

**ADOPTED REGULATION OF THE STATE BOARD OF
ARCHITECTURE, INTERIOR DESIGN
AND RESIDENTIAL DESIGN**

LCB File No. R230-03

Effective April 30, 2004

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 623.140 and 623.190; §2, NRS 623.140, 623.180 and 623.310; §§3, 4 and 6, NRS 623.140; §5, NRS 623.140 and 623.185; §7, NRS 623.140 and 623.150.

A REGULATION relating to the practice of architecture, interior design and residential design; revising certain provisions pertaining to the experience required for registration as an architect; revising the fee schedule pertaining to examinations and issuances of certificates of registration; revising certain provisions pertaining to plans, drawings and specifications; making various technical changes; and providing other matters properly relating thereto.

Section 1. NAC 623.235 is hereby amended to read as follows:

623.235 1. The Board hereby adopts the architectural examination prepared by the National Council of Architectural Registration Boards as the examination to be used in this state to test applicants for registration as architects.

2. In addition to the qualifications of minimum age and good moral character which are prescribed in subsection 1 of NRS 623.190, to participate in the examination an applicant must, except as otherwise provided in subsection 3, have completed the ~~[700 units required for completion of the Intern-Architect]~~ *Intern* Development Program of the National Council as the

Program existed at the time of application for registration and received a first professional degree in architecture from a program accredited by the National Architectural Accrediting Board.

3. An applicant who received 7 years of credits for education and practical training before January 1, 1986, may participate in the examination after he has received a total of 8 years of credits for education and practical training as determined pursuant to NAC 623.415 or 623.445 .

~~[, or a combination thereof which is acceptable to the Board.]~~ Of the 8 years immediately preceding the date on which the application is submitted, the applicant must have had 3 years of experience in the office and under the direct supervision of a registered architect.

4. An applicant who has completed the Program for interns must have the National Council transmit adequate evidence thereof to the Board. If necessary, to evaluate the training received by an applicant who participated in the Program, the Board will require him to substantiate the quality and character of his training during the Program.

5. Requests for information regarding the ~~[Intern-Architect]~~ *Intern* Development Program must be directed to the:

NATIONAL COUNCIL OF ARCHITECTURAL

REGISTRATION BOARDS

1801 K Street, NW, Suite 1100K

Washington, DC 20006-1310

202.783.6500

6. Upon the applicant's successful completion of all parts of the written examination, each applicant must personally appear before the Board to take an oath prescribed by the Board.

Sec. 2. NAC 623.290 is hereby amended to read as follows:

623.290 1. The following fees are prescribed and will be collected by the Board at the time an application is made or material is furnished:

(a) For an examination for a certificate:

(1) For the ~~written~~ examination for registration as a residential designer *if the entire examination is taken at one time* \$300

(2) *If the entire examination is not taken at one time:*

(I) *For the graphic section of the examination for registration as a residential designer*..... 150

(II) *For each written section of the examination for registration as a residential designer* 75

(3) For the written examination for registration as a registered interior designer ~~550~~ 100

~~(3)~~ (4) By reciprocity or other means requiring special action by the Board..... 300

~~(4)~~ (5) For the computer architect registration examination, in addition to the regular fee for examination 50

(b) For a certificate of registration 125

(c) For the late renewal of an expired certificate *of registration* within 1 year after its expiration 220

(d) For the late renewal of a certificate which has been expired for more than 1 year but not more than 3 years 300

(e) ~~For~~ *Except as otherwise provided in paragraph (f), for* an initial ~~300~~ 150

registration or a renewal of a registration 75

(f) *For an initial registration issued in November or December*..... 75

(g) For restoration of an expired or revoked certificate *of registration*..... 300

~~(g)~~ (h) For replacement of a certificate *of registration*..... 30

~~(h)~~ (i) For application forms 25

2. The Board will, upon request, make available the schedule of fees charged by the National Council of Architectural Registration Boards for the examination for registration as an architect and for retaking any part or parts of the examination.

Sec. 3. NAC 623.465 is hereby amended to read as follows:

623.465 The credit to be allowed for the training described in the table in NAC 623.445 is subject to the following conditions:

1. Credit for training may be earned only after at least 2 1/2 credits have been earned for education.

2. After 5 years of education, each applicant must earn at least 1 year of credit for employment in the office of a registered architect . ~~[and 1 year for practice as a principal in architectural work.]~~

3. To be allowed credit for a master’s or doctoral degree in architecture or for teaching or research in an architectural program, the subjects studied, taught or researched by the applicant must be evaluated by the Board and found to be ~~[directly]~~ related *directly* to architecture. Twenty semester hours or 30 quarter hours of teaching or research is considered to be 1 year.

