



TITLE 8, BUSINESS OCCUPATIONS AND PROFESSIONS, ANNOTATED CODE OF MARYLAND

§8–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Board” means the State Board of Certified Interior Designers.
- (c) “Certificate” means a certificate issued by the Board to use the title “certified interior designer”.
- (d) “Certificate fee” means, as applicable, the fee paid in connection with the issuance and renewal of a certificate and issuance of a reciprocal certificate.
- (e) “Certified interior design services” means interior design services provided by a certified interior designer.
- (f) “Certified interior designer” means an interior designer who is certified by the Board.
- (g) “Design coordination” means the review and coordination of services provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of this article.
- (h) “Interior design services” means rendering or offering to render services for a fee or other valuable consideration, in the preparation and administration of interior design documents (including drawings, schedules and specifications) which pertain to the planning and design of interior spaces including furnishings, layouts, fixtures, cabinetry, lighting fixtures, finishes, materials, and interior construction not materially related to or materially affecting the building systems, all of which shall comply with applicable laws, codes, regulations, and standards. The scope of work described herein shall not be construed as authorizing the planning and design of engineering and architectural interior construction as related to the building systems, including structural, electrical, plumbing, heating, ventilating, air conditioning or mechanical systems and shall not be construed as authorizing the practice of architecture or engineering as defined in Title 3 or Title 14 of this article. The interior design plans as described above are not to be construed as those architectural plans which may be required to be filed with any county or municipality.

(i) “Public use” means the use of a building or other structure for the primary purpose of human use or habitation.

(j) “Residential use” means the use of a building or other structure as a dwelling.

§8–102.

This title does not apply to:

(1) a person who does not use the title “certified interior designer” on any card, device, sign, stationery, or other means of identification or communication; or

(2) an architect licensed in this State.

§8–103.

(a) A certified interior designer may render or offer to render interior design services described in § 8-101 of this subtitle provided that services pertain to a building or other structure that is intended for public use or residential use.

(b) A certified interior designer may perform design coordination for a project or portion of a project provided that the certified interior designer:

(1) holds a current certificate issued by the Board; and

(2) has adequate experience in, and understanding of, achieving the purpose of the project or portion of the project being coordinated.

§8–201.

There is a State Board of Certified Interior Designers in the Department.

§8–202.

(a) (1) The Board consists of 7 members.

(2) Of the 7 members of the Board:

(i) 5 shall be certified interior designers;

(ii) 1 shall be an architect licensed by the State Board of Architects who provides interior design services; and

(iii) 1 shall be a consumer member.

(3) The Governor shall appoint the members of the Board with the advice of the Secretary and the advice and consent of the Senate.

(b) Each member of the Board shall be a resident and citizen of the State.

(c) Each interior designer member shall have provided interior design services for at least 5 years immediately before appointment.

(d) The architect member shall have practiced in the State for at least 5 years immediately before appointment.

(e) The consumer member of the Board:

(1) shall be a member of the general public;

(2) may not be a certified interior designer or otherwise be subject to regulation by the Board;

(3) may not be required to meet the qualifications for the professional members of the Board; and

(4) may not, within 1 year before appointment, have had a financial interest in or have received compensation from an individual regulated by the Board.

(f) While a member of the Board, the consumer member may not:

(1) have a financial interest in or receive compensation from an individual regulated by the Board; or

(2) grade any examination given by or for the Board.

(g) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(h) (1) The term of a member is 3 years and begins on July 1.

(2) The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1991.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(i) A member of the Board may not be held personally liable for any actions taken or decisions made in good faith as a member of the Board.

(j) (1) The Governor may remove a member for incompetence or misconduct.

(2) Except as provided in paragraph (3) of this subsection and subject to paragraph (4) of this subsection, a member shall be considered to have resigned if the member did not attend at least two-thirds of the Board meetings held during any consecutive 12-month period while the member was serving on the Board.

(3) The Governor may waive a member's resignation and allow the member to continue serving if the member has been unable to attend meetings for reasons satisfactory to the Governor and the reasons are

made public.

(4) In accordance with § 8–501 of the State Government Article, the chairman shall provide notice to the Governor and the Governor shall appoint a successor.

§8–203.

- (a) From among its members, the Board annually shall elect a chairman and a secretary.
- (b) The manner of election of officers shall be as the Board determines.
- (c) A member may serve no more than three consecutive years as an officer of the Board.

§8–204.

- (a) A majority of the members then serving on the Board is a quorum.
- (b) The Board shall determine the times and places of its meetings and hearings.
- (c) A member of the Board:
 - (1) may not receive compensation; but
 - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (d) The Board may employ a staff in accordance with the State budget.

