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Final Regulation Agency Background Document

Agency name	DPOR Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
Virginia Administrative Code (VAC) citation(s)	18 VAC 10-20
Regulation title(s)	REGULATIONS Governing Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
Action title	General Review 2017
Date this document prepared	November 18, 2019

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The purpose of the current proposed regulations is a comprehensive review of the existing regulations. The review eliminates duplicative language, simplifies the explanations of requirements, and ultimately produces regulations which, although they already effectively protect the health, safety, and welfare of the public, will be more easily read and understood by the public.

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

No acronyms are used in this report.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On November 6, 2019, the Department of Professional and Occupational Regulations' Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects met to review public comment received regarding its proposed changes to the REGULATIONS Governing Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.

Mandate and Impetus

Please list all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously-reported information, include a specific statement to that effect.

Based on four comments received that related specifically to the architect experience requirement, the Board considered the comments and changed the proposed regulations from the previous stage to reflect the change which makes Virginia more in line with national standards.

Legal Basis

Please identify (1) the agency or other promulgating entity, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency or promulgating entity's overall regulatory authority.

Code of Virginia §54.1-201.5 gives authority to the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects to promulgate regulations. It states, in part, that the Board has the power and duty "To promulgate regulations in accordance with the Administrative Process Act (§2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board."

Purpose

Please explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it's intended to solve.

The last change to regulations took approximately 5.5 years to promulgate and so shortly after the last regulations were approved January 1, 2016, the Board resurrected its Regulatory Review Committee and did a thorough and comprehensive review of each regulation word by word. The proposed changes further clarify regulations for the reader whether they are citizen or licensee and substantially reduce regulations pertaining to businesses thereby making it less burdensome and more straightforward to do business in the Commonwealth.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

The proposed changes decrease the overall amount of regulation. The proposed changes make Virginia competitive with other states in the way architect and professional engineering experience is obtained, streamlined business registration requirements to make it less burdensome on businesses applying for business registrations and just provide clear and concise language for the benefit of the citizen as well as the regulant.

Issues

Please identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The primary advantages to the public are easy to comprehend, condensed regulations. Business owners will find the streamlined business registration less cumbersome than the multiple business registration types previously required. Architect experience requirements have also been adjusted to be more in line with the national model and our neighboring states. There are no disadvantages to the proposed changes.

Requirements More Restrictive than Federal

Please list all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously-reported information, include a specific statement to that effect.

There are no requirements that are more restrictive than applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Please list all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously-reported information, include a specific statement to that effect.

Other State Agencies Particularly Affected

There are no other agencies particularly affected by the proposed regulations.

Localities Particularly Affected

There are no localities particularly affected by the proposed regulations.

Other Entities Particularly Affected

There are no other entities particularly affected by the proposed regulations.

Public Comment

Please summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency response. Ensure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency or board. If no comment was received, enter a specific statement to that effect.

Commenter	Comment	Agency response
Nick Serfass, FAIA	<p>Experience Requirement for Architects</p> <p>I'd like to advocate for a strong review of the time bounding that's part of the experience requirement for architects. There is currently a 36 month experience requirement that is out of date with contemporary practice and unaligned with the national standard. Experience should be mandated based on quality not time, meaning, experience requirements should illustrate the tasks, knowledge, and skills needed. Who's to say how long that experience should take? Different roles, firms, and building types all teach at different paces. In some positions 36 months is too much, in some maybe not enough - it's too variable. This is why this requirement should be stricken in favor of the national standard, the Architect Experience Program via NCARB.</p>	<p>Thank you for taking the time to provide the Board with your comments. The Board concurs to incorporate the AXP as the experience requirement rather than the current three year requirement, although we will use generic language should AXP be renamed in the future.</p>
Harry M. Falconer, Jr., FAIA	<p>Regulation 18VAC10-20-120. Experience</p> <p>Regulation 18VAC10-20-120. Experience, Paragraph B. should be stricken.</p> <p>The Commonwealth's regulation requiring a duration of 36 months of experience for applicants for licensure as an architect has no valid data to support any concept that development of competency is achieved through seat time performing work tasks for 3 years. The regulatory requirement to complete NCARB's Architectural Experience Program® (AXP®) should stand alone. The AXP (formerly the IDP) defines the competency</p>	<p>Thank you for taking the time to provide the Board with your comments. The Board concurs to making the regulatory requirement to complete NCARB's AXP as the experience requirement rather</p>

	<p>necessary for a newly licensed architect to practice architecture independently - to protect the public's health, safety, and welfare. Individuals develop competency in different areas at different speeds. Spending more time and/or repetitive activity does not make one more competent...it's just more time and more repetition.</p> <p>The proposed regulation further requires the 36 months be completed under the supervision of an architect, <u>only</u>. This regulation is in conflict with the requirements of the AXP, which recognizes that valuable, valid experience for an architect can be gained in other [limited] work settings. This conflict may require Virginia licensure candidates to complete more years of work prior to becoming eligible for licensure as an architect.</p> <p>Further, the duration requirement of 36 months is inconsistent with national standards. The proposed regulation is more restrictive, as Virginia is currently 1 of under 10 states who still carry a duration requirement.</p> <p>Restrictive requirements over and above nationally recognized standards do not protect Virginians; rather they restrict and limit the opportunities for Virginians who seek to become an to protect the public through licensed practice. We have three excellent schools of architecture. Graduates will continue to look for opportunities in other states that support the national standards and program requirements to become an architect.</p> <p>Please strike paragraph B of proposed Regulation 18VAC10-20-120 in its entirety!</p>	<p>than the current three year requirement, although we will use generic language should AXP be renamed in the future.</p>
<p>Corey Clayborne, AIA Virginia</p>	<p>Regulation 18VAC10-20-120. Experience, Paragraph B.</p> <p>Virginia should take this opportunity to align itself with NCARB. Experience requirements should be based on the quality and content of said experience. The AXP program, which is vetted thoroughly through NCARB's practice analysis, successfully accomplishes this objective. As such, a 36-month rule seems like an additional hurdle to architectural licensure that has no bearing on the health, safety, and welfare of the general public. The focus should be on quality of experience versus time duration of experience.</p>	<p>Thank you for taking the time to provide the Board with your comments. The Board concurs to incorporate the AXP as the experience requirement rather than the current three year requirement, although we will use generic language should AXP be renamed in the future.</p>
<p>Joshua C. Batkin, Vice President, Council Relations National Council of Architectural</p>	<p>On behalf of the National Council of Architectural Review Boards (NCARB), I am writing in response to your request that NCARB provide comments to the proposed changes to the current Administrative Rules and Regulations for Virginia's Board of Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA).</p> <p>We would like to thank the board for their proactive approach to</p>	<p>Thank you for taking the time to provide the Board with your comments. The Board also agrees to including the IPAL pathway into our regulations using non-specific</p>

