

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

LCB File No. R113-99

Effective December 4, 2000

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

AUTHORITY: §§1, 4-9 and 11, NRS 623.140 and 623.145; §§2, 3 and 10, NRS 623.140.

Section 1. Chapter 623 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. 1. *Each registrant shall validate a stamp or seal by signing his name legibly in opaque ink across the face of the impression made by the stamp or seal and entering the date of stamping or sealing immediately below the impression of the stamp or seal. The signature must not obliterate the registrant's name, discipline or number of registration. The registrant may not use a stamp or computer to produce his signature.*

2. When a registrant signs, stamps or seals a document containing the work of others, the registrant represents that the entire document has been prepared by him or prepared under his direct supervision, unless he includes a written statement adjacent to his signature, stamp or seal identifying the portion of the document that was prepared by him or prepared under his direct supervision.

3. A registrant who signs, stamps or seals a document which was not prepared by him but was prepared under his direct supervision is subject to disciplinary proceedings pursuant to chapter 623 of NRS for any errors in that document as if he prepared it himself.

4. For the purposes of NRS 623.185, plans, specifications, reports and any other documents which are issued by a registrant with the intent that they be considered as formal or final documents must be stamped with the seal of the registrant before they are delivered to or filed with any public authority.

5. A registrant is not required to stamp the following documents:

(a) An as-built plan or record plan;

(b) A report that includes observations concerning the progress of the construction of a project; or

(c) An estimate of the costs of a project.

Sec. 3. 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, stamp and signature of the registrant who provided the direct supervision 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 direct supervision 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 direct supervision 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 direct supervision under which that report, study, test result, certification or calculation was submitted.

Sec. 4. 1. *When rendering professional interior design services, a registered interior designer shall:*

- (a) Exercise knowledge and skill in performing those services; and*
- (b) Comply with all federal, state, municipal and county laws, codes, ordinances and regulations relating to the practice of interior design.*

2. A registered interior designer shall not perform or attempt to perform a professional service relating to interior design unless the registered interior designer:

(a) Is qualified by education, training and experience to perform the professional service;
or

(b) Associates himself with, or consults with, another person who is qualified to perform the professional service, to the extent necessary to perform that service competently.

Sec. 5. *Before accepting a project, a registered interior designer shall fully disclose to the prospective client all compensation that the registered interior designer will receive in connection with the project. If the registered interior designer accepts the project, the registered interior designer shall not accept any compensation from any person with whom the*

interior designer deals in connection with the project that has not been fully disclosed to the client pursuant to this section.

Sec. 6. 1. *Before accepting a project, a registered interior designer shall reasonably inform the prospective client of:*

- (a) The scope and nature of the project;*
- (b) The professional services relating to interior design that will be performed; and*
- (c) The method of compensation for those professional services.*

2. *If a registered interior designer becomes aware that his employer or his client has decided to take an action regarding a project which is against the professional advice of the registered interior designer, which violates any applicable federal, state, municipal or county law, code, ordinance or regulation and which, in the professional opinion of the registered interior designer, will materially and adversely affect the safety, health or welfare of the public, the registered interior designer shall:*

- (a) Report the decision to the person, agency or board that is responsible for enforcement of the law, code, ordinance or regulation;*
- (b) Refuse to consent to the decision; and*
- (c) If the registered interior designer reasonably believes that other such decisions will be taken notwithstanding his advice and objection, terminate his services in connection with the project. A registered interior designer who terminates his services pursuant to this paragraph is immune from liability for damages sustained by his employer or his client as the result of terminating his services.*

Sec. 7. 1. *A registered interior designer shall not:*

- (a) Knowingly violate any state or federal criminal law; or*

(b) Counsel or assist a client in conduct that the registered interior designer knows, or should know, involves fraud or other illegal acts.

2. A registered interior designer shall not give, lend or promise anything of value to a public officer with the intent to influence or attempt to influence the judgment or actions of the public officer in connection with a prospective or existing project in which the interior designer is interested.

Sec. 8. 1. Except as otherwise provided in section 2 of this regulation, a registered interior designer shall not sign or seal a drawing, specification or other interior design document.

2. A registered interior designer shall not engage in conduct that involves fraud or wanton disregard of the rights of other persons.

Sec. 9. A violation of any provision of sections 2 to 8, inclusive, of this regulation is a ground for disciplinary action.

Sec. 10. NAC 623.215 is hereby amended to read as follows:

623.215 1. An application for registration as an architect , ~~or~~ residential designer *or registered interior designer* must be made on a form prescribed by the board.

2. The application must include : ~~the following information:~~

(a) The applicant's name and social security number, the number of his driver's license, and the addresses and telephone numbers of his business and residence;

(b) The applicant's birthplace and date of birth;

(c) A statement whether the application is for certification by written examination or by evidence of registration and certification in another jurisdiction;

(d) A list of technical and professional organizations of which the applicant is a member;

(e) The names and addresses of the applicant's associates in business and the employer from whom the applicant has solicited a letter of reference; and

(f) A statement whether the applicant has ever been arrested and, if so, the date, place, nature and final disposition of the charge.

3. Each application must be notarized.

Sec. 11. NAC 623.900 is hereby amended to read as follows:

623.900 *1.* The board hereby adopts by reference the ~~["Rules of Conduct,"]~~ *Rules of Conduct*, approved and published by the National Council of Architectural Registration Boards, as they existed on July 1, 1998 ~~[,]~~, *as the code of ethics for architects.*

2. The board hereby adopts by reference the Rules of Conduct, approved and published by the National Council of Architectural Registration Boards, as they existed on July 1, 1995, as the code of ethics for residential designers with the following changes:

(a) The word "architect" is amended to read "residential designer";

(b) The word "architects" is amended to read "residential designers"; and

(c) The word "architectural" is amended to read "residential design."

3. The rules may be obtained at no cost from the:

State Board of Architecture, Interior Design and Residential Design

2080 E. Flamingo Road, Suite 225

Las Vegas, NV 89119

(702) 486-7300

NOTICE OF ADOPTION OF REGULATION

October 25, 2000

Brenda J. Erdoes
Legislative Counsel Bureau
401 S. Carson Street
Carson City, NV 89701-4747

Re: LCB File No. R113-99

Dear Ms. Erdoes:

We have reviewed the revised proposed regulation and have just one minor modification that you will find attached.

Our board met October 19th, 2000 and decided that the revisions are acceptable, of course, incorporating the change that I have made to page two.

If you have any questions, please call me.

Sincerely,

NEVADA STATE BOARD OF ARCHITECTURE,
INTERIOR DESIGN AND RESIDENTIAL DESIGN

Biljana Dokic
Acting Executive Director

Enclosure

INFORMATIONAL STATEMENT

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 LCB FILE NO. R113-99

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 623.

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

Notice of the Public Hearing were posted, per NRS 241, and those individuals on 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 Rd., #225, Las Vegas, NV, 89119 (702) 486-7300.

2. The number of persons who:

- (a) **Attended each hearing;** 10
- (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 were posted, per NRS 241, and those individuals on 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 Rd., #225, Las Vegas, NV, 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 regulations without change.

The Board does not feel that any changes are necessary.

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

- (a) **Both adverse and beneficial effects and**

(b) Both immediate and long-term effects.

Nevada State Board of Architecture and Design does not anticipate that the regulations will have any immediate or long-term economic effects on the business it regulates or the public.

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

The enforcement of these regulations will not create additional cost to our agency.

7. A description of any regulations 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.

This addition to NAC 623 does not overlap or duplicate any regulations of other state or government agencies.

8. If the regulation includes provisions which 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.

Not applicable.