

CALIFORNIA ARCHITECTS BOARD

INITIAL STATEMENT OF REASONS

Hearing Date: April 1, 2014

Subject Matter of Proposed Regulations: Architect Registration Examination (ARE)

Section(s) Affected: Title 16, California Code of Regulations (CCR), Section 120

Specific Purpose of each adoption, amendment, or repeal:

§ 120 – Re-Examination

1. Problem being addressed: The National Council of Architectural Registration Boards (NCARB) Member Boards approved a resolution whereby credit for ARE divisions passed prior to January 1, 2006 will expire on July 1, 2014 unless all divisions of the ARE have been passed and credited on or before June 30, 2014. Regulatory action is needed to bring the Board's regulations into alignment with the national standard for the ARE.
2. Anticipated benefits from this regulatory action: This proposal aligns credit for ARE divisions specified in regulations with the national standard and facilitates reciprocal licensure for licensees.

Factual Basis/Rationale

The Board is mandated to protect the public health, safety, and welfare, and like other regulatory programs under the Department of Consumer Affairs (DCA), is authorized to establish eligibility requirements for applicants of a professional license.

Through Business and Professions Code (BPC) Chapter 3, Division 3, section 5550, the Board is authorized to examine a candidate for licensure. California Code of Regulations, Title 16, Division 2, section 109, clarifies BPC 5550 and specifies the ARE as the examination to be used when examining candidates for licensure and as an eligibility requirement for the California Supplemental Examination, and subsequently a California architect license.

The ARE is the national architectural examination throughout the United States (US), and is required of applicants to receive licensure in all US jurisdictions. NCARB, the organization that develops and administers the ARE, implemented a resolution approved by the Member Boards that changes the validity duration of divisions passed prior to January 1, 2006. Those affected ARE divisions will expire on July 1, 2014 unless all ARE divisions are passed and credited. If the Board does not adopt the

proposed amendment, credit would not expire for the affected divisions. Other jurisdictions that adopt the national standard would not recognize credit granted for the affected divisions, preventing reciprocity for California candidates.

Underlying Data

The Board relied on the following document(s) in its proposal:

1. ARE Guidelines, August 2013

Business Impact

This regulation will not have a significant adverse economic impact on businesses.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects the examination history of architect applicants, and the effect is insufficient to create or eliminate jobs.
- It will not create new business or eliminate existing businesses within the State of California because it only affects architect applicants who are not yet licensed to practice architecture, and there is no indication that any businesses will be affected.
- It will not affect the expansion of businesses currently doing business within the State of California because it only affects architect applicants who are not yet licensed to practice architecture, and there is no indication that any businesses will be affected.
- This regulatory proposal does not affect the health and welfare of California residents because the proposed regulations only affects architect applicants' examination history.
- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.
- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.