<p>Registration Boards</p>	<p>being effective regulators by proposing these changes. We support of many of the updates, including the removal of references to the Intern Development Program, inclusion of the integrated pathway to licensure (IPAL) option, and the mutual recognition agreements. However, there are opportunities to revise several of the proposed changes that would improve the licensure process for candidates and align Virginia’s rules and requirements with the national standards.</p> <p>Specifically, we recommend that the Virginia board consider making the following changes to the proposed changes:</p> <p>Qualifications for Licensing of Architects 18VAC10-20-110. Education.</p> <p>Applicants for original licensure shall hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) <u>or be actively participating in an integrated path accepted by the National Council of Architectural Registration Boards (NCARB) to architectural licensure option within a NAAB accredited professional degree program in architecture.</u> The degree program must have been accredited by NAAB no later than two years after the date of the applicant's graduation from the program.</p> <p>Proposed update:</p> <p><i>Applicants for original licensure shall hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or be actively participating in an integrated path accepted by the National Council of Architectural Registration Boards (NCARB) to architectural licensure option within a NAAB accredited professional degree program in architecture. The degree program must have been accredited by NAAB no later than two years after the date of the applicant's graduation from the program.</i></p> <p>The IPAL option requires students be allowed to take the ARE while enrolled in school. We recommend that you move the language referencing IPAL and include it under the examination section.</p> <p>18VAC10-20-120. Experience.</p> <p>A. Applicants for original licensure shall successfully complete the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) IDP training requirements shall be in accordance with NCARB's Intern Development Program Guidelines, December 2013 Edition. administered architectural experience program.</p> <p>B. Applicants must have a minimum of 36 months experience/training experience or training in architecture. Any experience/training of less than eight consecutive weeks will not be considered in satisfying this requirement, which shall be</p>	<p>terminology should the name of the program change.</p>
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	<p>obtained in an organization offering architectural services that is led by a licensed architect in charge of the organization's architectural practice. The experience must be verified by a licensed architect in the organization's architectural practice on the board's experience verification form.</p> <p>C. Of the 36 months of required experience/training in architecture, at least 12 months shall have been obtained as an employee in the office of a licensed architect. An organization will be considered to be an office of a licensed architect if:</p> <ol style="list-style-type: none"> 1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and 2. The practice of the organization encompasses the comprehensive practice of architecture including the categories set forth in the NCARB IDP requirements. <p>D. C. Applicants with a NAAB-accredited degree or who are actively participating in or who have completed the NCARB-accepted integrated path to architectural licensure option are required to document their experience or training in architecture before licensure.</p> <p>Proposed update:</p> <p><i>Applicants for original licensure shall successfully complete the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) IDP training requirements shall be in accordance with NCARB's Intern Development Program Guidelines, December 2013 Edition. administered architectural experience program which satisfies the experience requirement outlined in section 18VAC10-20-35.</i></p> <p><i>B. Applicants must have a minimum of 36 months experience/training experience or training in architecture. Any experience/training of less than eight consecutive weeks will not be considered in satisfying this requirement, which shall be obtained in an organization offering architectural services that is led by a licensed architect in charge of the organization's architectural practice. The experience must be verified by a licensed architect in the organization's architectural practice on the board's experience verification form.</i></p> <p><i>C. Of the 36 months of required experience/training in architecture, at least 12 months shall have been obtained as an employee in the office of a licensed architect. An organization will be considered to be an office of a licensed architect if:</i></p> <ol style="list-style-type: none"> <i>1. The architectural practice of the organization in which the</i> 	
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	<p>applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and</p> <p>2. The practice of the organization encompasses the comprehensive practice of architecture including the categories set forth in the NCARB IDP requirements.</p> <p>C. Applicants with a NAAB-accredited degree or who are actively participating in or who have completed the NCARB-accepted integrated path to architectural licensure option are required to document their experience or training in architecture before licensure.</p> <p>The changes outlined above will ensure that Virginia meets the national uniform standards for experience. Virginia's requirement that this experience be completed for a minimum of 36 months and only under the supervision of a licensed architect limits the valuable exposure to experience that can be gained in more diverse (but limited) work settings. By removing both the duration and supervision requirements, the Virginia board will streamline their licensure requirements and improve opportunities for architecture candidates in Virginia.</p> <p>18VAC10-20-140. Examination.</p> <p>A. The board is a member board of NCARB and is authorized to make available the NCARB-prepared exam. Applicants for original licensure are required to pass this exam.</p> <p>B. Applications for original licensure shall be approved by the board before applicants will be allowed to sit for the exam. Applicants who have satisfied the requirements of 18VAC10-20-110 and 18VAC10-20-130 and who are currently enrolled in the NCARB IDP or have completed the NCARB-administered architectural experience program shall be admitted to the exam.</p> <p>Proposed update:</p> <p><i>B. Applications for original licensure shall be approved by the board before applicants will be allowed to sit for the exam. Applicants who have satisfied the requirements of 18VAC10-20-110 and 18VAC10-20-130 and who are currently enrolled in the NCARB IDP or have completed the NCARB-administered architectural experience program <u>or be actively participating in an integrated path accept by NCARB to architectural licensure option with a NAAB-accredited professional degree program in architecture option</u> shall be admitted to the exam.</i></p> <p>I would like to thank you for allowing us to review and offer recommendations to the Board's proposed changes to the Administrative Rules and Regulations. Please do not hesitate to contact me or Nefertari Carver, Assistant Vice President for</p>	
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	Volunteer Engagement (ncarver@ncarb.org) should you have any questions, comments, or concerns.	
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Detail of Changes Made Since the Previous Stage

*Please list all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. *Please put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	New requirement from previous stage	Updated new requirement since previous stage	Change, intent, rationale, and likely impact of updated requirements
18VAC10-20-110. Education.		<p>A. Applicants for original licensure shall hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) <u>or be actively participating in an integrated path accepted by the National Council of Architectural Registration Boards (NCARB) to architectural licensure option within a NAAB-accredited professional degree program in architecture.</u></p> <p>The degree program must have been accredited by NAAB no later than two years after the date of the applicant's graduation from the program.</p> <p>B. Applicants seeking credit for a degree or coursework that is not NAAB-accredited, whether foreign or domestic, shall <u>establish an NCARB record and have that degree or coursework evaluated for equivalency to a NAAB-accredited professional degree in architecture through NAAB's</u></p>	<p>A. Applicants for original licensure shall hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or be actively participating in an integrated path accepted by the National Council of Architectural Registration Boards (NCARB) to architectural licensure option within a NAAB-accredited professional degree program in architecture. The degree program must have been accredited by NAAB no later than two years after the date of the applicant's graduation from the program.</p> <p>B. Applicants seeking credit for a degree or coursework that is not NAAB-accredited, whether foreign or domestic, shall <u>establish an NCARB record and have that degree or coursework evaluated for equivalency to a NAAB-accredited professional degree in architecture through NAAB's evaluation service.</u> The board reserves the right to</p>	<p>The Board made initial changes for clarification, and then the Board considered and agreed with the public comment suggestions and made appropriate changes to the proposed regulation to reflect public comment.</p>

