

TITLE 16. CALIFORNIA ARCHITECTS BOARD
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the California Architects Board, 2420 Del Paso Road, Suite 105, Sacramento, California, at 2:00 p.m. on February 22, 2011. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office at the above address not later than February 21, 2011 at 5:00 p.m. or at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modification is sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in the Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference

Pursuant to the authority vested by sections 5526 and 5550 of the Business and Professions Code, and to implement, interpret, or make specific sections 5550 and 5552 of said Code, the Board is considering changes to Division 2 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend CCR Section 109 – Filing of Applications

Section 5526 of the Business and Professions Code authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Architects Practice Act. Section 5550 authorizes the Board to establish qualifications required to become eligible for examination.

The existing regulation references three different intern development programs required by the Board (in two different subdivisions) for new and inactive candidates, including those who are licensed as architects in a qualifying foreign country. The programs referenced are the National Council of Architectural Registration Boards' (NCARB) Intern Development Program (IDP), Canada's Internship in Architecture Program (IAP); and the Board's Comprehensive Intern Development Program (CIDP). This proposal would: 1) clarify and provide consistency with how the programs and applicable guidelines/program editions are listed in subdivision (b)(2); and 2) simplify the references under subdivision (b)(7) by referencing the programs contained in subdivision (b)(2).

Amend CCR Section 117 – Experience Evaluation

Section 5526 of the Business and Professions Code authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Architects Practice Act. Sections 5550 and 5552 authorize the Board to establish qualifications required to become eligible for examination.

Subdivision (c)(8) of the regulation provides the IDP entry point requirement and subdivision (e)(2) references IDP and IAP, as it pertains to the training experience exemption for those candidates who are certified as having completed either program. This proposal would: 1) delete the IDP entry point requirement language under subdivision (c)(8), as the requirements have been revised by NCARB to be less restrictive for candidates and are referenced in the applicable IDP Guidelines; and 2) simplify the references under subdivision (e)(2) by referencing the programs contained in subdivision (b)(2) of CCR section 109.

Amend CCR Section 121 – Form of Examinations; Reciprocity

Section 5526 of the Business and Professions Code authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Architects Practice Act. Sections 5550 and 5552 authorize the Board to establish qualifications required to become eligible for examination.

Subdivision (a)(2) of the regulation references IDP and IAP, as it pertains to one of the programs required for reciprocity candidates. This proposal would simplify the references under subdivision (a)(2) by referencing the programs contained in subdivision (b)(2) of CCR section 109.

Incorporated by Reference Documents

National Council of Architectural Registration Board’s Intern Development Program Guidelines, October 2010 edition
Internship in Architecture Program (IAP) of Canada, 2001 edition
Comprehensive Intern Development Program (CIDP) of the Board, as defined in the Board’s “Comprehensive Intern Development Program Handbook,” 2005 edition”

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

None

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Requires Reimbursement

None

Business Impact

The Board has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only architect applicants.

Impact on Jobs/New Businesses

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California because it affects only architect applicants.

Cost Impact on Representative Private Person or Business

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

Effect on Small Business

The proposed regulatory action will not affect small businesses, because it affects only architect applicants.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determination at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board at 2420 Del Paso Road, Suite 105, Sacramento, California, 95834, or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All of the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web site listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Timothy Rodda
California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
(916) 575-7217
(916) 575-7283 (FAX)
Timothy.Rodda@dca.ca.gov

The backup contact person is:

Justin Sotelo
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2420 Del Paso Road, Suite 105
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Inquiries concerning the substance of the proposed regulations may be directed to Timothy Rodda at (916) 575-7217.

Web site Access

Materials regarding this proposal can be found at www.cab.ca.gov.