

Dear Senators COOK, Lenney, Ward-Engelking, and
Representatives CLOW, Ehlers, Berch:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Division of Occupational and Professional Licenses - Board of Architectural Examiners:
IDAPA 24.01.01 - Rules of the Board of Architects and Landscape Architects (ZBR Chapter Rewrite,
Fee Rule) - Proposed Rule (Docket No. 24-0101-2301).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 09/08/2023. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/06/2023.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondoff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee

FROM: Senior Legislative Drafting Attorney - Matt Drake

DATE: August 18, 2023

SUBJECT: Division of Occupational and Professional Licenses - Board of Architectural Examiners

IDAPA 24.01.01 - Rules of the Board of Architects and Landscape Architects (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule (Docket No. 24-0101-2301)

Summary and Stated Reasons for the Rule

The Division of Occupational and Professional Licenses - Board of Architects and Landscape Architects submits Notice of Omnibus Rulemaking via Docket No. 24-0101-2301. The Division notes that this is a Zero-Based Regulation ("ZBR") chapter rewrite pursuant to Executive Order 2020-01. Accordingly, the Division states that this rulemaking is intended to streamline and simplify existing rules that were previously submitted to and reviewed by the Legislature. The Division states that no fees are being increased and no new fees are being imposed by the rulemaking.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was conducted. The rulemaking is not anticipated to have a fiscal impact.

Statutory Authority

The proposed rule appears to be within the statutory authority granted pursuant to Sections 54-308 and 67-2604, Idaho Code.

cc: Division of Occupational and Professional Licenses - Board of Architectural Examiners
Michael Hyde

***** PLEASE NOTE *****

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Kristin Ford, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

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IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.01.01 – RULES OF THE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

DOCKET NO. 24-0101-2301 (ZBR CHAPTER REWRITE, FEE RULE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 67-2604, Idaho Code, and Sections 54-306, 54-308, 54-313, 54-3003, 67-2614, 67-9406, and 67-9409, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

Wednesday, August 23, 2023 -- 11:00 a.m. (MT)
Division of Occupational and Professional Licenses Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714
Telephone and web conferencing information will be posted on: https://dopl.idaho.gov/calendar/ and https://townhall.idaho.gov/

The hearing site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Under [Executive Order 2020-01](#), Zero-Based Regulation, the Board of Architects and Landscape Architects is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. In conjunction with stakeholders, the proposed rule changes reflect a comprehensive review of this chapter by collaborating with the public to streamline or simplify the rule language in this chapter and to use plain language for better understanding. This proposed rulemaking updates the rules to comply with governing statute and Executive Order 2020-01.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

The fees for applications, licenses, and reinstatement as designated in Rule 400 of these proposed rules are authorized in Section 54-313, Idaho Code. None of these fees are being changed as a result of this rulemaking or since being previously reviewed by the Idaho legislature.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the State General Fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

This rulemaking is not anticipated to have any negative fiscal impact on the State General Fund.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was conducted under Docket No. 24-ZBRR-2301. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 5, 2023 Idaho Administrative Bulletin, [Vol. 23-4, pp. 42-46](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Michael Hyde, Bureau Chief, at (208) 332-7133.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 23, 2023.

DATED this July 6, 2023.

Michael Hyde
Bureau Chief
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 332-7133
Email: michael.hyde@dopl.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-0101-2301
(ZBR Chapter Rewrite)

**Note – Due to extensive reorganization of this ZBR chapter, the rule text below is presented as clean text without showing amendments in legislative format. A redline copy provided by the agency has been included at the end of the docket for transparency and can be utilized to track all edits used to formulate the proposed rule.*

24.01.01 – RULES OF THE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Sections 54-306, 54-308, 54-313, 54-3003, 67-2614, 67-9406, and 67-9409, Idaho Code. ()

001. SCOPE.

These rules govern the practice of architecture and landscape architecture in Idaho. ()