		<p>evaluation service. The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and any evaluation submitted. Any costs attributable to evaluation shall be borne by the applicant.</p>	<p>reject, for good cause, any evaluation submitted. Any cost of translation and any evaluation submitted. Any costs attributable to evaluation shall be borne by the applicant.</p>	
<p>18VAC10-20-120. Experience.</p>		<p>A. Applicants for original licensure shall successfully complete the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) IDP training requirements shall be in accordance with NCARB's Intern Development Program Guidelines, December 2013 Edition. <u>administered architectural experience program.</u></p> <p>B. Applicants must have a minimum of 36 months <u>experience/training experience or training in architecture. Any experience/training of less than eight consecutive weeks will not be considered in satisfying this requirement, which shall be obtained in an organization offering architectural services that is led by a licensed architect in charge of the organization's architectural practice. The experience must be verified by a licensed architect in the organization's architectural practice on the board's experience verification form.</u></p> <p>C. Of the 36 months of</p>	<p>Applicants for original licensure shall successfully complete the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) IDP training requirements shall be in accordance with NCARB's Intern Development Program Guidelines, December 2013 Edition. <u>administered architectural experience program which satisfies the experience requirement outlined in section 18VAC10-20-35.</u></p> <p>B. Applicants must have a minimum of 36 months experience/training experience or training in architecture. Any experience/training of less than eight consecutive weeks will not be considered in satisfying this requirement, which shall be obtained in an organization offering architectural services that is led by a licensed architect in charge of the organization's architectural practice. The experience must be verified by a licensed architect in the organization's architectural practice on the board's experience verification form.</p>	<p>The Board made initial changes for clarification, and then the Board considered and agreed with the public comment suggestions and made appropriate changes to the proposed regulation to reflect public comment.</p>

		<p>required experience/training in architecture, at least 12 months shall have been obtained as an employee in the office of a licensed architect. An organization will be considered to be an office of a licensed architect if:</p> <p>1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and</p> <p>2. The practice of the organization encompasses the comprehensive practice of architecture including the categories set forth in the NCARB IDP requirements.</p> <p><u>D- C. Applicants with a NAAB-accredited degree or who are actively participating in or who have completed the NCARB-accepted integrated path to architectural licensure option are required to document their experience or training in architecture before licensure.</u></p>	<p>C. Of the 36 months of required experience/training in architecture, at least 12 months shall have been obtained as an employee in the office of a licensed architect. An organization will be considered to be an office of a licensed architect if:</p> <p>1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and</p> <p>2. The practice of the organization encompasses the comprehensive practice of architecture including the categories set forth in the NCARB IDP requirements.</p> <p>C. Applicants with a NAAB-accredited degree or who are actively participating in or who have completed the NCARB-accepted integrated path to architectural licensure option are required to document their experience or training in architecture before licensure.</p>	
<p>18VAC10-20-140. Examinatio</p>		<p>A. The board is a member board of NCARB and is</p>	<p>A. The board is a member board of NCARB and is authorized to make</p>	<p>The Board made initial changes for clarification, and</p>

<p>n.</p>		<p>authorized to make available the NCARB-prepared exam. Applicants for original licensure are required to pass this exam.</p> <p>B. Applications for original licensure shall be approved by the board before applicants will be allowed to sit for the exam. Applicants who have satisfied the requirements of 18VAC10-20-110 and 18VAC10-20-130 and who are currently enrolled in the NCARB IDP <u>or have completed the NCARB-administered architectural experience program</u> shall be admitted to the exam.</p> <p>C. Applicants approved by the board to sit for the exam shall register and submit the required exam fee and follow NCARB procedures when taking the exam. Applicants not properly registered will not be allowed to sit for the exam.</p> <p>D. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass all sections of the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board as follows:</p> <p>1. Applicants who have taken at least one</p>	<p>available the NCARB-prepared exam. Applicants for original licensure are required to pass this exam.</p> <p>B. Applications for original licensure shall be approved by the board before applicants will be allowed to sit for the exam. Applicants who have satisfied the requirements of 18VAC10-20-110 and 18VAC10-20-130 and who are currently enrolled in the NCARB IDP, <u>or have completed the NCARB-administered architectural experience program or are actively participating in an integrated path accepted by NCARB to architectural licensure option with a NAAB-accredited professional degree program in architecture option</u> shall be admitted to the exam.</p> <p>C. Applicants approved by the board to sit for the exam shall register and submit the required exam fee and follow NCARB procedures when taking the exam. Applicants not properly registered will not be allowed to sit for the exam.</p> <p>D. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass all sections of the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board as</p>	<p>then the Board considered and agreed with the public comment suggestions and made appropriate changes to the proposed regulation to reflect public comment.</p>
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		<p>section of the exam and who reapply to the board no later than six months after the end of their eligibility may be approved to sit for the exam for an additional three years. The original application requirements shall apply.</p> <p>2. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.</p> <p>E. Applicants will be notified by the board of whether they passed or failed the exam. The exam may shall not be reviewed by applicants. <u>Unless authorized by NCARB rules and procedures, exam</u> Exam scores are final and not subject to change.</p> <p>F. Grading <u>Scoring</u> of the exam shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB. Grades for each division of the exam passed on or after January 1, 2006, shall be valid in accordance with the procedure established by NCARB.</p> <p>G. The board may approve transfer credits for parts of the exam taken and passed in accordance with national standards.</p> <p>H. Applicants who have</p>	<p>follows:</p> <p>1. Applicants who have taken at least one section of the exam and who reapply to the board no later than six months after the end of their eligibility may be approved to sit for the exam for an additional three years. The original application requirements shall apply.</p> <p>2. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.</p> <p>E. Applicants will be notified by the board of whether they passed or failed the exam. The exam may shall not be reviewed by applicants. <u>Unless authorized by NCARB rules and procedures, exam</u> Exam scores are final and not subject to change.</p> <p>F. Grading <u>Scoring</u> of the exam shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB. Grades for each division of the exam passed on or after January 1, 2006, shall be valid in accordance with the procedure established by NCARB.</p> <p>G. The board may approve transfer credits for parts of the exam taken and passed in accordance with national standards.</p>	
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		been approved for and subsequently pass the exam and who have satisfied <u>18VAC10-20-110, 18VAC10-20-120, and 18VAC10-20-130</u> shall be issued an architect license.	H. Applicants who have been approved for and subsequently pass the exam and who have satisfied <u>18VAC10-20-110, 18VAC10-20-120, and 18VAC10-20-130</u> shall be issued an architect license.	
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Detail of All Changes Proposed in this Regulatory Action

*Please list all changes proposed in this action and the rationale for the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Please put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	Current requirement	Change, intent, rationale, and likely impact of updated requirements
18VAC 10-20-10.		<p>Definitions.</p> <p>Section 54.1-400 of the Code of Virginia provides definitions of the following terms and phrases as used in this chapter:</p> <p>Architect</p> <p>Board</p> <p>Certified interior designer</p> <p>Interior design. When used in this chapter, interior design shall only be applicable to interior design performed by a certified interior designer.</p> <p>Land surveyor. When used in this chapter, land surveyor shall include surveyor photogrammetrist unless stated otherwise or the context requires a different meaning.</p> <p>Landscape architect</p> <p>Practice of architecture</p> <p>Practice of engineering</p> <p>Practice of land surveying</p> <p>Practice of landscape architecture</p> <p>Professional engineer</p>	