§8–204.1.

At least annually, the chairman of the Board, the chairman of the State Board of Architects, the chairman of the State Board of Examiners of Landscape Architects, the chairman of the State Board for Professional Engineers, and the chairman of the State Board for Professional Land Surveyors shall meet to discuss issues of mutual importance to the design professions.

§8–205.

To enforce this title, the Board may:

- (1) conduct investigations and hold hearings on any matter covered by this title, at any time and place in the State;
- (2) administer oaths;
- (3) examine witnesses; and
- (4) receive evidence.

§8–206.

- (a) In addition to the powers set forth elsewhere, the Board may adopt regulations to carry out this title.

(b) In addition to any duties set forth elsewhere, the Board shall:

- (1) keep a record of its proceedings; and
- (2) adopt, by regulation, a code of ethics for certified interior designers.

§8–206.1.

(a) In this section, “code official” means a public official responsible for the review of building permit documents or the issuance of building permits.

(b) The Board shall:

- (1) keep a list of the names and mailing addresses of all certificate holders;
- (2) provide each code official with a copy of the list annually; and
- (3) provide any other person who makes a request with a copy of the list at a reasonable fee set by the Board.

(c) (1) The Board shall provide all certificate holders and code officials with a periodic newsletter not less than semiannually on the activities of the Board.

(2) The Board shall publish, on the Department website, the newsletter jointly with the State Board for Professional Engineers, the State Board of Architects, the State Board of Examiners of Landscape Architects, and the State Board for Professional Land Surveyors.

(d) The Board shall distribute:

- (1) to each applicant for a certificate and each code official, a copy of the Maryland Certified Interior Designers Act and the Board’s rules and regulations;
- (2) on each renewal of a certificate, to each certificate holder, a copy of any amendments to the Maryland Certified Interior Designers Act and the Board’s rules and regulations that took effect during the 2-year period ending on the date of renewal; and
- (3) to each code official, a copy of any amendments to the Maryland Certified Interior Designers Act and the Board’s rules and regulations.

(e) A certificate holder shall designate the certificate holder’s mailing address at the time of issuance of the certificate and on each renewal of the certificate.

§8–207.

(a) (1) The Board may set reasonable fees for its services.

(2) The fees charged shall be set so as to produce funds to approximate the cost of maintaining the Board and shall be based on the calculations performed by the Secretary under § 2–106.2 of the Business Regulation Article.

(b) The Board shall publish the fee schedule set by the Board by regulation.

(c) (1) The Board shall pay all fees collected under this title to the Comptroller of the State.

(2) The Comptroller shall distribute the fees to the State Occupational and Professional Licensing Design Boards' Fund established in § 2–106.1 of the Business Regulation Article.

(d) The Board shall publish annually a list including the name and address of each individual:

(1) who has been certified; or

(2) whose certification has been suspended or revoked within 3 years before the publication.

§8–208.

The Board exercises its powers, duties, and functions subject to the authority of the Secretary.

§8–301.

Except as otherwise provided in this title, an individual shall be certified by the Board before the individual may use the title “certified interior designer” or the term “certified interior design services”.

§8–302.

(a) To qualify for a certificate, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good character and reputation.

(c) The applicant shall be at least 18 years old.

(d) The applicant shall:

(1) file an application and pay a nonrefundable application fee in accordance with § 8–303 of this subtitle;

(2) have satisfied education and experience requirements necessary to qualify for the National Council of Interior Design Qualification Examination, or its equivalent, as determined by the Board; and

(3) have passed the National Council of Interior Design Qualification Examination, or its equivalent.

§8–303.

An applicant for a certificate shall:

(1) submit an application to the Board on the form that the Board provides; and

(2) pay to the Board or the Board's designee a nonrefundable application fee set by the Board.

§8–304.

(a) Subject to the provisions of this section, the Board may waive any examination requirement of this subtitle for an individual who is licensed or certified as an interior designer in another state.

(b) The Board may grant a waiver under this section only if the applicant:

(1) pays to the Board:

- (i) the nonrefundable application fee set by the Board; and
- (ii) the certificate fee set by the Board; and

(2) provides adequate evidence that the applicant:

- (i) meets the qualifications otherwise required by this subtitle; and
- (ii) became licensed or certified in the other state after meeting qualifications that are substantially equivalent to those required for a certificate in this State.

(c) The Board may grant a waiver under this section only if the state in which the applicant is licensed or certified waives the examination of certified interior designers of this State to a similar extent as this State waives the examination requirements for individuals licensed or certified in that state.