002. -- 099. (RESERVED)

100. LICENSURE.

01. Architect Requirements. ()

a. Approved Architectural Experience Program. The National Council of Architectural Registration Boards (NCARB) Architectural Experience Program (AXP). ()

b. Satisfactory Experience In Lieu Of Education. The eight (8) years must consist of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture. ()

c. Continuing Education. Beginning the second year of licensure, to renew, a licensed architect must complete, during the prior licensure period, and retain proof of completion of twelve (12) hours of approved continuing education germane to the health, safety, and welfare in the practice of architecture. Approved courses are those offered by providers approved by NCARB, the National Architectural Accreditation Board (NAAB), or the American Institute of Architects (AIA). A licensee may submit a request for Board approval of other courses.

()

i. A licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement. ()

02. Landscape Architect Requirements. ()

a. Approved Education. A landscape architecture program accredited by the Landscape Architectural Accreditation Board. ()

b. Satisfactory Experience in Lieu of Education. The eight (8) years must consist of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture. ()

c. Required Examination. Passage of the Landscape Architect Registration Examination administered by the Council of Landscape Architects Registration Boards (CLARB). ()

101. – 199. (RESERVED)

200. PRACTICE STANDARDS.

01. Architectural Intern. Only individuals who fall within the Section 54-303(2), Idaho Code, definition of “architectural intern” may represent themselves as an “architectural intern”. ()

02. Architecture Firm Name. The firm name may only incorporate the names of individuals who are licensed architects, with the exception that a firm may continue to utilize the name of a retired or deceased formerly licensed architect if the unlicensed status is clearly disclosed. ()

201. -- 399. (RESERVED)

400. FEES.

01. Architects.

TYPE	AMOUNT (Not to Exceed)
Application	\$25
License	\$50 annually
Reinstatement	\$35

()

02. Landscape Architects.

TYPE	AMOUNT (Not to Exceed)
Application	\$75
License	\$125 annually
Reinstatement	\$35

()

401. -- 999. (RESERVED)

[Agency redlined courtesy copy]

24.01.01 – RULES OF THE BOARD OF ARCHITECTS AND LANDSCAPE
ARCHITECTS ARCHITECTURAL EXAMINERS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Sections 54-306, 54-308, 54-313, 67-2614, 67-9406, and 67-9409, Idaho Code. ()

001. SCOPE.

These rules govern the practice of architecture in Idaho.()

~~002. INCORPORATION BY REFERENCE.~~

~~The document titled NCARB Rules of Conduct as published by the National Council of Architectural Registration Boards, dated July 2014, is hereby incorporated by reference.~~

~~003.—009.(RESERVED)~~

010. DEFINITIONS.

~~01. AXP. Architectural Experience Program. (—)~~

~~02. Direct Supervision. Direct supervision of an unlicensed individual in the practice of architecture means the exercise of management, control, authority, responsibility, oversight and guidance over the unlicensed individuals work, activities and conduct.(—)~~

~~03. NAAB. National Architectural Accrediting Board. (—)~~

~~04. NCARB. National Council of Architectural Registration Board. (—)~~

~~011.—174.(RESERVED)~~

~~175. APPLICANT PAST CRIME REVIEW.~~

~~01. Review Authority. In reviewing an Applicant for licensure who has been convicted of a felony or misdemeanor as set forth in section 54-314(1)(d) Idaho Code, the Board may utilize the follow process and factors to determine the applicant's suitability for licensure:(—)~~

~~02. Exemption Review. The exemption review consists of a review of any documents relating to the crime and any supplemental information provided by the applicant bearing upon his suitability for registration. The Board may, at its discretion, grant an interview of the applicant and consider the factors set forth in Section 67-9411, Idaho Code. The applicant bears the burden of establishing their current suitability for licensure.(—)~~