	<p>The following words, terms, and phrases when used in this chapter shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings:</p> <p>"Application" means a completed application with the appropriate fee and any other required documentation including, but not limited to, references, experience verification, degree verification, and verification of examination and licensure or certification.</p> <p>"Certified" means an individual holding a valid certification issued by the board and in good standing.</p> <p>"Comity" means the recognition of licenses or certificates issued by other states or other jurisdictions of the United States as permitted by § 54.1-103 C of the Code of Virginia.</p> <p>"Department" means the Department of Professional and Occupational Regulation.</p> <p>"Direct control and personal supervision" means supervision by a professional who oversees and is responsible for the work of another individual.</p> <p>"Good moral character" may be established if the applicant or regulant:</p> <ol style="list-style-type: none"> 1. Has not been convicted of a felony or misdemeanor <u>in the last 10 years or has ever been convicted of a felony</u> that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia; 2. Has not committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, negligence, or incompetence reasonably related to: <ol style="list-style-type: none"> a. The proposed area of practice within 10 years prior to application for licensure, certification, or registration; or b. The area of practice related to licensure, certification, or registration by the board while under the authority of the board; or 3. Has not engaged in fraud or misrepresentation in connection with the application for licensure, certification, or registration, or related examination <u>exam</u>; 4. Has not had a license, certification, or registration revoked or suspended for cause <u>or been disciplined by this the Commonwealth</u> or by any other jurisdiction, or surrendered <u>or has surrendered</u> a license, certificate, or registration in lieu of disciplinary action; or 5. Has not practiced without the required license, registration, or certification in this the <u>the</u> Commonwealth or in another jurisdiction within the five years immediately preceding the filing of the application for licensure, certification, or registration by this the <u>the</u> Commonwealth. <p>"Good standing" means <u>that the regulant holds</u> a current or active license, certificate, or registration issued by a <u>any</u> regulatory body that is not revoked, suspended, or surrendered <u>subject to a current sanction</u>. The regulant shall be <u>in good standing in every jurisdiction where licensed, certified, or registered</u>.</p> <p>"Licensed" means an individual who holds a valid license issued by the board.</p> <p>"Place of business" means any location that, through professionals, offers or provides the services of architecture, engineering, land surveying, landscape architecture, certified interior design, or any combination thereof. A temporary</p>	<p>Removed certified because in statute as it relates to certified interior designer which is only certification we have.</p> <p>Placed a time limit so applicants didn't have to report misdemeanors that happened more than ten years ago.</p> <p>Revised definitions for clarity.</p>
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	<p>field office established and utilized for the duration of a specific project shall not qualify as a place of business under this chapter.</p> <p>"Profession" means the practice of architecture, engineering, land surveying, landscape architecture, or certified interior design.</p> <p>"Professional" means an architect, professional engineer, land surveyor, landscape architect, or <u>certified</u> interior designer who holds a valid license or certificate issued by the board pursuant to the provisions of this chapter and is in good standing with the board to practice his profession in this <u>the</u> Commonwealth.</p> <p>"Registrant" means a business holding a valid registration issued by the board, and in good standing, to offer or provide one or more of the professions regulated by the board.</p> <p>"Regulant" means an architect, professional engineer, land surveyor, or landscape architect holding a valid license issued by the board an <u>and is in good standing; a certified</u> interior designer holding a valid certification issued by the board <u>and is in good standing</u>; or a registrant.</p> <p>"Resident" means physically present at the place of business a majority of its operating hours.</p> <p>"Responsible person" means the professional named by the registrant to be responsible and have control of the registrant's regulated services offered, rendered, or both. A professional can only be the responsible person for the professions indicated on his license or certification <u>profession indicated on his licenses or certifications</u>.</p> <p>"Surveyor photogrammetrist" means a person who by reason of specialized knowledge in the area of photogrammetry has been granted a license by the board to survey land in accordance with Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia for the determination of topography, contours, or location of planimetric features using photogrammetric methods or similar remote sensing technology.</p>	
<p>18VAC 10-20- 20</p>	<p>General application requirements.</p> <p>A. Applicants must be of good moral character.</p> <p>B. Applications shall be completed in accordance with instructions contained in this section <u>chapter</u> and on the application.</p> <p>C. Applications for licensure requiring an exam shall be received in the board's office by the application deadline established in Part III (18VAC10-20-90 et seq.) of this chapter for each profession's exam. The date the fully documented application is received in the board's office shall determine if the application has been received on time. Applications, accompanying materials, and references become the property of the board upon receipt by the board.</p> <p>D. Applicants shall meet all entry requirements at the time application is made.</p> <p>E. Applicants shall provide the board with all required documentation and fees to complete the application for licensure or certification no later than three years from the date of the board's receipt of the initial application fee. Applications that remain incomplete after that time will no longer be processed by the board and the applicant shall submit a new application.</p> <p>F. The board may make further inquiries and investigations with respect to an applicant's qualifications and documentation to confirm or amplify information</p>	<p>Minor change for consistency.</p>

		<p>supplied.</p> <p>G. Failure of an applicant to comply with a written request from the board for additional evidence or information within 60 days of receiving such notice, except in such instances where the board has determined ineligibility for a clearly specified period of time, may be sufficient and just cause for disapproving the application.</p> <p>H. Applicants who do not meet the requirements of 18VAC10-20-20 or 18VAC10-20-40 may be approved following consideration by the board in accordance with the provisions of the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia)</p>	
18VAC 10-20-25		<p>References</p> <p>In addition to the requirements found in 18VAC10-20-130, 18VAC10-20-220, <u>18VAC10-20-345</u>, and 18VAC10-20-425, as applicable, references that are submitted as part of an application must comply with the following:</p> <ol style="list-style-type: none"> 1. Written references <u>shall be on the board-approved form and</u> shall be no more than one year old at the time the application is received in the board's office; <u>and</u> 2. The individual providing the <u>this</u> reference must have known the applicant <u>within the last five years from the date of this application and</u> for at least one year; <u>and</u> 3. The individual providing the reference must have known the applicant within the last five years from the date of application to the board; and 4. Individuals who provide references shall not also verify experience. 	Revised for clarification.
18VAC 10-20-35		<p>Experience</p> <p>All experience or training requirements contained in this chapter <u>shall be on the board-approved form and</u> will be evaluated based on the rate of an applicant working a minimum of 35 hours per week <u>applicant working a minimum of 30 hours per week</u>. Any experience gained at a rate of less than 35 less than 30 <u>less than 30</u> hours per week may be prorated at the sole discretion of the board.</p>	Revised for clarification.
18VAC 10-20-50		<p>Transfer of scores to other boards.</p> <p>The board, at its discretion and upon proper application, may forward the grades <u>scores</u> achieved by an applicant in the various exams given under the board's jurisdiction to any other duly constituted registration board for use in evaluating the applicant's eligibility for registration within another board's jurisdiction or evaluation of the applicant's national certification. An applicant requesting that his score be transferred to another registration board shall state his reason for the request in writing.</p>	Revised for consistency.
18VAC 10-20-55		<p>Language and comprehension.</p> <p>Applicants for licensure or certification shall be able to speak and write English to the satisfaction of the board. Applicants whose primary language has not always been English, or who have not graduated from a college or university in which English is the language of instruction, shall submit to the board a Test of English as a Foreign Language Internet-based Test (TOEFL iBT) score report. Score reports shall not be over two years old at the time of application and must reflect a score acceptable to the board. <u>In lieu of the TOEFL, other evidence such as significant academic or work experience in English may be acceptable as determined by the board.</u></p>	Changed so other options could be considered and TOEFL not be mandatory.