§8–305.

On payment of the certificate fee set by the Board, the Board shall issue a certificate to each applicant who meets the requirements of this subtitle for a certificate.

§8–306.

While a certificate is in effect, it authorizes the certificate holder to use the title “certified interior designer” or the term “certified interior design services”.

§8–307.

(a) Unless a certificate is renewed for a 2–year term as provided in this section, a certificate expires on the first June 30 that comes:

- (1) after the effective date of the certificate; and
- (2) in an even–numbered year.

(b) (1) At least 30 days before the certificate expires, the Board shall mail or electronically transmit to the certificate holder:

- (i) a renewal application form;
- (ii) a notice that states the date on which the current certificate expires; and

(iii) the amount of the certificate fee.

(2) If an electronic transmission under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall mail to the certificate holder, at the last known address of the certificate holder, the materials required under paragraph (1) of this subsection within 10 business days of the date the Board received the notice that the electronic transmission was undeliverable.

(c) Before the certificate expires, the certificate holder periodically may renew it for an additional 2-year term, if the certificate holder:

(1) otherwise is entitled to be certified;

(2) pays to the Board a certificate fee set by the Board;

(3) submits to the Board a renewal application on the form that the Board provides; and

(4) submits to the Board any documentation required by the Board to verify that the certificate holder has complied with the continuing education requirements under § 8–308 of this subtitle.

(d) The Board shall renew the certificate of each certificate holder who meets the requirements of this section.

(e) The Secretary may determine that certificates issued under this subtitle shall expire on a staggered basis.

§8–308.

(a) (1) To qualify for renewal of a certificate under this subtitle, a certificate holder shall earn during each 2-year certificate term at least one continuing education unit in two or more courses that the Board approves.

(2) A continuing education unit consists of 10 hours of study.

(b) A certificate holder who is granted a certificate during the second year of a certificate term may renew the certificate for the next full term if the certificate holder earns at least one-half of a continuing education unit in one or more courses that the Board approves.

§8–309.

The Board shall reinstate the certificate of an interior designer who has failed to renew the certificate for any reason if the interior designer:

(1) meets the renewal requirements under § 8–307 of this subtitle;

(2) pays to the Board the reinstatement fee as set by the Board;

(3) submits to the Board a reinstatement application on the form that the Board provides; and

(4) earns two continuing education units in courses approved by the Board in a 2-year period immediately preceding the request for reinstatement.

§8-310.

(a) (1) Subject to the hearing provisions of § 8-312 of this subtitle, the Board may deny a certificate to any applicant, reprimand any certificate holder, or suspend or revoke a certificate if the applicant or certificate holder:

(i) fraudulently or deceptively obtains or renews or attempts to obtain or renew a certificate for the applicant or certificate holder or for another;

(ii) fraudulently or deceptively uses the title “certified interior designer” or the term “certified interior design services”;

(iii) under the laws of the United States or of any state, is convicted of:

1. a felony; or

2. a misdemeanor that is directly related to the fitness and qualification of the applicant or certificate holder to perform certified interior design services;

(iv) is guilty of any fraud, gross negligence, incompetence, or misconduct in the use of the title “certified interior designer” or the term “certified interior design services”;

(v) signs or seals any interior design documents after a certificate holder’s certificate expires or has been suspended or revoked by the Board;

(vi) violates any regulation that the Board adopts; or

(vii) violates any provision of this title.

(2) (i) Instead of or in addition to reprimanding a certificate holder or suspending or revoking a certificate under this subsection, the Board may impose a penalty not exceeding \$5,000 for each violation.

(ii) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

1. the seriousness of the violation;

2. the harm caused by the violation;

3. the good faith of the certificate holder; and

4. any history of previous violations by the certificate holder.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

(b) The Board shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a certificate or the reprimand of a certificate holder when an applicant or certificate holder is convicted of a

felony or misdemeanor described in subsection (a)(1)(iii) of this section:

- (1) the nature of the crime;
- (2) the relationship of the crime to the activities authorized by the certificate;
- (3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or licensee to perform interior design services;
- (4) the length of time since the conviction; and
- (5) the behavior and activities of the applicant or certificate holder before and after the conviction.

§8-310.