~~176.—199.(RESERVED)~~

~~200. FEES FOR EXAMINATIONS AND LICENSURE.~~

~~Fees are non-refundable.~~

~~01.Architects.~~

FEE-TYPE	AMOUNT (Not to Exceed)
Examination	Established by NCARB
Application	\$25.00
Annual renewal License	\$50.00 annually
Endersement license	\$50.00
Temporary license	\$50.00
Reinstatement	\$35 As provided in Section 67-2614, Idaho Code

()

~~201.—249.(RESERVED)~~

~~250. QUALIFICATIONS OF APPLICANTS FOR EXAMINATION.~~
100. LICENSURE

~~01. Accredited Degree Applicants.~~
01. Architect Requirements.

~~a. Approved Architectural Experience Program. All applicants for the Architectural Registration Examination (ARE) will possess a professional degree in architecture from a program that is accredited by the The National Council of Architectural Registration Boards (NCARB) Accrediting Board (NAAB) or that is approved by the Board. All applicants for the ARE must have started or completed the Architectural Experience Program (AXP) requirements.(—)~~

~~02.b. Satisfactory Experience in Lieu of Education. Degree Applicants. The Board may allow an applicant without an architecture degree to sit for the architecture examination upon determining that such applicant has attained the knowledge and skill approximating that attained by graduation from an accredited architecture curriculum including the submission of a record of The eight (8) years must consist of at least six (6) years of experience under the direct supervision of a licensed architect and the remaining two (2) years may be under the direct supervision of a licensed engineer who practices in the field of building construction as approved by the Board. or more of experience in architecture work of a character deemed satisfactory by the Board. Said experience may include that necessary for completion of the AXP. Two (2) years of eight (8) or more years of experience may be accepted if determined that such experience is directly related to architecture under the direct supervision of a registered engineer (practicing as a structural, civil, mechanical or electrical engineer in the field of building construction) or a registered landscape architect. At least six (6) years of such experience must be obtained while working under the direct supervision of a licensed architect. A person is qualified for the examination once they have met the experience requirement and started the AXP.(—)~~

~~251.—299.(Reserved)~~

~~300. Application.~~

~~01. Licensure by Examination.~~

(—)

~~a.~~ Application for licensure by examination is made on the uniform application form adopted by the Board. (—)

~~b.~~ Applicants must furnish all information required by the uniform application form and will include the following: (—)

~~i.~~ If applying based upon an accredited degree: Furnish certification of graduation and a certified transcript of all subjects and grades received for all college courses taken.(—)

~~ii.~~ If applying based upon experience in lieu of an accredited degree: Furnish statement or statements, of all actual architectural or other applicable experience signed by the person under whose supervision the work was performed, giving kind and type of work done, together with dates of employment.(—)

~~c.~~ Application will not be reviewed by the Board until all required information is furnished and the required fee is paid.(—)

~~d.~~ Applications received less than seven (7) days prior to a Board meeting may be held over to the next meeting. (—)

~~02.~~ **Licensure by Endorsement—Blue Cover.** General requirements: Application includes a current blue cover dossier compiled by the NCARB certifying that the applicant has satisfactorily passed the standard NCARB examinations, or NCARB authorized equivalent and includes letters, transcripts, and other documents substantiating all statements relative to education and experience made in said application as required by the Board. (—)

~~03.~~ **Licensure by Endorsement—Equivalency.** (—)

~~a.~~ Applicants for licensure by endorsement must submit a complete application, verified under oath, to the Board at its official address. The application must be on the forms approved by the Board and submitted together with the appropriate fee(s) and supporting documentation including but not limited to:(—)

~~b.~~ Proof of holding a current and valid license issued by another state, a licensing authority recognized by the Board.(—)

~~c.~~ Proof of satisfactorily passing the NCARB examinations or NCARB authorized equivalent examination, as determined by the Board.(—)

~~301.—349.~~(Reserved)

