ |
| <b>Title 04</b>                                          | Department of General Services                                   | \$23               | \$12                      | _____    | _____ |
| <b>Title 05</b>                                          | Department of Housing and Community Development                  | \$103              | \$70                      | _____    | _____ |
| <b>Title 07</b>                                          | Department of Human Services                                     | \$104              | \$70                      | _____    | _____ |
| <b>Title 08</b>                                          | Department of Natural Resources                                  | \$102              | \$70                      | _____    | _____ |
| <b>Title 09</b>                                          | Maryland Department of Labor                                     | \$116              | \$75                      | _____    | _____ |
| <b>Title 10</b>                                          | Maryland Department of Health (All Parts)**                      | \$425              | \$250                     | _____    | _____ |
| <b>Title 10</b>                                          | Part 1 **                                                        | \$65               | \$40                      | _____    | _____ |
| <b>Title 10</b>                                          | Part 2 **                                                        | \$99               | \$70                      | _____    | _____ |
| <b>Title 10</b>                                          | Part 3 **                                                        | \$99               | \$70                      | _____    | _____ |
| <b>Title 10</b>                                          | Part 4 **                                                        | \$99               | \$70                      | _____    | _____ |
| <b>Title 10</b>                                          | Part 5 **                                                        | \$75               | \$50                      | _____    | _____ |
| <b>Title 10</b>                                          | Part 6 **                                                        | \$75               | \$50                      | _____    | _____ |
| <b>Title 11</b>                                          | Transportation (All parts) **                                    | \$137              | \$85                      | _____    | _____ |
| <b>Title 11</b>                                          | Part 1 (Transportation)**                                        | \$55               | \$35                      | _____    | _____ |
| <b>Title 11</b>                                          | Part 2 (MVA) **                                                  | \$102              | \$70                      | _____    | _____ |
| <b>Title 12</b>                                          | Department of Public Safety and Correctional Services            | \$86               | \$55                      | _____    | _____ |
| <b>Title 13A</b>                                         | Maryland Department of Education                                 | \$83               | \$60                      | _____    | _____ |
| <b>Title 13B</b>                                         | Maryland Higher Education Commission                             | \$34               | \$20                      | _____    | _____ |
| <b>Title 14</b>                                          | Independent Agencies                                             | \$103              | \$70                      | _____    | _____ |
| <b>Title 15</b>                                          | Maryland Department of Agriculture                               | \$63               | \$40                      | _____    | _____ |
| <b>Title 16</b>                                          | Department of Juvenile Services                                  | \$32               | \$20                      | _____    | _____ |
| <b>Title 17</b>                                          | Department of Budget and Management                              | \$38               | \$25                      | _____    | _____ |
| <b>Title 18</b>                                          | Department of Assessments and Taxation                           | \$28               | \$18                      | _____    | _____ |
| <b>Title 19A</b>                                         | State Ethics Commission                                          | \$33               | \$20                      | _____    | _____ |
| <b>Title 20</b>                                          | Public Service Commission                                        | \$64               | \$42                      | _____    | _____ |
| <b>Title 21</b>                                          | State Procurement Regulations                                    | \$65               | \$42                      | _____    | _____ |
| <b>Title 22</b>                                          | State Retirement and Pension System                              | \$33               | \$18                      | _____    | _____ |
| <b>Title 23</b>                                          | Board of Public Works                                            | \$26               | \$15                      | _____    | _____ |
| <b>Title 24</b>                                          | Department of Commerce                                           | \$47               | \$25                      | _____    | _____ |
| <b>Title 25</b>                                          | State Treasurer                                                  | \$23               | \$12                      | _____    | _____ |
| <b>Title 26</b>                                          | Department of Environment (All parts) **                         | \$241              | \$160                     | _____    | _____ |
| <b>Title 26</b>                                          | Part 1 **                                                        | \$72               | \$42                      | _____    | _____ |
| <b>Title 26</b>                                          | Part 2 **                                                        | \$109              | \$72                      | _____    | _____ |
| <b>Title 26</b>                                          | Part 3 **                                                        | \$76               | \$50                      | _____    | _____ |
| <b>Title 26</b>                                          | Part 4 **                                                        | \$51               | \$30                      | _____    | _____ |
| <b>Title 27</b>                                          | Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays | \$26               | \$15                      | _____    | _____ |
| <b>Title 28</b>                                          | Office of Administrative Hearings                                | \$23               | \$12                      | _____    | _____ |
| <b>Title 29</b>                                          | Maryland State Police                                            | \$40               | \$22                      | _____    | _____ |
| <b>Title 30</b>                                          | MD Institute for Emergency Medical Services Systems (MIEMSS)     | \$34               | \$20                      | _____    | _____ |
| <b>Title 31</b>                                          | Maryland Insurance Administration                                | \$90               | \$62                      | _____    | _____ |
| <b>Title 32</b>                                          | Department of Aging                                              | \$34               | \$18                      | _____    | _____ |
| <b>Title 33</b>                                          | State Board of Elections                                         | \$57               | \$35                      | _____    | _____ |
| <b>Title 34</b>                                          | Department of Planning                                           | \$42               | \$25                      | _____    | _____ |
| <b>Title 35</b>                                          | Department of Veterans Affairs                                   | \$23               | \$12                      | _____    | _____ |
| <b>Title 36</b>                                          | Maryland State Lottery and Gaming Control Agency                 | \$65               | \$43                      | _____    | _____ |
|                                                          | Additional Binder                                                | \$15               | + S & H                   | _____    | _____ |

