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**IDAPA 24
TITLE 01
Chapter 01**

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.01.01 - RULES OF THE BOARD OF ARCHITECTURAL EXAMINERS

000. LEGAL AUTHORITY (Rule 0).

These rules are hereby prescribed and established pursuant to the authority vested in the Board of Architectural Examiners by the provisions of Section 54-312, Idaho Code. (7-1-93)

001. TITLE AND SCOPE (Rule 1).

These rules shall be cited as IDAPA 24.01.01, "Rules of the Board of Architectural Examiners". (7-1-93)

002. (RESERVED).

003. WRITTEN INTERPRETATIONS (Rule 3).

The board may have written statements which pertain to the interpretation of the rules of this chapter. Such interpretations, if any, are available for public inspection and copying at cost in the main office of the Bureau of Occupational Licenses. (7-1-93)

004. -- 009. (RESERVED).

010. DEFINITIONS (Rule 10).

01. Board. The Board of Architectural Examiners as prescribed in Section 54-312, Idaho Code. (7-1-93)

011. -- 099. (RESERVED).

100. ORGANIZATION (Rule 100).

01. Organization Of The Board. At the last meeting of each year, the Board shall organize and elect from its members a Chairman, Vice Chairman, and Secretary who shall assume the duties of their respective offices immediately upon such selection. (7-1-93)

02. Board Members And Duties. (7-1-93)

a. Chairman. The Chairman shall be a voting member of the Board, and when present preside at all meetings, appoint with the consent of the Board, all committees, and shall otherwise perform all duties pertaining to the office of Chairman. The Chairman shall be an ex-officio member of all committees. (7-1-93)

b. Vice Chairman. The Vice Chairman shall, in the absence or incapacity of the Chairman exercise the duties and possess all the powers of the Chairman. (7-1-93)

c. Secretary. The Secretary of the Board shall keep an accurate record of the proceedings at the meetings of the Board, he shall cause a copy of the minutes of the previous meeting to be sent to all members of the Board at least fifteen (15) days prior to the next regular meeting of the Board, he shall receive correspondence directed to the Board, and he shall cause answers to be written in behalf of the Board. (7-1-93)

d. Executive Secretary. The Chief of the Bureau of Occupational Licenses shall be the acting Executive Secretary of the Board and all records of the Board shall be in the charge of the Executive Secretary. The office of the Executive Secretary shall provide such clerical assistance as may be required by the Board. He shall be an advisor to the Board, without membership status. (7-1-93)

101. -- 149. (RESERVED).

150. PROCEDURES AND DUTIES (Rule 150).

01. Meetings. The Board shall meet at least four (4) times annually at such times and places as designated by the Board or the Chairman of the Board. Special meetings may be held at the call of the Chairman, and all members shall be notified in writing, thereof. (7-1-98)

02. Voting. A quorum shall be four Board members. A majority vote of Board members present shall be considered the action of the Board as a whole. Any motion before the Board shall fail on a tie vote. (7-1-97)

151. -- 199. (RESERVED).

200. FEES (Rule 200).

Fees for Examinations and Licensure. (7-1-93)

01. Fees For Examination. Examination fees will be as established by the National Council of Architectural Registration Boards (NCARB). (7-1-97)

a. Processing Fee. Applicants for licensing by examination must submit a twenty-five dollar (\$25) processing fee. (7-1-98)

02. Annual Renewal Fee. Annual renewal fee - Seventy-five dollars (\$75). (7-1-93)

03. Endorsement Fee. Endorsement Fee - One hundred fifty dollars (\$150). (7-1-93)

04. Reinstatement Fees. Reinstatement fees are as provided in Section 67-2614, Idaho Code. (7-1-98)

05. Refund Of Fees. No refund of fees shall be made to any person who has paid such fees for application for examination, or reexamination, licensure, or reinstatement of license. (7-1-98)

201. -- 299. (RESERVED).

300. APPLICATION (Rule 300).

01. Licensure By Examination. (7-1-93)

a. Application for examination shall be made on the uniform application form adopted by the Board and furnished to the applicant by the Executive Secretary of the Board. (3-18-99)

b. Applicants shall secure and furnish all information required by the uniform application form and shall include the following: (7-1-93)

i. Certified transcript of all subjects and grades received for all college courses taken. (7-1-93)

ii. If graduated from a college or university, furnish certification of graduation and a certified transcript of all work completed. (7-1-93)

iii. 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. (7-1-93)

iv. A recent two inch by three inch (2" x 3") photograph taken within the previous year for identification purposes. (7-1-93)

v. In addition to the above required information, an applicant having credits or a degree or degrees from any college or university shall furnish the Board a certified statement from each above institution stating by what accrediting group, if any, such credits or degree or degrees are accredited. (7-1-93)

c. Application shall not be presented to the Board or evaluated by the Board until all required information is furnished and the required fee is paid. (7-1-93)

d. To be considered by the Board, properly completed applications must be received by the Executive Secretary at least thirty (30) days prior to the first day of the month in which the Board will meet. (7-1-98)

e. Qualifications of Applicants. All applicants for the Architectural Registration Examination (ARE) shall possess the minimum qualifications required by the current NCARB Circular of Information #1, Appendix "A" where such Circular of Information does not conflict with Idaho law. After June 1, 1993, all applicants for the ARE must have completed the Intern Development Program (IDP) requirements. (7-1-97)