<p>18VAC 10-20-70.</p>	<p>Modifications to examination administration. The board and the department support and comply with the provisions of the Americans with Disabilities Act (ADA), 42 USC § 12101 et seq. Contracts between the board, department, and vendors for examinations <u>exams</u> contain provisions for compliance with the ADA. Requests for accommodations must be in writing and received in the board's office within a reasonable time before the examination <u>exam</u>. The board may require a report from a medical professional along with supporting data confirming the nature and extent of the disability. The applicant is responsible for providing the required information in a timely manner including the costs for providing the information. The board or its agents <u>designee</u> will determine, consistent with applicable law, any accommodations to be made.</p>	<p>Revised for consistency.</p>
<p>18VAC 10-20-75</p>	<p>Conduct at examination. Applicants approved for an exam will be given specific instructions as to the conduct of each division of the exam at the exam site. Applicants are required to follow these instructions to assure <u>ensure</u> fair and equal treatment to all applicants during the course of the exam. Evidence of misconduct <u>Misconduct</u> may result in removal from the exam site, voided exam scores, or both and <u>restriction from future exam access.</u></p>	<p>Revised for clarification.</p>
<p>18VAC 10-20-110.</p>	<p>Education A. Applicants for original licensure shall hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or be actively participating in an integrated path accepted by the National Council of Architectural Registration Boards (NCARB) to architectural licensure option within a NAAB accredited professional degree program in architecture. The degree program must have been accredited by NAAB no later than two years after the date of the applicant's graduation from the program. B. Applicants seeking credit for a degree or coursework that is not NAAB-accredited, whether foreign or domestic, shall <u>establish an NCARB record and have that degree or coursework evaluated for equivalency to a NAAB-accredited professional degree in architecture through NAAB's evaluation service.</u> The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and any evaluation submitted. Any costs attributable to evaluation shall be borne by the applicant.</p>	<p>The board made initial changes for clarification, and then the board considered and agreed with the public comment suggestions and made appropriate changes to the proposed regulation to reflect public comment.</p>
<p>18VAC 10-20-120</p>	<p>Experience Applicants for original licensure shall successfully complete the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) IDP training requirements shall be in accordance with NCARB's Intern Development Program Guidelines, December 2013 Edition. administered architectural experience program which satisfies the experience requirement outlined in section 18VAC10-20-35. B. Applicants must have a minimum of 36 months experience/training experience or training in architecture. Any experience/training of less than eight consecutive weeks will not be considered in satisfying this requirement, which shall be obtained in an organization offering architectural services that is led by a licensed architect in charge of the organization's architectural practice. The experience must be verified by a licensed architect in the organization's architectural practice on the board's</p>	<p>The board made initial changes for clarification, and then the board considered and agreed with the public comment suggestions and made appropriate changes to the proposed regulation to</p>

	<p>experience verification form.</p> <p>C. Of the 36 months of required experience/training in architecture, at least 12 months shall have been obtained as an employee in the office of a licensed architect. An organization will be considered to be an office of a licensed architect if:</p> <p>1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and</p> <p>2. The practice of the organization encompasses the comprehensive practice of architecture including the categories set forth in the NCARB IDP requirements.</p> <p>C. Applicants with a NAAB-accredited degree or who are actively participating in or who have completed the NCARB-accepted integrated path to architectural licensure option are required to document their experience or training in architecture before licensure.</p>	<p>reflect public comment.</p> <p>Changed to generic terminology as the name of the program frequently changes and regulation is continually out of sync.</p>
<p>18VAC 10-20-130</p>	<p>References</p> <p>Applicants shall submit three references with the application, all of which shall be from currently licensed architects in a state or other jurisdiction of the United States or a province of Canada, <u>country in which a mutual recognition agreement has been executed between itself and NCARB and accepted by the board.</u> In addition to the requirements found in 18VAC10-20-25, the applicant shall only submit references from licensed architects who have personal knowledge of the applicant's architectural experience that demonstrates the applicant's competence and integrity.</p>	<p>Expanded to make obtaining references less stringent.</p>
<p>18VAC 10-20-140</p>	<p>Examination</p> <p>A. The board is a member board of NCARB and is authorized to make available the NCARB-prepared exam. Applicants for original licensure are required to pass this exam.</p> <p>B. Applications for original licensure shall be approved by the board before applicants will be allowed to sit for the exam. Applicants who have satisfied the requirements of 18VAC10-20-110 and 18VAC10-20-130 and who are currently enrolled in the NCARB IDP or have completed the NCARB-administered architectural experience program or be actively participating in an integrated path accept by NCARB to architectural licensure option with a NAAB-accredited professional degree program in architecture option shall be admitted to the exam.</p> <p>C. Applicants approved by the board to sit for the exam shall register and submit the required exam fee and follow NCARB procedures when taking the exam. Applicants not properly registered will not be allowed to sit for the exam.</p> <p>D. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass all sections of the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board as follows:</p> <p>1. Applicants who have taken at least one section of the exam and who reapply to the board no later than six months after the end of their eligibility</p>	<p>The board made initial changes for clarification, and then the board considered and agreed with the public comment suggestions and made appropriate changes to the proposed regulation to reflect public comment.</p> <p>Changed to generic terminology as the name of the program frequently changes</p>

