

## 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:

**Department of Consumer Affairs  
2420 Del Paso Road, Sequoia Room  
Sacramento, California 95834  
Monday, November 16, 2015  
2:00 p.m.**

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 not later than 5:00 p.m. on November 16, 2015 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are 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 this Notice as 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 (BPC), and to implement, interpret or make specific section 5550 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:**

Section 5526 of the BPC 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 require an application to become eligible for examination.

#### **Amend Title 16 CCR Section 118.5 – Examination Transfer Credit**

The National Council of Architectural Registration Boards (NCARB) announced a new version of the Architect Registration Examination (ARE) (ARE 5.0) that will begin to be offered no earlier than October 1, 2016. The current version (ARE 4.0) will continue to be offered until June 30, 2018; candidates may choose to transition from ARE 4.0 to

ARE 5.0 until June 30, 2018. Subsequently, NCARB released a credit model that details the credit transition of ARE divisions from ARE 4.0 to ARE 5.0.

Existing regulations specify acceptable ARE credit for those candidates who have taken and passed divisions of the ARE in other jurisdictions and subsequently become California licensure candidates. This proposed change will specify in regulation that candidates who transfer to California from another jurisdiction and have passed portions of the ARE will retain transitional credit in accordance with sections 119.7 and 119.8.

#### Policy Statement Overview/Anticipated Benefits of Proposal

This action will specify in regulation that candidates who transfer to California from another jurisdiction and have passed portions of the ARE will retain transitional credit in accordance with sections 119.7 and 119.8. This benefits incoming architectural candidates by allowing them to retain transitional examination credit passed in other jurisdictions.

#### **Add Title 16 CCR Section 119.8 – ARE 4.0 to ARE 5.0**

NCARB announced ARE 5.0 will begin to be offered no earlier than October 1, 2016. ARE 4.0 will continue to be offered until June 30, 2018; candidates may choose to transition from ARE 4.0 to ARE 5.0 until June 30, 2018. Subsequently NCARB released a credit model that details the credit transition of ARE divisions from ARE 4.0 to ARE 5.0.

Existing regulations specify the transition plan for previous divisions of the ARE to the current divisions and how candidates will receive transitional credit. This proposed adoption requires candidates made eligible on and after October 1, 2016 to take ARE 5.0 and permits already eligible candidates to continue taking ARE 4.0 through June 30, 2018. In addition, the proposed language outlines the transition plan effective October 1, 2016 for candidates who transition from ARE 4.0 to ARE 5.0, and clarifies that candidates may not transition from ARE 5.0 to ARE 4.0.

#### Policy Statement Overview/Anticipated Benefits of Proposal

This proposed adoption requires candidates made eligible on and after October 1, 2016 to take ARE 5.0 and permits current candidates to continue taking ARE 4.0 through June 30, 2018. In addition, the proposed language outlines the transition plan effective October 1, 2016 for candidates who transition from ARE 4.0 to ARE 5.0 and clarifies that candidates may not transition from ARE 5.0 to ARE 4.0. This proposal will ensure candidates for licensure meet the professional standards for examination as well as clarify the method of transitioning examinations.

#### **Consistency and Compatibility with Existing State Regulations**

During the process of developing these regulations and amendments, the Board has conducted a search of similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

Material Relied Upon:

ARE 5.0 Credit Model

ARE 5.0 Test Specification

ARE 5.0: Frequently Asked Questions

**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 Require Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:  
N/A

Cost Impact on Representative Private Person or Business: The Board 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 Board has determined that the proposed regulations would not affect small businesses as it only affects applicants pursuing an architect license.

**Result of Economic Impact Assessment/Analysis:**

Impact on Jobs/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.

Benefits of Regulation: Candidates will be able to receive credit for the new ARE Version and transitional credit for prior ARE Versions.

## **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 be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations 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 any document incorporated by reference, 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 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 website listed below).

## **Contact Person**

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

Name:	Timothy Rodda
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7217
Fax No.	(916) 575-7283

E-Mail Address:           timothy.rodde@dca.ca.gov

The backup contact person is:

Name:                       Marccus Reinhardt  
Address:                   2420 Del Paso Road, Suite 105  
                                  Sacramento, CA 95834  
Telephone No.:           (916) 575-7212  
Fax No.                     (916) 575-7283  
E-Mail Address:           marccus.reinhardt@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [www.cab.ca.gov](http://www.cab.ca.gov).