02. Licensure By Endorsement - Blue Cover. (7-1-97)

a. General requirements. Application shall be accompanied by 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 shall include letters, transcripts, and other documents substantiating all statements relative to education and experience made in said application as required by the Board. (7-1-97)

b. Seismic knowledge requirements for endorsement applicants. Each applicant for license under endorsement to practice architecture in the state of Idaho shall submit evidence of his skill and knowledge in seismic design and such evidence shall be submitted and signed by the applicants acknowledged before a notary public, and shall contain one of the following statements: (7-1-97)

i. "I have passed the examinations in Building Construction and Structural Design of the Western Conference of State Architectural Registration Boards in June 1963 or since and/or the NCARB in 1965 or since." (7-1-97)

ii. "I am registered in the State of _____ in 20____, where competence in seismic was a requirement for registration since _____, 20____." (7-1-93)

iii. Certification of the successful completion of the seismic seminar approved by the National Conference of Architectural Registration Boards. (7-1-93)

c. All applicants shall attach to their statement a certification from the State architectural registration agency of the cited state attesting the adequacy of the cited seismic examination. (7-1-93)

03. Licensure By Endorsement - Equivalency. (7-1-97)

a. Application shall be made on the uniform application form adopted by the Board and furnished to the applicant by the Executive Secretary of the Board. (7-1-97)

b. Applicant shall comply with all requirements set forth in Subsections 300.01, 300.02.b.i., 300.02.b.ii., 300.02.b.iii., and 300.02.c. (7-1-97)

c. Applicant shall provide proof of holding a current and valid license issued by another state, a licensing authority recognized by the Board. (7-1-97)

d. Applicant shall provide proof of satisfactorily passing the NCARB examinations or NCARB authorized equivalent examination, as determined by the Board. (7-1-97)

301. -- 349. (RESERVED).

350. REGISTRATION EXAMINATION (Rule 350).

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: (7-1-97)

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 shall cause repeat divisions of the ARE to be administered to qualified candidates on such dates as are scheduled by the NCARB. (7-1-98)

02. Content. The ARE comprises nine (9) divisions as follows: (7-1-93)

a. Division A - PRE-DESIGN. (7-1-98)

b. Division B - SITE PLANNING. (7-1-98)

i. Candidates who have not passed both Division B Written and Graphic prior to computerized ARE will need to take Site Planning. (7-1-98)

c. Division C - BUILDING PLANNING and BUILDING TECHNOLOGY. (7-1-98)

i. Candidates who have not passed Division C prior to computerized ARE need to take both Building Planning and Building Technology. (7-1-98)

d. Division D/F - GENERAL STRUCTURES. (7-1-98)

e. Division E - LATERAL FORCES. (7-1-98)

f. Division G - MECHANICAL AND ELECTRICAL. (7-1-98)

g. Division H - MATERIALS AND METHODS. (7-1-98)

h. Division I - CONSTRUCTION DOCUMENTS AND SERVICES. (7-1-98)

03. Grading. The ARE shall be graded in accordance with the methods and procedures recommended by the NCARB. To achieve a passing grade on the ARE, an applicant must receive a passing grade in each division. Grades from the individual division may not be averaged. Applicants will have unlimited opportunities to retake division which they fail. The Board shall accept 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 regardless of the date of the examination or location in which the examination took place. (7-1-93)

04. Transfer Credits. Except as indicated at Subsection 350.02, above, applicants who had passed portions of the previous registration examinations (Professional Examination - Section A, Professional Examination - Section B, and Qualifying Test) will receive the transfer credits set forth below and need only take those divisions of ARE for which no transfer credit has been received. To be eligible for transfer credits for any portion of the Professional Examination - Section B, the applicant must have passed three (3) parts of that examination in one (1) sitting, in or after December, 1980.

NOTE: Since the history and theory of architecture is incorporated into all divisions of the ARE, no credit will be given for having passed the Qualifying Test - Section A, History. (7-1-98)

a. For previous examinations passed credits go to the following ARE divisions: (7-1-93)

i. Professional Examination - Section B, Parts I and II -- Division A. (7-1-93)

ii. Professional Examination - Section A, (Design/Site) -- Divisions B and C. (7-1-93)

iii. Professional Examination - Section B, Part III -- Divisions D, E, F, G, and H. (7-1-93)

iv. Qualifying Test - Section B -- Divisions D, E and F. (7-1-93)

- v. Qualifying Test - Section D -- Division G. (7-1-93)
- vi. Qualifying Test - Section C -- Division H. (7-1-93)
- vii. Professional Examination - Section B, Part IV -- Division I. (7-1-93)

b. Applicants without an accredited professional degree in architecture must, in all cases, pass Divisions D, E, F, G and H of the ARE if they have not passed equivalent portions of the Qualifying Test: even though the applicant may have passed the professional Examination - Section B, Part III. (7-1-93)

c. Applicants without an accredited professional degree in architecture must in all cases, pass Division A of the ARE if they have not passed Section A of the Qualifying Test: even though the applicant may have passed the Professional Examination - Section B, Parts I and II. (7-1-93)

351. MISCELLANEOUS REQUIREMENTS FOR EXAMINATION (Rule 351).

- 01. Personal Interviews.** Personal interviews may be administered at the option of the Board. (7-1-93)

352. -- 399. (RESERVED).