**Shipping/Handling :** \_\_\_\_\_

<sup>1</sup> Price is per copy of each Title and includes binders

**Order Total :** \_\_\_\_\_

<sup>2</sup> Annual Subscription - Receive updated information semi-annually ~ Subscription quantities MUST match Title quantities.

\*\* See the following page for description of contents

*Note: COMAR prices are subject to change. Check the date on the lower right hand corner of this form. If the form is more than three months old, call the COMAR Subscription Manager (410-260-3876) to confirm prices. **Fees are not refundable.***

| <b>Shipping/Handling</b>                              |                 |
|-------------------------------------------------------|-----------------|
| <u>Publication Total</u>                              | <u>Shipping</u> |
| \$ 0-50                                               | \$20            |
| \$ 51-150                                             | \$30            |
| \$ 151-300                                            | \$35            |
| \$ 301-400                                            | \$50            |
| \$400 + please call Subscription Department.          |                 |
| <i>State agencies using courier, may omit S&amp;H</i> |                 |

**Titles 10, 11, and 26 are available in Parts, listed below with Subtitles, and may be purchased separately.**

**Title 10 Maryland Department of Health**

**Part 1**

- 01 Procedures
- 02 Division of Reimbursements
- 03 Health Statistics
- 04 Fiscal
- 05 Freestanding Ambulatory Care Facilities
- 06 Diseases
- 07 Hospitals
- 08 Health Facilities Grants

**Part 2**

- 09 Medical Care Programs

**Part 3**

- 10 Laboratories
- 11 Maternal and Child Health
- 12 Adult Health
- 13 Drugs
- 14 Cancer Control
- 15 Food
- 16 Housing
- 17 Swimming Pools and Spas
- 18 Human Immunodeficiency Virus (HIV) Infection and Acquired Immunodeficiency Syndrome (AIDS)
- 19 Dangerous Devices and Substances
- 20 Kidney Disease Program
- 21 Mental Hygiene Regulations
- 22 Developmental Disabilities

**Part 4**

- 23 Advance Directive Registry
- 24 Maryland Health Care Commission
- 25 Maryland Health Care Commission
- 26 Board of Acupuncture
- 27 Board of Nursing
- 28 Board of Examiners in Optometry
- 29 Board of Morticians and Funeral Directors
- 30 Maryland Commission on Kidney Disease
- 31 Health Occupation Boards
- 32 Board of Physicians
- 33 Board of Examiners of Nursing Home Administrators
- 34 Board of Pharmacy
- 35 Postmortem Examiners Commission
- 36 Board of Examiners of Psychologists

**Part 5**

- 37 Health Services Cost Review Commission
- 38 Board of Physical Therapy Examiners
- 39 Board of Nursing – Certified Nursing Assistants
- 40 Board of Podiatric Medical Examiners
- 41 Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists
- 42 Board of Social Work Examiners
- 43 Board of Chiropractic Examiners
- 44 Board of Dental Examiners
- 45 Maryland Community Health Resources Commission
- 46 Board of Occupational Therapy Practice
- 47 Alcohol and Drug Abuse Administration
- 48 Child Abuse and Neglect Medical Reimbursement Program
- 49 State Anatomy Board
- 50 Tissue Banks
- 51 Forensic Laboratories
- 52 Preventive Medicine