4. Credits may not be used for both education and training.

5. An applicant, upon request by the Board, must substantiate his training by showing that it meets the requirements of an intern in the ~~[Intern-Architect]~~ *Intern* Development Program of the National Council of Architectural Registration Boards.

Sec. 4. NAC 623.740 is hereby amended to read as follows:

623.740 1. Every corporate or fictitious name proposed for use by a registrant's firm, partnership, association or corporation must be submitted to the Board for review and approval before it is adopted and used by the firm, partnership, association or corporation.

2. A registrant's firm, partnership, association or corporation may do business under a fictitious name if the name is submitted to the Board for review, and is approved by the Board before it is adopted and used by the business. The decision by the Board to approve or disapprove the name will be based upon whether the proposed name complies with the wording and intent of the Board's applicable code of ethics, guidelines for corporate and fictitious names for registered architects, residential designers or interior designers and chapter 623 of NRS.

3. The name of a registrant's firm, partnership, association or corporation may include names of natural persons only as follows:

(a) The name of a living registrant who is a member of the business or a former registrant who is or was a member of the business and who is retired or deceased. The status of a retired member must be indicated on the letterhead of a registrant's business by the word "retired." The status of a deceased member must be indicated on the letterhead of a registrant's business by the word "deceased" or numerals showing the years of the member's birth and death.

(b) The name of a person who is a member of another architectural or engineering business or business for the practice of landscape architecture only if the person is a living registered

architect ~~[]~~ *or* landscape architect or *licensed* professional engineer and is clearly indicated as being an architect, landscape architect or professional engineer.

(c) The name of a person who is a member of another registered interior designer business *or residential designer business* only if the person is a living registered interior designer *or residential designer* and is clearly indicated as being a registered interior designer ~~[]~~ *or residential designer*.

4. A firm, partnership, association or corporation which is authorized by the Board to use a corporate or fictitious name shall file with the Board the name of each stockholder, director or other member of the business and shall display all the names and the professional status of each *registrant* on its letterhead.

5. Every architectural, residential designer or registered interior designer firm, partnership, association or corporation ~~[shall:~~

~~—(a) Immediately advise the Board of any]~~ *shall notify the Board in writing within 30 days after:*

(a) *Any* change in the ownership or management of the firm, partnership, association or corporation; and

(b) ~~[Notify the Board in writing within 30 days after:~~

~~—(1) Any change in the ownership or management of the firm, partnership, association or corporation; or~~

~~—(2)]~~ Any change of a fictitious name that occurs after the initial approval of the Board.

6. A licensee may not use the name of a registrant's firm, partnership, association or corporation or represent a registrant's firm, partnership, association or corporation partnership,

association or corporation in a manner which reflects the association of another licensee who is not a member of that business.

7. As used in this section:

(a) “Fictitious name” means a name ~~[which does not include the name of a registered principal.]~~ *that is not the real name of each registrant who is a member of a firm, partnership, association or corporation.*

(b) *“Member” means a person who holds not less than 1 percent financial interest in a firm, partnership, association or corporation.*

(c) The terms “registrant,” “registered architect,” “registered landscape architect,” “professional engineer ~~[and]~~,” “registered interior designer” *and “registered residential designer”* include only persons registered *or licensed* in this state.

Sec. 5. NAC 623.766 is hereby amended to read as follows:

623.766 1. Plans submitted to a public authority must include:

- (a) The name, address and telephone number of the firm that submits the plans;
- (b) The name and location of the project for which the plans are submitted;
- (c) The date the plans were issued for printing; and
- (d) A statement that indicates whether the plans are preliminary or final.

2. If the plans submitted to a public authority are copies of the original plans:

(a) Each sheet must bear the date ~~[]~~ *and the original* stamp and signature of the registrant who provided the responsible control under which the work indicated on the sheet was performed; and

(b) For each professional discipline included in the plans, the cover sheet and the first sheet for that professional discipline must be dated and include an original stamp and signature of the

registrant who provided the responsible control under which the work indicated on the sheet was performed.

3. Each set of specifications submitted to a public authority must include a table of contents or cover sheet that:

(a) Indicates the professional discipline that is the source of each specification; and

(b) Contains the stamp of, and is signed and dated by, each registrant who provided the responsible control under which the work in that professional discipline was performed.