(a) (1) Subject to the hearing provisions of § 8-312 of this subtitle, the Board may deny a certificate to any applicant, reprimand any certificate holder, or suspend or revoke a certificate if the applicant or certificate holder:

(i) fraudulently or deceptively obtains or renews or attempts to obtain or renew a certificate for the applicant or certificate holder or for another;

(ii) fraudulently or deceptively uses the title “certified interior designer” or the term “certified interior design services”;

(iii) under the laws of the United States or of any state, is convicted of:

1. a felony; or

2. a misdemeanor that is directly related to the fitness and qualification of the applicant or certificate holder to perform certified interior design services;

(iv) is guilty of any fraud, gross negligence, incompetence, or misconduct in the use of the title “certified interior designer” or the term “certified interior design services”;

(v) signs or seals any interior design documents after a certificate holder’s certificate expires or has been suspended or revoked by the Board;

(vi) violates any regulation that the Board adopts; or

(vii) violates any provision of this title.

(2) (i) Instead of or in addition to reprimanding a certificate holder or suspending or revoking a certificate under this subsection, the Board may impose a penalty not exceeding \$5,000 for each violation.

(ii) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

1. the seriousness of the violation;

2. the harm caused by the violation;
3. the good faith of the certificate holder; and
4. any history of previous violations by the certificate holder.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

(b) The Board shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a certificate or the reprimand of a certificate holder when an applicant or certificate holder is convicted of a felony or misdemeanor described in subsection (a)(1)(iii) of this section:

- (1) the nature of the crime;
- (2) the relationship of the crime to the activities authorized by the certificate;
- (3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or licensee to perform interior design services;
- (4) the length of time since the conviction; and
- (5) the behavior and activities of the applicant or certificate holder before and after the conviction.

§8-311.

(a) Subject to the provisions of this section, the Board shall bring proceedings under § 8-310 of this subtitle on the complaint made to the Board by a member of the Board or any other individual.

(b) (1) A complaint shall:

- (i) be in writing; and
- (ii) state specifically the facts on which the complaint is based.

(2) If the complaint is made by any individual other than a member of the Board, the complaint shall be made under oath by the individual who submits the complaint.

(c) If the Board finds that the complaint alleges facts that are adequate grounds for action under § 8-310 of this subtitle, the Board shall act on the complaint as provided under § 8-312 of this subtitle. If the Board does not make that finding, it shall dismiss the complaint.

§8-312.

(a) (1) Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any final action under § 8-310 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

(2) A hearing shall be held:

- (i) in accordance with regulations adopted by the Board; and

(ii) within a reasonable time not to exceed 6 months after the complaint is made.

(b) The Board shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) The Board may administer oaths in connection with any proceeding under this section.

(d) At least 30 days before the hearing, the hearing notice and a copy of the complaint shall be:

(1) served personally on the individual; or

(2) sent by mail to the last known address of the individual.

(e) The individual may be represented at the hearing by counsel.

(f) If, after due notice, the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

§8-313.

Any person aggrieved by a final decision of the Board in a contested case, as defined in § 10-202 of the State Government Article, may take an appeal as allowed in §§ 10-222 and 10-223 of the State Government Article.

§8-401.

A certified interior designer shall state in each of the designer's interior design documents that the document is not an architectural or engineering drawing, specification, or design and is not to be used for construction of any load-bearing column, load-bearing framing, or load-bearing wall or structure.

§8-402.

A certified interior designer shall disclose to a client or a prospective client the way that compensation, including commission, is to be paid for certified interior design services.

§8-403.

(a) Before a certified interior designer issues to a client or submits to a public authority any interior design document, including drawings, plans, schedules, reports, or specifications, the certified interior designer who prepared or approved the document shall sign, seal, and date the document.

(b) Any interior design document issued or submitted as described in subsection (a) of this section shall be identified as the interior design document.

§8-404.

(a) Each certified interior designer shall obtain a seal for use as required under § 8-403 of this subtitle.

(b) The seal shall:

- (1) be of a design determined by the Board; and
- (2) include:
 - (i) the legend “certified interior designer”; and
 - (ii) the name of the certified interior designer who holds the seal.

§8–501.

Except as otherwise provided in this title, a person may not use the title “certified interior designer” or the term “certified interior design services” unless certified by the Board.

§8–502.

(a) A person who violates § 8-501 of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

(b) (1) The Board may impose on a person who violates § 8-501 of this subtitle a penalty not exceeding \$5,000 for each violation.

(2) In setting the amount of the penalty, the Board shall consider:

- (i) the seriousness of the violation;
- (ii) the harm caused by the violation;
- (iii) the good faith of the violator;
- (iv) any history of previous violations by the violator; and
- (v) any other relevant factors.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

§8–601.

This title may be cited as the “Maryland Certified Interior Designers Act”.

§8–602.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, 2034.