§ 160-t. Continuing education. 1. As a prerequisite to recertification or renewal of license, a certified or licensed real estate appraiser shall present evidence satisfactory to the department of having met the continuing education requirements, if any, pursuant to this article.

2. The basic continuing education requirement for recertification or renewal of license shall be the completion by the applicant, during the immediately preceding term of certification or license, of not less than twenty-eight classroom hours of instruction in courses or seminars which have received the approval of the department. Computer based and distance learning courses may be approved by the department so long as providers demonstrate the ability to monitor and verify participation by the real estate appraiser for the specified time periods.

3. In lieu of meeting the requirements of subdivision two of this section an applicant for recertification or renewal of license may satisfy all or part of the requirements by presenting evidence of the following:

a. Completion of an educational program of study determined by the department to be equivalent, for continuing education purposes, to courses approved by the department pursuant to subdivision two of this section; or

b. Participation other than as a student in educational processes and programs approved by the department which relate to real property appraisal theory, practices or techniques, including, but not necessarily limited to, teaching, program development and preparation of textbooks, monographs, articles and other instructional materials.

4. The secretary of state or her duly appointed designee shall adopt regulations upon recommendation by the board for implementations of the provisions of this article to assure that persons renewing their certifications as state certified real estate appraisers or licenses as state licensed real estate appraisers have current knowledge of real property appraisal theories, practices and techniques which will provide a high degree of service and protection to those members of the public

with whom they deal in a professional relationship under authority of the certification or license. The regulations shall prescribe the following:

a. Policies and procedures for obtaining departmental approval of courses of instruction pursuant to subdivision two of this section;

b. Standards, policies and procedures to be applied by the department in evaluating applicant's claims of equivalency in accordance with subdivision three of this section;

c. Standards, monitoring methods and systems for recording attendance to be employed by course sponsors as a prerequisite to department approval of courses for credit.

5. In adopting regulations pursuant to paragraph a of subdivision four of this section, the board shall give favorable consideration to courses of instruction, seminars and other real property appraisal educational courses or programs previously or hereafter developed by or under the auspices of professional appraisal organizations and utilized by those associations for purposes of designation or indicating compliance with the continuing education requirements of such organizations.

6. No amendment or repeal of a regulation adopted by the secretary of state or her duly appointed designee pursuant to this section shall operate to deprive a state certified real estate appraiser of credit toward recertification, or a state licensed real estate appraiser of credit toward renewal of license, for any course of instruction completed by the applicant prior to the amendment or repeal of the regulation which would have qualified for continuing education credit under the regulation as it existed prior to the repeal or amendment.

7. A certification as a state certified real estate appraiser, or a license as a state licensed real estate appraiser, that has been revoked as a result of disciplinary action by the department shall not be reinstated unless the applicant presents evidence of completion of the continuing education required by this article. This requirement of

evidence of continuing education shall not be imposed upon any applicant for reinstatement who has been required to successfully complete the examination for state certified or licensed real estate appraiser as a condition to reinstatement of certification or license.

8. The board shall prescribe the continuing education requirements for licensed real estate appraiser assistants; provided, however, that in no event shall such requirements be less than the minimum criteria established by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council or by the Appraiser Qualification Board of the Appraisal Foundation as referred to in title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989.