

(2) *Electronic Funds Transfer (EFT)*; or

(3) *Deduction from the initial payment from the Commission to the institution in the subsequent award year.*

C. *If the return of funds relates to the Campus Based EEA Program, then the institution shall return the funds to the Commission by check.*

D. *The Commission may discontinue an institution's eligibility to participate in the EEA Program if the institution fails to return funds pursuant to §A of this regulation within the time frame specified by the Commission.*

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

Title 21

STATE PROCUREMENT REGULATIONS

Subtitle 10 ADMINISTRATIVE AND CIVIL REMEDIES

Notice of Proposed Action [18-126-P]

The Board of Public Works proposes to:

- (1) Amend Regulation .02 under **COMAR 21.10.02 Protests**; and
- (2) Repeal Regulations .01—.03 under **COMAR 21.10.03 Bid Protests Concerning Architectural Services and Engineering Services Contracts**.

This action was considered at a Board of Public Works meeting held on March 28, 2018.

Statement of Purpose

The purpose of this action is to align the regulations with changes to the State Procurement Law requiring protests of architectural or engineering services procurements to be processed in the same manner as protests of procurement contracts generally. The Procurement Advisor, the Departments of General Services and Transportation, and the Maryland State Board of Contract Appeals concur with this recommendation.

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 Gabriel Gnall, Procurement Advisor, Board of Public Works, 80 Calvert Street, Room 117, or call 410-260-7335, or email to gabriel.gnall@maryland.gov, or fax to 410-974-5240. Comments will be accepted through June 11, 2018. A public hearing has not been scheduled.

21.10.02 Protests

Authority: State Finance and Procurement Article, §§12-101 and 15-201—15-223, Annotated Code of Maryland

.02 Filing of Protest.

A. (text unchanged)

A-1. An interested party may not protest:

[(1) A contract for architectural services or engineering services;]

[(2)] (1) — [(3)] (2) (test unchanged)

A-2. — C. (text unchanged)

SHEILA McDONALD
Executive Secretary

Title 31

MARYLAND INSURANCE ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS

31.03.06 Surplus Lines

Authority: Insurance Article, §§2-109, 3-304, 3-306, 3-307, 3-311—3-313, 3-316, 3-325(c), 9-301(f), 9-303(5), [9-401(i)(1)] 9-401(j)(2), and 9-405(b), Annotated Code of Maryland

Notice of Proposed Action

[18-125-P]

The Insurance Commissioner proposes to amend Regulation .02 under **COMAR 31.03.06 Surplus Lines**.

Statement of Purpose

The purpose of this action is to amend regulations to be consistent with Insurance Article, §3-316, Annotated Code of Maryland, which was updated during a recent legislative session. The update changed the expiration date for surplus lines brokers' certifications of qualification from expiring on June 30 of odd-numbered years to 2 years from issue across the board. In addition, the word license is being replaced with "certificate of qualification", consistent with that statute, and the word licensee is being replaced with "broker", consistent with the Insurance Article sections that deal with "surplus lines brokers".

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 Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregview.mia@maryland.gov, or fax to 410-468-2020.

Comments will be accepted through June 11, 2018. A public hearing has not been scheduled.

Comments will be accepted through June 11, 2018. A public hearing has not been scheduled.

.02 Maryland Surplus Lines Brokers' Licenses.

Before placing any surplus line or otherwise acting as a surplus lines broker, where Maryland is the Home State of the insured, it will be the responsibility of each individual so acting to acquire a valid Maryland surplus lines broker's [license] *certificate of qualification*. The [licensee] *broker* will be held responsible for securing timely renewals of the [licensee's] *broker's certificate of qualification* in order to place new business and provide a continuity of service to clients for whom the [licensee] *broker* has previously acted. Each original surplus lines broker's [license] *certificate of qualification* shall be issued for a term expiring [on June 30 of the next odd-numbered year following the date of issuance] *every other year on the date stated on the certificate of qualification* and may be renewed biennially thereafter.

ALFRED W. REDMER, JR.
Insurance Commissioner

**Subtitle 03 INSURANCE PRODUCERS
AND OTHER INSURANCE
PROFESSIONALS**

31.03.18 Public Adjusters

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

Notice of Proposed Action

[18-123-P]

The Insurance Commissioner proposes to amend Regulations .02 and .03 and adopt new Regulations .04—.16 under COMAR 31.03.18 Public Adjusters.

Statement of Purpose

The purpose of this action is to amend regulations pursuant to Insurance Article, §10-408(i), Annotated Code of Maryland. These changes are being made to detail the process for regulation of continuing education courses for public adjusters. Specifically, the holders of expired licenses seeking reinstatement requirements; the requirements for nonresident public adjusters; the responsibilities of licensed public adjusters; the approval of courses, course coordinators, and instructors; the requirements on providers of courses; the advertising of courses; the prohibited practices; the powers of the Commissioner; and the waiver of continuing education requirements are all laid out.

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 Lisa Larson, Director of Regulations, Maryland Insurance Administration, 200 Saint Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregrev.mia@maryland.gov, or fax to 410-468-2020.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(2) (text unchanged)

(3) "*Course completion date*" means the date when a student has submitted all necessary information to the education provider and, when applicable, successfully met the course attendance requirements or passed the final examination, or both.

(4) "*Course completion roster*" means a listing of candidates who have completed a continuing education course, provided in a format determined by the Commissioner, which includes the following:

(a) The course name, the designated course number, and the course completion date;

(b) The provider's identification number;

(c) The instructor's license number, if applicable; and

(d) For each student who completes the course:

(i) The student's name;

(ii) The student's national producer number or the student's license number, or both; and

(iii) The number of hours of continuing education earned by the student.

(5) "*Course coordinator*" means an individual who is responsible for organizing a continuing education course, getting it approved by the Insurance Commissioner, and supervising the administration of the course after its approval.

(6) "*Expiration date*" means the date the license expires as stated on the license.

(7) "*Hours of continuing education*" means 50 minutes of work in a course that has been approved by the Commissioner to receive continuing education credit.

(8) "*Instructor*" means a subject matter expert, approved by the Commissioner, presenting course activities or information in a course approved by the Commissioner.

[(3)] (9)—[(4)] (10) (text unchanged)

(11) "*Provider*" means an entity that has been approved by the Commissioner to offer continuing education courses to licensed insurance producers in the State.

[(5)] (12)—[(6)] (13) (text unchanged)

(14) "*Renewal year*" means the 12-month period from January 1 until December 31 in which a license renewal occurs.

(15) "*Self-study course*" means a course that is not presented in a classroom, is not delivered in person, and does not require interaction with an instructor.

(16) "*Successfully complete*" means to complete and meet all requirements of an approved course for which a valid certificate of course completion has been issued.

(17) "*Teleconference*" means the live exchange of information among several persons who are separately located but linked by audio or video, or both, that provides for opportunities for interactions between student and instructor.

.03 General Continuing Education Requirements.

A.—C. (text unchanged)

D. *Course of Continuing Education—Passing Scores.* Passing scores received on or after the expiration date for the public adjuster's license shall result in hours of continuing education that may be used for the next renewal period.

E. *A course instructor shall earn 1-1/2 hours of continuing education for each approved hour of instruction of an approved course.*