§ 599-g. Testing of mortgage loan originators. 1. General requirements. In order to meet the written test requirement referred to in this article, an individual shall pass, in accordance with the standards established under this section, a qualified written test developed by the NMLSR and administered by a test provider approved by the NMLSR based upon reasonable standards.

2. Qualified test. A written test shall not be treated as a qualified written test for purposes of subdivision one of this section unless the test adequately measures the applicant's knowledge and comprehension in appropriate subject areas, including the following:

(a) Ethics;

(b) Federal law and regulation pertaining to mortgage origination;

(c) State law and regulation pertaining to mortgage origination; and

(d) Federal and state law and regulation, including instruction on fraud, consumer protection, the nontraditional mortgage marketplace, and fair lending issues.

3. Testing location. Nothing in this section shall prohibit a test provider approved by the NMLSR from providing a test at the location of the employer of the applicant or the location of any subsidiary or affiliate of such entity, or the location of any entity with which the applicant holds an exclusive arrangement to conduct the business of a mortgage loan originator.

4. Minimum competency. The following conditions apply to individuals taking such competency tests:

(a) An individual shall not be considered to have passed a qualified written test unless the individual shall have achieved a test score of not less than seventy-five percent correct answers to questions;

(b) An individual may retake a test three consecutive times, with each consecutive taking occurring at least thirty days after the preceding test;

(c) After failing three consecutive tests, an individual shall wait at least six months before taking the test again; and

(d) A licensed mortgage loan originator who fails to maintain a valid license for a period of five years or longer, not taking into account

any time during which such individual is a registered mortgage loan originator, shall retake the test.