4. Each report, study, test result, certification or calculation that is submitted to a public authority must be stamped, signed and dated by the registrant who provided the responsible control under which that report, study, test result, certification or calculation was submitted.

Sec. 6. NAC 623.780 is hereby amended to read as follows:

623.780 Each architect, residential designer and interior designer who holds a certificate of registration shall:

1. Take such reasonable steps as are necessary to ensure that his drawings and specifications are not used for projects not contemplated at the time those drawings and specifications are completed.

2. Include in all contracts between himself and a client the following language:

Drawings and specifications remain the property of the design professional. Copies of the drawings and specifications retained by the client may be utilized only for his use and for occupying the project for which they were prepared, and not for the construction of any other project.

3. Retain possession of all original ~~[line drawings prepared for a project.~~
~~—4.— Not permit the dissemination of original drawings and specifications in any form, including, but not limited to, computer discs, which, when duplicated, could be indistinguishable from the original drawings and specifications.]~~ *plans, drawings and specifications issued for official use. The plans, drawings and specifications must be printed on paper or stored in an electronic form.*

Sec. 7. NAC 623.915 is hereby amended to read as follows:

623.915 1. Upon receipt of a complaint, the Executive Director or a person otherwise authorized by the Board shall appoint a member of the Board's staff to conduct an initial investigation of the complaint. The investigator shall submit a written report to the Executive Director or a person otherwise authorized by the Board which describes the results of his investigation.

2. The Executive Director or a person otherwise authorized by the Board shall review the written report and recommend that the Board:

- (a) Dismiss the complaint;
- (b) Negotiate a resolution of the complaint;
- (c) Authorize the creation of an advisory committee to review the complaint if the respondent agrees to participate in an informal conference with an advisory committee; *or*
- (d) ~~[Schedule an informal hearing; or~~
- ~~—(e)]~~ Schedule a formal hearing.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R230-03**

The State Board of Architecture, Interior Design and Residential Design adopted regulations assigned LCB File No. R230-03 which pertain to chapter 623 of the Nevada Administrative Code on March 4, 2004.

Notice date: 2/2/2004
Hearing date: 3/4/2004

Date of adoption by agency: 3/4/2004
Filing date: 4/30/2004

INFORMATIONAL STATEMENT

- 1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**

Petition R203-03 was posted on February 2, 2004 at all Nevada County Public Libraries and at the offices of the Nevada State Board of Architecture, Interior Design and Residential Design in Las Vegas and Reno. Copies were made available to the public by contacting our office at (702) 486-7300. The hearing was held on March 4, 2004 at 2:00 p.m. No public comments were received.

- 2. The number of persons who:**
(a) Attended each hearing: 0
(b) Testified at each hearing: 0
(c) Submitted to the agency written comments: 0

- 3. A description of how comment was solicited from affected businesses, a summary of their response and an explanation how other interested persons may obtain a copy of the summary.**

Notice of the Public Hearing was posted, per NRS 241, and those individuals on the mailing lists were advised of the Public Hearing. No written comments were received, nor were any public comments orally made during the Public Hearing. Any further information may be obtained by contacting the Nevada State board of Architecture and Design, 2080 E. Flamingo Road, Suite 225, Las Vegas, Nevada 89119 (702) 486-7300.

- 4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The permanent regulation was adopted at the NSBAIDRD Full Board Meeting on March 4, 2004. No testimony was received in opposition to the proposed regulation. The regulation was therefore adopted without changing any language in the draft received from LCB.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects:**

- a. The proposed revisions to the fee schedule are expected to have an immediate or long-term beneficial economic effect upon the regulated community. No adverse effects are anticipated relative to the proposed changes to the regulation.
- b. There is no estimated long-term effect on the public, either adverse or beneficial, nor immediate or long-term.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations that the proposed amendments duplicate.

8. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

Not applicable.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The fee schedule portion of the regulation does not increase any existing fees; however, it does provide for pro-rated fees for residential design examination candidates who do not sit for the entire examination at one time. The fee schedule portion of the regulation also provides for a pro-rated registration fee for those applicants who obtain their license during the months on November and December of each year. All license renewals expire on December 31 of each year. We estimate we will collect between \$1,500 and \$2,500 per year, depending upon how many candidates take the residential design examination, and how many applicants obtain their license during the months of November and December of each year. The money received from these fees will be used to maintain the board office.