350. **Registration Examination.**

The Board, having found that the content and methodology of the ARE prepared by NCARB is the most practicable and effective examination to test an applicant's qualifications for registration, adopts the ARE as the single, written and/or electronic examination for registration of architects in this state, and further adopts the following rules with respect thereto: (—)

~~01.~~ **When Taken.** The Board will cause the ARE, prepared by NCARB, to be administered to all applicants eligible, in accordance with the requirements of the Board, by their training and education to be examined for registration on dates scheduled by the NCARB. The Board will cause repeat divisions of the ARE to be administered to qualified candidates on such dates as are scheduled by the NCARB. The ARE examination is a multiple part examination prepared by NCARB. Content of the examination in all of its sections is available from the Board or NCARB.(—)

~~02. Grading.~~ The ARE is graded in accordance with the methods and procedures recommended by the NCARB. Grades from the individual division are not averaged. Applicants will have unlimited opportunities to retake division which they fail except as set forth in these rules. The Board accepts passing grades of computer administered divisions of the ARE as satisfying the requirements for said division(s) when such examinations are administered as prescribed by the NCARB.(—)

~~03. Passing (ARE).~~ To pass the ARE, an applicant must achieve a passing grade on each division. Subject to certain conditions, a passing grade for any division of the ARE is valid for five (5) years, after which time the division must be retaken unless all divisions have been passed. The Board may allow a reasonable extension of such period in circumstances where completion of all divisions is prevented by a medical condition, active duty in military service, or other like causes. Approval to take the ARE will terminate unless the applicant has passed or failed a division of the ARE within a period of five (5) years. Any applicant whose approval has so terminated must reapply for approval to take the ARE.(—)

351.—374.(Reserved)

~~375. Architectural Intern.~~

~~An individual may represent themselves as an architectural intern only under the following conditions:(—)~~

~~200.02 Architectural Intern. Only individuals who fall within the Section 54 303(2), Idaho Code, definition of "architectural intern" may represent themselves as an architectural intern.~~

~~01. Supervision.~~ Each architectural intern is employed by and work under the direct supervision of an Idaho licensed architect.(—)

~~02. AXP Enrollment.~~ Each architectural intern must be enrolled in NCARB's AXP and maintain a record in good standing.(—)

~~03. Record.~~ Each architectural intern possesses either: (—)

~~a. A record with the NCARB establishing that AXP training has been started; or (—)~~

~~b. A record establishing completion of all AXP training regulations as specified by NCARB. (—)~~

~~04. Prohibitions.~~ An architectural intern may not sign or seal any architectural plan, specification, or other document. An architectural intern may only engage in the practice of architecture under the direct supervision of an Idaho licensed architect.(—)

376.—399.(Reserved)

400. Firm Name.

200. PRACTICE STANDARDS. ()

01. Architectural Intern. Only individuals who fall within the Section 54-303(2), Idaho Code, definition of "architectural intern" may represent themselves as an "architectural intern".()

0201. Architecture Firm Names. Firm names incorporating the use of names of unlicensed individuals are considered in violation of Section 54 315, Idaho Code. AThe firm name may only incorporate the names of individuals who are licensed architects, with the exception that a firm may continue to utilize the name of a retired or deceased formerly licensed architect so long as their if the unlicensed status is clearly disclosed.()

~~401. 409.(RESERVED)~~

~~410. USE OF AN ARCHITECT'S SEAL.~~

~~An architect's seal may be placed on all technical submissions prepared personally by the architect or prepared under the architect's responsible control or as otherwise allowed under the provisions of Section 54-304, Idaho Code. Nothing in this rule limits an architect's responsibility to the owner for the work of other licensed professionals to the extent established by contract between the owner and architect.()~~

~~411. 449.(RESERVED)~~

~~450. CONTINUING EDUCATION.~~

~~In order to protect the public health and safety and promote the public welfare, the Board has adopted the following rules for continuing education.()~~

