

Md. BUSINESS OCCUPATIONS AND PROFESSIONS Code Ann. § 13-404.1

*** Statutes current through the 2013 General Assembly Regular Session with updates for sections effective through June 1, 2013 ***

BUSINESS OCCUPATIONS AND PROFESSIONS

TITLE 13. PRIVATE DETECTIVES

SUBTITLE 4. CERTIFICATION OF PRIVATE DETECTIVES

Md. BUSINESS OCCUPATIONS AND PROFESSIONS Code Ann. § 13-404.1 (2013)

§ 13-404.1. Renewal of certification

(a) Term of certification. -- By regulation, the Secretary shall stagger the terms of the certifications under this subtitle.

(b) Expiration. -- Unless a certification is renewed for a 3-year term as provided in this section, the certification expires on the date the Secretary sets.

(c) Renewal submission. -- At least 90 days before a certification expires, the applicant shall deliver to the Secretary:

- (1) a renewal application form;
- (2) the amount of the renewal fee; and
- (3) the amount of any late fee, as determined by the Secretary.

(d) Renewal requirements. -- An individual periodically may renew the certification for an additional 3-year term, if the individual:

- (1) is otherwise entitled to be certified;
- (2) pays to the Secretary:
 - (i) a renewal fee of \$ 10;
 - (ii) the fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to Maryland criminal history records;
 - (iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check; and
 - (iv) any late fee required under this subtitle; and
- (3) submits to the Secretary:

(i) a renewal application on the form the Secretary provides; and

(ii) two complete sets of the applicant's legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.

(e) Criminal history. -- In accordance with §§ 10-201 through 10-234 of the Criminal Procedure Article, the Central Repository shall forward to the applicant and the Department of State Police a printed statement of the applicant's criminal history records information.

(f) Late fee. --

(1) Subject to paragraph (2) of this subsection, if a complete application for renewal of certification as required under this subtitle is not received by the Secretary at least 30 calendar days before the certification expires, the Secretary shall assess a late fee of \$ 5 per day until the application is received by the Secretary, unless the applicant did not make timely renewal because of incapacity, hospitalization, being called to active military duty, or other hardship.

(2) The total amount of late fees assessed under this subsection may not exceed \$ 150.

(3) The Secretary may not certify any applicant under this title if the applicant has outstanding late fee obligations.

(g) Renewal -- Refusal. --

(1) The Secretary shall renew the certification of each individual who meets the requirements of this section.

(2) Within 5 days after the Secretary refuses to renew the certification of an individual as a private detective, the Secretary shall send written notice of the refusal to the individual who submitted the renewal application.