**Part 6**

- 53 Board of Nursing – Electrology Practice Committee
- 54 Special Supp Nutrition Prg for Women, Infants, and Children (WIC)
- 55 State Board of Spinal Cord Injury Research
- 56 Board of Dietetic Practice
- 57 Board for Certification of Residential Child Care Program Profess.
- 58 Board of Professional Counselors and Therapists
- 59 Catastrophic Health Emergencies
- 60 Board of Environmental Health Specialists
- 61 Health Enterprise Zone Initiative
- 62 Natalie Laprade Medical Marijuana Commission
- 63 Community-Based Behavioral Health Programs and Services
- 64 Practice of Licensed Direct-Entry Midwives
- 65 Board of Massage Therapy Examiners

- 66 Office of the Inspector General
- 67 Maryland HealthChoice Program
- 68 Community Health Workers

**Title 11 Department of Transportation**

**Part 1**

- 01 Office of the Secretary
- 02 Transportation Service Human Resources System
- 03 Maryland Aviation Administration
- 04 State Highway Administration
- 05 Maryland Port Administration
- 06 Maryland Transit Administration
- 07 Maryland Transportation Authority
- 08 State Rail Safety Oversight
- 09 Vacant
- 10 Vacant

**Part 2**

- 11 Motor Vehicle Administration – Administrative Procedures
- 12 MVA – Licensing of Businesses and Occupations
- 13 MVA – Vehicle Equipment
- 14 MVA – Vehicle Inspections
- 15 MVA – Vehicle Registration
- 16 MVA – Vehicle Operations
- 17 MVA – Driver Licensing and Identification Documents
- 18 MVA – Financial Responsibility Requirements
- 19 MVA – School Vehicles
- 20 MVA – Motorcycle Safety Program
- 21 MVA – Commercial Motor Vehicles
- 22 MVA – Preventive Maintenance Program
- 23 MVA – Drivers' Schools, Instructors & Driver Education Program

**Title 26 Department of the Environment**

**Part 1**

- 01 General Provisions
- 02 Occupational, Industrial, and Residential Hazards
- 03 Water Supply, Sewerage, Solid Waste, and Pollution Control Planning and Funding
- 04 Regulation of Water Supply, Sewage Disposal, and Solid Waste
- 05 Board of Well Drillers
- 06 Waterworks and Waste Systems Operators
- 07 Board of Environmental Sanitarians

**Part 2**

- 08 Water Pollution
- 09 Maryland CO<sub>2</sub> Budget Trading Program
- 10 Oil Pollution and Tank Management
- 11 Air Quality
- 12 Radiation Management

**Part 3**

- 13 Disposal of Controlled Hazardous Substances
- 14 Hazardous Substance Response Plan
- 15 Disposal of Controlled Hazardous Substances — Radioactive Hazardous Substances
- 16 Lead
- 17 Water Management
- 18 Susquehanna River Basin Commission

**Part 4**

- 19 Oil and Gas Resources
- 20 Surface Coal Mining and Reclamation under Federally Approved Program
- 21 Mining
- 22 Coastal Facilities Review
- 23 Nontidal Wetlands
- 24 Tidal Wetlands
- 25 Ballast Water Management
- 26 Community Right-to-Know Fund
- 27 Hazardous Material Security



Date: \_\_\_\_\_

Subscriber Id.# \_\_\_\_\_

# Maryland Register

## Archive Order Form

The Division of State Documents has created pdf files of all the Maryland Register issues since 1974. The issues from 1974—2003 are scanned images of the actual Register in pdf format and, as such, are not searchable, while the issues beginning with 2004 are *searchable text* in pdf format files.

❖ Single issues of the Maryland Register from 1974—present

\_\_\_\_\_ \$10 Per issue of the Register from 1974—present via emailed pdf file.  
Please specify **Issue(s)**: \_\_\_\_\_

\_\_\_\_\_ \$15 Per issue of the Maryland Register from 1974—present via mailed hard-copy  
Please specify **Issue(s)**: \_\_\_\_\_

❖ An archival library of all Maryland Register issues from 1974—2020:

\_\_\_\_\_ \$375 2 DVDs (1974 — 2019)

\_\_\_\_\_ \$50 One year of the Maryland Register from 1974—2003 (unsearchable):  
Please specify **Year(s)**: \_\_\_\_\_

❖ \_\_\_\_\_ \$100 A single year of issues from 2004 forward will be available in January of the year following their publication. These will be searchable files, on CD.