~~**100.01.c.** Continuing Education. **Requirement.** Each Idaho Beginning the second year of licensure, to renew, a licensed architect must successfully complete, during the prior licensure period, and retain proof of completion a minimum of twelve (12) hours of approved continuing education in germane to architectural the health, safety, and welfare in the practice of architecture. Approved courses are those offered by providers approved by NCARB, the National Architectural Accreditation Board (NAAB), or the American Institute of Architects (AIA). A licensee may submit a request for Board approval of other courses. calendar year prior to license renewal.()~~

~~**a.** Each licensee will submit to the Board their annual renewal application form and required fees, and will certify that they have complied with annual CE requirements for the previous calendar year. Each licensee will provide to the Board together with their application for reinstatement of an expired license form and required fees, proof of compliance with annual CE requirements for each year that their license was expired. A license that has been canceled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code.()~~

~~**b.** A licensee is considered to have satisfied their CE requirements for the first renewal of their initial license. Licensees who have failed to meet the annual continuing education requirement may petition the Board for additional time to complete their continuing education requirements.()~~

~~**e.i.** A licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement.()~~

~~**d.** One (1) continuing education hour is equal to one (1) learning unit, as determined by the American Institute of Architects, or one (1) clock hour of education, as determined by the Board.()~~

~~**02.** **Architectural Health, Safety and Welfare Requirement.** To qualify for continuing education, a course must involve architectural health, safety and welfare, which generally relates to the structural integrity or unimpairedness of a building or building sites and be germane to the practice of architecture. Courses may include the following subject areas:()~~

~~**a.** Legal, which includes laws, codes, zoning, regulations, standards, life safety, accessibility, ethics, insurance to protect owners and public.()~~

~~**b.** Building systems, which includes structural, mechanical, electrical, plumbing, communications, security, and fire protection.()~~

~~**e.** Environmental, which includes energy efficiency, sustainability, natural resources, natural hazards, hazardous materials, weatherproofing, and insulation.()~~

- ~~d. Occupant comfort, which includes air quality, lighting, acoustics, ergonomics. (—)~~
- ~~e. Materials and methods, which includes construction systems, products, finishes, furnishings, and equipment. (—)~~
- ~~f. Preservation, which includes historical, reuse, and adaptation. (—)~~
- ~~g. Pre-Design, which includes land use analysis, programming, site selection, site and soils analysis, and surveying. (—)~~
- ~~h. Design, which includes urban planning, master planning, building design, site design, interiors, safety and security measures. (—)~~
- ~~i. Construction documents, which includes drawings, specifications, and delivery methods. (—)~~
- ~~j. Construction contract administration, which includes contracts, bidding, contract negotiations. (—)~~
- ~~03. **Approved Credit.** Continuing education courses must be presented by: (—)~~
 - ~~a. Providers approved by the National Architectural Accreditation Board (NAAB) schools of architecture; or (—)~~
 - ~~b. Providers approved by the National Council of Architectural Registration Board (NCARB); or (—)~~
 - ~~e. Providers approved by the American Institute of Architects (AIA); or (—)~~
 - ~~d. Providers as otherwise approved by the Board. All requests for approval or pre-approval of continuing education credits must be made to the Board in writing and must be accompanied by a statement that includes the name of the instructor or instructors, his or her qualifications, the date, time and location of the course, the specific agenda for the course, the number of continuing education hours requested, and a statement of how the course is believed to be in the nature of architectural health, safety and welfare. (—)~~
- ~~04. **Verification of Attendance.** It shall be necessary for each licensee to maintain verification of attendance by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours attended by the licensee. This verification shall be maintained by the licensee for a period of five (5) years and provided to the Board upon request of the Board or its agent. (—)~~
- ~~05. **Failure to Fulfill the Continuing Education Requirements.** The license will not be renewed for those licensees who fail to certify or otherwise provide acceptable documentation of meeting the CE requirements. Licensees who make a false attestation regarding compliance with the CE requirements shall be subject to disciplinary action by the Board. (—)~~
- ~~06. **Exemptions.** A licensed architect shall be deemed to have complied with the CE requirements if the licensee attests in the required affidavit that for not less than ten (10) months of the preceding one (1) year period of licensure, the architect has met one (1) of the following criteria: (—)~~
 - ~~a. Meets the military exemption set forth in Section 67-2602A, Idaho Code. (—)~~