400. MISCELLANEOUS REQUIREMENTS (Rule 400).

01. Practice Of Architecture. Idaho Law prohibits the practice of architecture by any unlicensed person or firm for any reason. (7-1-93)

02. Corporations. Corporations organized to do general business in the state of Idaho may not practice architecture in the state of Idaho. (7-1-93)

03. Firm Names. Firm names incorporating the use of names of unlicensed individuals are considered in violation of Section 54-310, Idaho Code. (7-1-93)

401. -- 449. (RESERVED).

500. AFFILIATION (Rule 500).

01. Board Is An Active Member Of The Western Conference Of The Architectural Registration Boards. This Board by approved resolution and payment of the proper fees by the proper authority is an active member of the Western Conference of the Architectural Registration Boards. The Board shall designate one or more delegates from the Board to attend the annual meeting of the Western Conference and approve payment of the expenses of the delegate or delegates by the state of Idaho in accordance with the law. (7-1-93)

02. Board Is A Member Of The NCARB. This Board by approved resolution and payment of any proper fees by the proper authority is a member of NCARB. The Board shall designate one or more delegates from the Board to the annual meeting of the National Council and approve payment of expenses of the delegate or delegates by the state of Idaho in accordance with the law. (7-1-97)

501. -- 549. (RESERVED).

550. INTERPRETATIONS (Rule 550).

The following interpretation of Laws relating to Architecture in Idaho Code are hereby made by the Board. (7-1-93)

01. Reference To Building. Under Section 54-309, reference to any building wherein the safeguarding of life, health, and property is concerned means any building which public or private sector of population may use or any building into which the public or private sector of the population is invited either as spectators, visitor, student, guest, or employee, or any building where the private or public sector of the population conducts business. (7-1-93)

02. Administration Of Construction Contracts. Under Section 54-309, paragraph 1-c, "Practice of Architecture," Section 54-305, paragraph 1-f, Grounds for Discipline, the words "Administration of Construction Contracts", in accordance with current knowledge and usage in the profession means "Administration of the Contract" as defined in the current edition of the General Conditions of the Contract for Construction (AIA Document A201) as published by the American Institute of Architects. (7-1-93)

03. Professional Standards. Under Section 54-305, an architect shall be completely objective and truthful in all professional reports, statements, or testimony and shall include therein all relevant and pertinent information known to him. (7-1-93)

04. Direct Supervision. Direct supervision is that degree of supervision by a licensed architect overseeing the work of another whereby the architect has both control over, and detailed professional knowledge of, the work prepared under his or her supervision. The primary contract or agreement for the project must be between the architect of record and the entity for which architectural services are provided, not between the person being supervised and the entity for which the services are provided. (7-1-98)

551. -- 599. (RESERVED).

600. LEGAL ADVICE (Rule 600).

All legal advice shall be furnished the Board by the Office of the Attorney General of the State of Idaho or such legal advice may be furnished by private legal counsel with the approval of the Board. (7-1-93)

601. -- 699. (RESERVED).

700. RULES OF PROCEDURE UNDER THE ADMINISTRATIVE PROCEDURE ACT (Rule 700).

All procedures available under the Board of Architects shall be those adopted by the Bureau of Occupational Licenses. (7-1-93)

701. -- 749. (RESERVED).

750. CODE OF ETHICS (Rule 750).

01. Rules Of Conduct. The NCARB Rules of Conduct are hereby adopted as the Rules of Conduct for all Idaho licensed architects. (7-1-97)

02. Violation Of The Code Of Ethics. The Board will take action against a licensee under Section 54-305 (h), Idaho Code, who is found in violation of the Code of Ethics. (7-1-93)

751. COSTS AND FEES IN DISCIPLINARY PROCEEDING (Rule 751).

The Board may order a licensed architect to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-305(1)(a)(i), Idaho Code. (3-18-99)

752. -- 799. (RESERVED).

800. RULE MAKING HISTORY PRIOR TO JULY 1, 1993 (Rule 800).

ADOPTED DECEMBER 29, 1989
EFFECTIVE JANUARY 18, 1990
ADOPTED BY EMERGENCY NOVEMBER 2, 1990
EFFECTIVE APRIL 4, 1991
ADOPTED BY EMERGENCY MARCH 1, 1991
EFFECTIVE JUNE 4, 1991
SUPERSEDING ALL PREVIOUS RULES

(7-1-93)

801. -- 999. (RESERVED).