Please specify year(s) between 2004 through 2020: \_\_\_\_\_

**Note:** All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland).

By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.

❖ Please order by *faxing* the completed form to:

Fax: 410-280-5647

Business/Agency: \_\_\_\_\_

Name: \_\_\_\_\_

❖ By *mailing* it to:

Division of State Documents  
State House  
Annapolis, MD 21401

Billing Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

❖ By *emailing* it to:

[dsubscriptions\\_sos@Maryland.gov](mailto:dsubscriptions_sos@Maryland.gov)

Recipient's Email: \_\_\_\_\_

❖ By *calling*: 410-260-3876

~~~~~  
(Please circle payment choice and complete the order form)

Money Order or Check # _____ **Amount: \$** _____ **or**

VISA, MasterCard, American Express, Discover ~ Amount: \$ _____

Card # _____ Card Exp. Date: _____

Signature: _____ Phone: _____

MDH Pamphlets ORDER FORM

Date: _____

Subscriber ID#: _____

Name: _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____

Email: _____

<u>Codification #</u>	<u>Pamphlet Title</u>	<u>Price / #</u>
COMAR 10.05	Freestanding Ambulatory Care Facilities — July 2017	\$15 × _____
COMAR 10.07.01	Acute General Hospitals and Special Hospitals — April 2019.....	\$15 × _____
COMAR 10.07.02	Nursing Homes — June 2019	\$22 × _____
COMAR 10.07.03	Health Care Staff Agencies — July 2017.....	\$12 × _____
COMAR 10.07.05	Residential Service Agencies — July 2017.....	\$15 × _____
COMAR 10.07.06	Hospital Patient Safety Program — Apr 2018	\$10 × _____
COMAR 10.07.07	Nursing Referral Service Agencies — Mar 2017.....	\$10 × _____
COMAR 10.07.09	Bill of Rights: Comp. Care Facil. & Extended Care Facilities — July 2017	\$15 × _____
COMAR 10.07.10	Home Health Agencies — July 2017	\$12 × _____
COMAR 10.07.11	Health Maintenance Organizations — April 2018	\$12 × _____
COMAR 10.07.14	Assisted Living Programs — July 2017	\$18 × _____
COMAR 10.07.21	Hospice Care Programs — April 2018.....	\$12 × _____
COMAR 10.10	Laboratory Regulations — Sept 2019	\$24 × _____
COMAR 10.12.04	Day Care for the Elderly and Adults with a Medical Disability — July 2017	\$15 × _____
COMAR 10.15.03	Food Service Facilities — Oct 2020.....	\$18 × _____
COMAR 10.16	Youth Camps — Feb 2017	\$17 × _____
COMAR 10.21	Mental Hygiene Regulations — Oct 2017	\$32 × _____
COMAR 10.22	Developmental Disabilities — May 2019	\$22 × _____
COMAR 10.47	Alcohol And Drug Abuse Administration — July 2017	\$18 × _____
COMAR 10.51	Forensic Laboratories — March 2018	\$20 × _____
COMAR NPA	Nurse Practice Act — Feb 2021	
	<input type="checkbox"/> 6x9 Bound Bk <input type="checkbox"/> 8.5x11 Loose leaf <input type="checkbox"/> Opt. Binder +\$15.....	\$38 × _____
COMAR 10.62	Natalie M. Laprade Medical Cannabis Commission — April 2021	\$22 × _____
COMAR 10.63	Community-Based Behavioral Health Programs & Services — Sept 2019.....	\$17 × _____

Fees are not refundable

Price of pamphlets includes shipping

TOTAL: \$ _____

Payment Method _____ Check enclosed, made payable to: **“The Division of State Documents”**

Choose/Check one: _____ VISA / Master Card / American Express / Discover card payment:

Acct.# _____ Exp. Date: _____

Signature: _____ Tel: _____

Return form and payment to: Office of the Secretary of State
Division of State Documents ~ State House ~ Annapolis, MD 21401
Tel: 410-260-3876 ~ 800-633-9657 ~ Fax: 410-280-5647

Note: COMAR prices may change. Check the date on the lower right hand corner of this form. If the form is more than 3 months old, call the Subscription Manager at 410-260-3876 to confirm prices. **Last Updated 5/2021**



Date: _____

Subscriber Id.# _____

Maryland Register

Print and E-Version Order Form

The Maryland Register is a biweekly publication containing proposed, emergency, and final administrative regulations as well as other State government information. The Register serves as the temporary supplement to the Code of Maryland Regulations (COMAR). 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.

See separate [Order Form](#) for the Maryland Register Archive Issues from 1974 — 2020.

- ❖ _____ \$225 A single year of the Maryland Register in Print ~ 1st Class Mail Delivery.
- ❖ _____ \$ 15 1 Binder for half a year of Maryland Register issues in Print.
- ❖ _____ \$ 25 2 Binders for a full year of Maryland Register issues in Print.
- ❖ _____ \$190 A **single-user** annual e-Subscription, which provides a searchable pdf text file of each issue, emailed directly to one recipient's email address.
- ❖ _____ \$130 *Per additional user, per account subscription.* Call 410-260-3876 for details.

Note: All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland). By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.

- ❖ Please order by *faxing* the completed form to: Business/Agency: _____
 Fax: 410-280-5647 Name: _____
- ❖ By *mailing* it to: Billing Address: _____
 Division of State Documents _____
 State House City, State, Zip _____
 Annapolis, MD 21401 Tel: _____ Fax: _____
- ❖ By *emailing* it to: Recipient's Email: _____
dsubscriptions_sos@Maryland.gov
- ❖ By *calling*: 410-260-3876