~~b.~~ Is a government employee working as an architect and assigned to duty outside the United States. ()

~~e.~~ Special Exemption. The Board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. The architect must provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board. ()

~~451. — 749. (RESERVED)~~

~~750. CODE OF ETHICS.~~

~~01. Rules of Conduct.~~ The NCARB Rules of Conduct are hereby adopted as the Code of Ethics for all Idaho licensed architects. ()

~~751. — 999. (RESERVED)~~

[Agency redlined courtesy copy]

24.07.01 – RULES OF THE IDAHO STATE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Section 54-3003, 67-2614, 67-9406, and 67-9409, Idaho Code. ()

001. SCOPE.

These rules govern the practice of landscape architecture in Idaho. ()

~~002. INCORPORATION BY REFERENCE.~~

~~THE DOCUMENT TITLED THE COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB) MODEL RULES OF PROFESSIONAL CONDUCT AS AMENDED FEBRUARY 2007, REFERENCED IN SUBSECTION 425, IS HEREIN INCORPORATED BY REFERENCE. ()~~

~~003. — 100. (RESERVED)~~

~~101. 100.02. Landscape Architect Requirements.~~

~~Aa. Approved Education.~~

~~An approved college or school of landscape architecture shall have Aa landscape architecture program accredited by the Landscape Architectural Accreditation Board (LAAB), or shall substantially meet the accrediting standards of the LAAB as may be determined by the Board. ()~~

~~102. B. PRACTICAL SATISFACTORY~~

~~Bb. Satisfactory Experience In Lieu Of Education.~~

~~An applicant shall document at least The eight (8) years must consist of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture. of actual practical experience in landscape architecture in lieu of graduation from an approved college or school of landscape architecture. Such experience shall establish the applicant's education in those subjects and areas contained in the curriculum of an approved college or school of landscape architecture. No less than fifty percent (50%) of such practical experience shall be under the supervision of a licensed landscape architect. ()~~

~~103.—199.(RESERVED)~~

~~200. APPLICATION.~~

~~EACH APPLICANT FOR LICENSURE SHALL SUBMIT A COMPLETE APPLICATION TOGETHER WITH THE REQUIRED FEES TO THE BOARD. AN APPLICATION SHALL BE MADE ON THE UNIFORM APPLICATION FORM ADOPTED BY THE BOARD AND FURNISHED TO THE APPLICANT BY THE DIVISION. AN APPLICATION SHALL NOT BE REVIEWED BY THE BOARD UNTIL ALL REQUIRED INFORMATION IS FURNISHED AND THE REQUIRED FEES PAID.(—)~~

~~201. APPLICATION FORM.~~

~~01. Materials Submitted to Board.~~ All required applications, statements, fees and other documentation must be submitted to the Board in care of the Division of Occupational and Professional Licenses, and shall include: (—)

~~a.~~ Either certification of graduation from an approved college or school of landscape architecture; or (—)

~~b.~~ Documentation of all actual landscape architectural or other applicable experience signed by the person under whose supervision the work was performed, giving kind and type of work done, together with dates of employment; and (—)

~~e.~~ Proof of successful passage of an examination approved by the Board. (—)

~~202.—249.(RESERVED)~~

~~250. LANDSCAPE ARCHITECT IN TRAINING.~~

~~An individual may represent themselves as a landscape architect in training only under the following conditions: (—)~~

~~01. Qualifications.~~ Any person who is at least eighteen (18) years of age and has graduated from an approved college or school of landscape architecture, or who documents at least eight (8) years of actual practical experience in landscape architecture approved by the Board.(—)