	<p>may be approved to sit for the exam for an additional three years. The original application requirements shall apply.</p> <p>2. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.</p> <p>E. Applicants will be notified by the board of whether they passed or failed the exam. The exam may shall not be reviewed by applicants. <u>Unless authorized by NCARB rules and procedures, exam</u> Exam scores are final and not subject to change.</p> <p>F. <u>Grading Scoring</u> of the exam shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB. Grades for each division of the exam passed on or after January 1, 2006, shall be valid in accordance with the procedure established by NCARB.</p> <p>G. The board may approve transfer credits for parts of the exam taken and passed in accordance with national standards.</p> <p>H. Applicants who have been approved for and subsequently pass the exam and who have satisfied <u>18VAC10-20-110, 18VAC10-20-120, and 18VAC10-20-130</u> shall be issued an architect license.</p>	<p>and regulation is continually out of sync.</p>
<p>18VAC 10-20-150.</p>	<p>Licensure by comity.</p> <p>A. Applicants who hold a valid active license in another state or other jurisdiction of the United States, a province of Canada, or another foreign country or a country in which a mutual recognition agreement has been executed between itself and NCARB and accepted by the board may be granted a license provided that <u>they meet the requirements of 18VAC10-20-25 and:</u></p> <ol style="list-style-type: none"> 1. They possess an NCARB certificate; or 2. They met the requirements for licensure <u>that were substantially equivalent to those in effect</u> in Virginia that were in effect at the time they were originally licensed. <p>B. Applicants who do not satisfy the requirements of subsection A of this section shall meet the entry requirements for initial licensure pursuant to this chapter.</p>	<p>Adding "substantially" gives the board more discretion when reviewing comity applications.</p>
<p>18VAC 10-20-160</p>	<p>Definitions</p> <p>The following words, terms, and phrases when used in this part shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings:</p> <p>"ABET" means the Accreditation Board for Engineering and Technology.</p> <p>"Approved engineering curriculum <u>program</u>" means an undergraduate engineering curriculum <u>program</u> of four years or more, or a graduate engineering curriculum <u>program</u> approved by the board. ABET-approved engineering EAC curricula <u>EAC programs</u> are approved by the board. Curricula Programs that are accredited by ABET not later than two years after an applicant's graduation shall be deemed as ABET-approved.</p> <p>"Approved engineering technology curriculum <u>program</u>" means an undergraduate engineering technology curriculum <u>program</u> of four years or more approved by the board. ABET-approved engineering technology TAC curricula <u>ETAC programs</u> of four years or more are approved by the board.</p>	<p>Revised for consistency and clarification.</p>

	<p><u>Curricula Programs</u> that are accredited by ABET not later than two years after an applicant's graduation shall be deemed as ABET-approved.</p> <p>"EAC" means Engineering Accreditation Commission.</p> <p>"Engineer-in-training" or "EIT" means an applicant who has completed any one of several combinations of education, or education and experience, and has passed the Fundamentals of Engineering exam.</p> <p><u>"ETAC" means Engineering Technology Accreditation Commission.</u></p> <p>"Related science curriculum" includes, but is not limited to, <u>program</u>" means a four-year <u>curriculum program</u> in biology, chemistry, geology, geophysics, mathematics, physics, or other curriculum approved by the board. <u>Curriculums programs approved by the board.</u> Programs must have a minimum of six semester hours of mathematics courses beyond algebra and trigonometry and a minimum of six semester hours of science courses in calculus-based physics in order to be considered a related science <u>curriculum program</u>.</p> <p>"Qualifying engineering experience" means a record of progressive experience on engineering work during which the applicant has made a practical utilization of acquired knowledge and has demonstrated progressive improvement, growth, and development through the utilization of that knowledge as revealed in the complexity and technical detail of the applicant's work product or work record. The applicant must show progressive assumption of greater individual responsibility for the work product over the relevant period. The progressive experience on engineering work shall be of a grade and character <u>type and quality</u> that indicates to the board that the applicant is minimally competent to practice engineering. Qualifying engineering experience shall be progressive in complexity and based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design.</p> <p><u>"TAC" means" Technology Accreditation Commission.</u></p>			
<p>18VAC 10-20-190.</p>	<p>Requirements for the Fundamentals of Engineering (FE) exam. (Repealed.)</p> <p>In order to be approved to sit for the Fundamentals of Engineering (FE) exam, applicants must satisfy one of the subsections (A through E) of this section. Applicants shall:</p> <table border="1" data-bbox="396 1314 1289 1860"> <tr> <td data-bbox="396 1314 1289 1457"> <p>EDUCATIONAL REQUIREMENTS</p> </td> </tr> <tr> <td data-bbox="396 1457 1289 1860"> <p>A. Student applicants.</p> <p>1. Be enrolled in an ABET accredited undergraduate EAC or TAC curriculum, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee;</p> <p>2. Be enrolled in an ABET accredited graduate or doctorate EAC or TAC curriculum, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee;</p> <p>3. Be enrolled in a graduate curriculum that is ABET accredited TAC or EAC at the undergraduate level at the institution at which the graduate degree is being sought, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee.</p> </td> </tr> </table>	<p>EDUCATIONAL REQUIREMENTS</p>	<p>A. Student applicants.</p> <p>1. Be enrolled in an ABET accredited undergraduate EAC or TAC curriculum, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee;</p> <p>2. Be enrolled in an ABET accredited graduate or doctorate EAC or TAC curriculum, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee;</p> <p>3. Be enrolled in a graduate curriculum that is ABET accredited TAC or EAC at the undergraduate level at the institution at which the graduate degree is being sought, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee.</p>	<p>Revised entire regulation.</p>
<p>EDUCATIONAL REQUIREMENTS</p>				
<p>A. Student applicants.</p> <p>1. Be enrolled in an ABET accredited undergraduate EAC or TAC curriculum, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee;</p> <p>2. Be enrolled in an ABET accredited graduate or doctorate EAC or TAC curriculum, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee;</p> <p>3. Be enrolled in a graduate curriculum that is ABET accredited TAC or EAC at the undergraduate level at the institution at which the graduate degree is being sought, for six months or less remaining before completion of the degree, and provide a certificate of good standing from the dean of the engineering school or his designee.</p>				

		B. Have graduated from an approved engineering or an approved engineering technology curriculum.		0		
		C. Dual-degree holders. 1. Have graduated from a non-ABET-accredited undergraduate engineering curriculum of four years or more; and 2. Have graduated from a graduate or doctorate engineering curriculum that is ABET accredited at the undergraduate level.		0		
		D. Have graduated from a nonapproved engineering curriculum or from a related science curriculum of four years or more.		2		
		E. Have obtained, by documented academic coursework, the equivalent of education that meets the requirements of ABET accreditation for the baccalaureate engineering technology curricula. Whether an education is considered to be equivalent shall be determined by the judgment of the board.		6		
18VAC 10-20-200.		<p>Requirements for engineer-in-training (EIT) designation. Upon passing the FE exam, an applicant who qualified for the exam under 18VAC10-20-190 A will receive the EIT designation only after he provides verification of his degree to the board. All other applicants will receive the EIT designation upon passing the FE exam. The EIT designation will remain valid indefinitely.</p> <p><u>In order to receive the EIT designation, applicants shall:</u></p> <ol style="list-style-type: none"> <u>1. Graduate from an engineering program of four years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), graduate from an engineering master's program accredited by EAC/ABET, or meet the requirements of the NCEES Engineering Education Standard;</u> <u>2. Pass the NCEES Fundamentals of Engineering (FE) exam; and</u> <u>3. Apply to the board.</u> 	Replaced entire regulation for clarity.			
18VAC 10-20-210.		<p>Requirements for the Principles and Practice of Engineering (PE) exam licensure as a professional engineer. A. In order to be approved to sit for the Principles and Practice of Engineering (PE) exam, applicants shall satisfy one of the subsections (A through F) within this section. Applicants shall licensed as a professional engineer, applicants shall:</p> <ol style="list-style-type: none"> <u>1. Satisfy one requirement of the subdivisions B 1 through B 4 of this section;</u> <u>2. Pass the Principles and Practice of Engineering (PE) exam;</u> <u>3. Meet all the requirements of this chapter; and</u> <u>4. Apply to and be approved by the board.</u> <p><u>B. In general, the required education shall be applied as follows:</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; height: 50px; vertical-align: top;">EDUCATIONAL REQUIREMENTS</td> <td style="width: 30%; height: 50px; vertical-align: top;">EIT REQU</td> </tr> </table>	EDUCATIONAL REQUIREMENTS	EIT REQU	Revised for clarity.	
EDUCATIONAL REQUIREMENTS	EIT REQU					