~~~~~  
(Please circle payment choice and complete the order form)

**Money Order or Check # \_\_\_\_\_ Amount: \$ \_\_\_\_\_ or**

**VISA, MasterCard, American Express, Discover ~ Amount: \$ \_\_\_\_\_**

Card # \_\_\_\_\_ Card Exp. Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

**Fees are not refundable.**

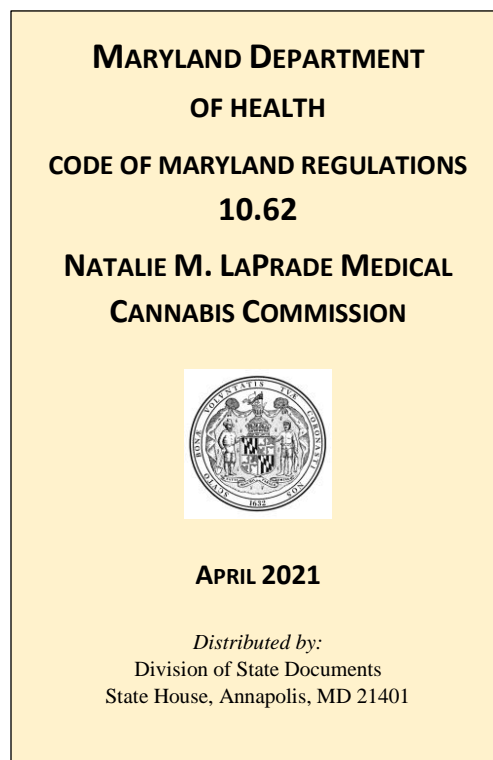
Last updated 1/2021

Natalie M. LaPrade Medical Cannabis Commission  
Regulations ~ April 2021

It's here ...

the latest (Buff Cover) edition of COMAR 10.62,  
*The Natalie M. LaPrade Medical Cannabis Commission*  
regulations book is now available!

It contains the most current COMAR 10.62 regulations *now in effect*;  
The newly adopted and amended regulations are effective April 2021.



**PRICING and ORDER INFORMATION . . .**

New, expanded regulations book, incl S&H \$22

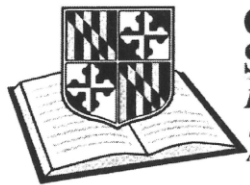
For orders of *10 or more* books, pricing and S&H is discounted

Please *call* **410-260-3876** to place your order today and

Pay over the phone with a Credit or Debit Card, or

Complete the MDH Order Form and *fax* to 410-280-5647





**Office of the  
Secretary of State**

*Division of State Documents*

*State House  
Annapolis, MD 21401*

***PUBLISHERS OF:***

The Code of Maryland Regulations (COMAR)

The Maryland Register

*For information, contact:*

Telephone: 410.260.3876 or 800.633.9657

E-Mail address: [dsubscriptions\\_sos@maryland.gov](mailto:dsubscriptions_sos@maryland.gov)

Website: [www.dsd.state.md.us](http://www.dsd.state.md.us)