~~02. Supervision.~~ Each landscape architect in training shall be employed by and work under the direct supervision of an Idaho licensed landscape architect. Any change in supervision shall require a new application and registration. (—)

~~03. Prohibitions.~~ A landscape architect in training shall not sign or seal any plan, specification, or other document, and shall not engage in the practice of landscape architecture except under the direct supervision of an Idaho licensed landscape architect.(—)

~~04. Registration.~~ Each landscape architect in training shall register with the Board on forms provided by the Division of Occupational and Professional Licenses that shall include the application fee and the names and addresses of their employer, and supervisor.(—)

~~05. Termination.~~ A registration for a landscape architect in training shall not exceed a total of six (6) years. (—)

~~251.—299.(RESERVED)~~

300. EXAMINATIONS:

~~100.02.c. Required Examination. Passage of the Landscape Architect Registration Examination administered by the Council of Landscape Architects Registration Boards (CLARB). The examination prepared by the Council of Landscape Architectural Registration Boards is an approved examination. The Board may approve other examinations it deems appropriate.(—)~~

~~01. Minimum Passing Score. The minimum passing score for each section of the examination shall be the score as determined by the examination provider.(—)~~

~~02. Failing a Section of Exam. An applicant failing any section of the examination will be required to retake only that section failed.(—)~~

301. (Reserved)

302. Endorsement.

The Board may approve the registration and licensure of an applicant who holds a current license in another state and who has successfully passed the Landscape Architect Registration Examination as required by Section 300 or holds a current Council of Landscape Architectural Registration Boards certificate.(—)

303.—399.(Reserved)

400. FEES.

Fees are not refundable.

02. Landscape Architects.

FEETYPE	AMOUNT (Not to Exceed)
Application	\$75
Landscape Architect in training Application	\$25
Examination	As established by CLARB
Original License and Annual Renewal	\$125 annually
Reinstatement	<u>\$ 35</u> As provided in Section 67-2614, Idaho Code

(—)

~~401.—424.(RESERVED)~~

425. RULES OF PROFESSIONAL RESPONSIBILITY.

~~01. Rules of Professional Responsibility. The CLARB model rules of professional conduct, as incorporated, are the Rules of Professional Responsibility for all Idaho licensed landscape architects.(—)~~

~~02. Violation of the Rules of Professional Responsibility. The Board will take action against a licensee under Section 54-3004(5), Idaho Code, who is found in violation of the Rules of Professional Responsibility.(—)~~

~~426. 449.(RESERVED)~~

~~450. DISCIPLINE.~~

~~01. Civil Fine. The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed landscape architect for each violation of Section 54-3004, Idaho Code.(—)~~

~~02. Costs and Fees. The Board may order a licensed landscape architect to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-3004, Idaho Code.
(—)~~

~~451. 999.(RESERVED)~~

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Division of Occupational and Professional Licenses

Agency Contact: Michael Hyde **Phone:** (208) 577-2491

Date: 7/7/2022

IDAPA, Chapter and Title Number and Chapter Name:

24.01.01 – Rules of the Board of Architects and Landscape Architects

Fee Rule Status: x **Proposed** **Temporary**

Rulemaking Docket Number: 24-0101-2301

STATEMENT OF ECONOMIC IMPACT: This rulemaking does not impose a new fee or charge, or increase a fee or charge, beyond what was previously submitted to and reviewed by the Idaho Legislature in the prior rules.

The following is a specific description of the fees or charges:

01. Architects.

TYPE	AMOUNT (Not to Exceed)
Application	\$25
Annual renewal	\$50
Endorsement license	\$50
Temporary license	\$50
Reinstatement	\$35

02. Landscape Architects.

TYPE	AMOUNT (Not to Exceed)
Application	\$75
Landscape Architect-in-Training Application	\$25

License	\$125 annually
Reinstatement	\$35