		A. 1. Have graduated from an approved engineering curriculum program .	YES		4
		B. 2. Dual degree holders. 1- a. Have graduated from an ABET-accredited undergraduate engineering curriculum program ; and 2- b. Have graduated from a doctorate engineering curriculum program that is ABET accredited at the undergraduate level.	NO		4
		C. 3. Have graduated from a nonapproved engineering curriculum program of four years or more, a related science curriculum program , or an approved engineering technology curriculum program .	YES		6
		D. 4. Have graduated from a nonapproved engineering technology curriculum program of four years or more.	YES		10
		E. Have obtained, by documented academic coursework, the equivalent of education that meets that requirements of ABET accreditation for the baccalaureate engineering technology curricula. Whether an education is considered to be equivalent shall be determined by the judgment of the board.	YES		10
		F. Have graduated from an engineering, engineering technology, or related science curriculum of four years or more.	NO	Eliminated this pathway.	20
18VAC 10-20-215.		Requirements for the PE license. (Repealed.) An applicant who has satisfied the requirements of this chapter will receive the professional engineer license upon successful completion of the PE exam.		Un-necessary.	
18VAC 10-20-220		References In addition to the requirements found in 18VAC10-20-25, applicants shall satisfy one of the following: 1. An applicant for the Fundamentals of Engineering exam <u>engineer-in-training designation</u> shall provide one reference that indicates his <u>the applicant's</u> personal integrity from one of the following: a. A professional engineer; b. The dean, or his <u>the dean's</u> designee, of the engineering school attended by the applicant; or c. An immediate work supervisor. 2. An applicant for the Principles and Practice of Engineering exam licensure <u>as a professional engineer</u> shall submit three references from professional engineers currently licensed in a state or other jurisdiction of the United States. The applicant shall only submit references given by professional engineers who have personal knowledge of the applicant's competence and integrity relative to his engineering experience. 3. An applicant for licensure by comity shall submit three references from professional engineers currently licensed in a state or other jurisdiction of the United States. The applicant shall only submit references given by professional engineers who have personal knowledge of the applicant's competence and integrity relative to his engineering experience.		Revised for clarification.	

<p>18VAC 10-20- 230.</p>	<p>Education</p> <p>A. An applicant who is seeking credit for a degree that is not ABET accredited TAG as <u>ETAC or EAC</u> and was earned from an institution outside the United States, shall have the degree authenticated and evaluated by an educational credential evaluation service. If the evaluation is rigorous and meets appropriate ABET accreditation standards, the <u>The</u> board may consider the degree as an approved engineering curriculum or approved engineering technology curriculum <u>program</u> or approved engineering technology program. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.</p> <p>B. Degrees earned within the United States for any nonapproved engineering curriculum, related science curriculum, or nonapproved engineering technology curriculum <u>program, related science program, or nonapproved engineering technology program</u> of four years or more shall be from an accredited college or university that is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.</p>	<p>Revised to reflect changes in requirements.</p>														
<p>18VAC 10-20- 240</p>	<p>Experience</p> <p>A. Each applicant shall complete the board's Professional Engineer and Engineer-in-Training Experience Verification Form, documenting all of his engineering experience. The information provided on the form shall clearly describe the engineering work or research that he <u>the applicant</u> personally performed; delineate his role in any group engineering activity; provide an overall description of the nature and scope of his work; and include a detailed description of the engineering work personally performed by him. <u>The experience must be obtained in an organization with an engineering practice and must be verified on the board's experience verification form by a licensed professional engineer in the organization's engineering practice.</u></p> <p>B. In general, the required experience shall be applied as follows:</p> <table border="1" data-bbox="396 1163 1289 1881"> <thead> <tr> <th>Type of Experience</th> <th>Qualifying</th> </tr> </thead> <tbody> <tr> <td><u>1.</u> Design <u>experience</u></td> <td>A demonstrated use of engineering computation and problem solving skills.</td> </tr> <tr> <td>4. <u>2.</u> Construction <u>experience.</u></td> <td>A demonstrated use of engineering computation and problem solving skills.</td> </tr> <tr> <td>2. <u>3.</u> Military <u>experience.</u></td> <td>Engineering of a character substantially equivalent to that required in the civilian sector for similar work.</td> </tr> <tr> <td>3. <u>4.</u> Sales <u>experience.</u></td> <td>A demonstrated use of engineering computational and problem solving skills.</td> </tr> <tr> <td>4. <u>5.</u> Industrial <u>experience.</u></td> <td>Work directed toward the identification and solution of problems in the applicant's area of engineering specialization including engineering analysis of existing systems or the design of new ones.</td> </tr> <tr> <td>5. <u>6.</u> Graduate or <u>doctorate's doctoral</u></td> <td>The successful completion of a graduate or doctorate degree in an engineering curriculum may be accepted as one year equivalent engineering experience credit. Only one year</td> </tr> </tbody> </table>	Type of Experience	Qualifying	<u>1.</u> Design <u>experience</u>	A demonstrated use of engineering computation and problem solving skills.	4. <u>2.</u> Construction <u>experience.</u>	A demonstrated use of engineering computation and problem solving skills.	2. <u>3.</u> Military <u>experience.</u>	Engineering of a character substantially equivalent to that required in the civilian sector for similar work.	3. <u>4.</u> Sales <u>experience.</u>	A demonstrated use of engineering computational and problem solving skills.	4. <u>5.</u> Industrial <u>experience.</u>	Work directed toward the identification and solution of problems in the applicant's area of engineering specialization including engineering analysis of existing systems or the design of new ones.	5. <u>6.</u> Graduate or <u>doctorate's doctoral</u>	The successful completion of a graduate or doctorate degree in an engineering curriculum may be accepted as one year equivalent engineering experience credit. Only one year	<p>Revised for clarification.</p> <p>Design experience added.</p>
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	degree.	<u>qualifying experience will be given for any combination of advanced degrees in an engineering program. In addition, if a degree is used to satisfy the education requirement, it cannot also be used toward satisfying the experience requirement.</u>	Revised for clarity.	the degree is gra 18VAC10-20-190
	6. <u>7. Teaching.</u>	For teaching experience to be considered qualifying by the board, the applicant shall have taught in an engineering <u>curriculum program</u> approved by the board and shall have been employed in the <u>grade level</u> of instructor or higher.		
	7. <u>Co-op program</u> 8. <u>Co-op or internship.</u>	Engineering experience gained during a <u>board-approved co-op program co-op or internship</u> may be deemed qualifying engineering experience to a maximum of one year of credit.		
	8. <u>9. General.</u>			Experience in cla estimating, and f
	C. The board, in its sole discretion, may permit partial credit for approved qualifying engineering experience obtained prior to graduation from an engineering <u>curriculum program</u> . Partial credit shall not exceed one-half of that required for any method of initial licensure.		Revised for consistency in terminology.	
			Revised for consistency in terminology.	
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18VAC 10-20- 260	Examinations A. <u>Applications for original licensure or EIT designation shall be received by the board in accordance with the following deadlines Applicants who do not complete their application and receive their designation within the three years from the date that they apply must reapply to the board as follows:</u> 1. <u>Students applying pursuant to 18VAC10-20-190 A shall submit their applications to be received in the board's office no later than 60 days prior to the scheduled exam Applicants who reapply to the board no later than six months after the end of their eligibility may be approved to sit for the exam for</u>		Revised for clarity of exam process.	

	<p><u>an additional three years. The original application requirements shall apply.</u></p> <p>2. All other applications shall be received in the board's office no later than 130 days prior to the scheduled exam. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.</p> <p>3. All professional engineer applications shall be received in the board's office no later than 130 days prior to the scheduled exam.</p> <p>B. The board is a member board of the National Council of Examiners for Engineering and Surveying (NCEES) and is authorized to administer the NCEES exams including the Fundamentals of Engineering exam and the Principles and Practice of Engineering exam.</p> <p>C. Applicants approved by the board to sit for an exam shall register and submit the required exam fee to be received by the board's designee and shall follow NCEES procedures. Applicants not properly registered will not be allowed to sit for the exam.</p> <p>D. Applicants eligible for admission to both exams must first successfully complete the Fundamentals of Engineering exam before being admitted to the Principles and Practice of Engineering exam.</p> <p>E. C. The exam may not be reviewed by applicants. Unless authorized by NCEES rules and procedures, exam scores are final and are not subject to change.</p> <p>F. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass the exam during their eligibility period are no longer eligible to sit for the exam. To become exam eligible again, applicants shall reapply to the board and meet all current entry requirements at the time of reapplication. In addition to meeting current entry requirements upon reapplication, applicants shall demonstrate successful completion of 16 hours of educational activities that meet the requirements of 18VAC10-20-683 E and F.</p>	
<p>18VAC 10-20-270.</p>	<p>Licensure by comity.</p> <p>A. Applicants holding a valid license to practice engineering in other states or jurisdictions of the United States may be licensed provided they satisfy the provisions of this subsection. Applicants shall:</p> <ol style="list-style-type: none"> 1. Submit to the board verifiable documentation that the education, experience, and exam requirements by which they were first licensed in the original jurisdiction were substantially equivalent to the requirements in Virginia at the same time; 2. Have passed an exam in another jurisdiction that was substantially equivalent to that approved by the board at the time of their original licensure; 3. Be in good standing in all jurisdictions where they are currently licensed; and 4. <u>Submit three references from professional engineers currently licensed in a state or other jurisdiction of the United States. The applicant shall only submit references given by professional engineers who have personal knowledge of the applicant's competence and integrity relative to his engineering experience; and</u> 5. Satisfy all other <u>applicable</u> requirements of this chapter. 	<p>Added for clarity of reference requirements.</p>

		<p>B. Applicants who do not meet the requirements for licensure in Virginia that were in effect at the time of their original licensure shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.</p>	
<p>18VAC 10-20-295</p>		<p>Definitions.</p> <p>"Absolute horizontal positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to systematic and random errors in measurements in the location of any point on a survey relative to the defined datum at the 95% confidence level.</p> <p>"Approved land surveying experience" means progressive and diversified <u>office and field</u> training and experience under the direct control and personal supervision of a licensed land surveyor. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative, and professional skill in the office and field and written. <u>Written</u> verification of such work experience shall be on forms provided by the board. Experience may be gained either prior to or after education is obtained. Notwithstanding the definition of "approved land surveying experience," the requirements set forth in 18VAC10-20-310 shall not be waived.</p> <p>"Approved photogrammetric surveying or similar remote sensing technology experience" means progressive and diversified <u>office and field</u> training and experience in photogrammetric surveying or similar remote sensing technology under the direct control and personal supervision of a licensed land surveyor or licensed surveyor photogrammetrist. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative, and professional skill in the office and field and written. <u>Written</u> verification of such work experience shall be on forms provided by the board. Experience may be gained either prior to or after education is obtained. Notwithstanding the definition of "approved photogrammetric surveying or similar remote sensing technology experience," the requirements set forth in 18VAC10-20-310 shall not be waived.</p> <p>"Relative horizontal positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95% confidence level.</p>	<p>Revised for clarification.</p>
<p>18VAC 10-20-300.</p>		<p>Requirements for surveyor-in-training (SIT) designation.</p> <p>A. In order to be approved to sit for the Fundamentals of Land Surveying (FLS) exam, applicants must <u>Applicants who do not complete their applications and receive their designations within the three years from the date that they apply must reapply and</u> satisfy one of the following:</p> <ol style="list-style-type: none"> 1. Be enrolled in a board-approved or ABET-accredited <u>an EAC/ABET-accredited</u> surveying or surveying technology curriculum <u>program acceptable to the board</u>, have 12 months or less remaining before completion of degree requirements, and provide a certificate of good standing from the dean of the school or his <u>the dean's</u> designee; 2. Have earned an undergraduate degree from a board-approved or ABET-accredited <u>an EAC/ABET-accredited</u> surveying or surveying technology curriculum <u>program acceptable to the board</u>; 3. Have earned a board-approved <u>an</u> undergraduate degree related to surveying <u>acceptable to the board</u> and possess a minimum of one year of approved land surveying experience; 	<p>Revised for clarification.</p> <p>Added an additional pathway.</p>

	<p>4. <u>Have earned an undergraduate degree in a field unrelated to surveying in conjunction with an additional 30 credit hours in an approved surveying program acceptable to the board and possess a minimum of two years of approved land surveying experience;</u></p> <p>5. Have earned a board-approved undergraduate degree in a field unrelated to surveying and possess a minimum of two years of approved land surveying experience;</p> <p>5. <u>6. Have earned a board-approved associate's degree related to surveying and possess a minimum of four years of approved land surveying experience;</u></p> <p>6. <u>7. Have successfully completed a board-approved survey apprenticeship program. The apprenticeship program shall include a minimum of 480 hours of surveying-related classroom instruction with a minimum of six years of approved land surveying experience; or</u></p> <p>7. <u>8. Have graduated from high school with evidence of successful completion of courses in algebra, geometry, and trigonometry, and possess a minimum of eight years of approved land surveying experience.</u></p> <p>B. Applicants seeking approval to sit for the FLS <u>Fundamentals of Surveying (FS)</u> exam pursuant to subdivisions A 3 through 7 <u>A 8</u> of this section may apply board-approved college credits to help meet the experience requirement. The maximum rate of college credit substitution for experience shall be one year of experience credit for each 40 <u>credit</u> hours of board-approved college credits completed. College credits applicable toward the completion of any degree used to satisfy a requirement of subsection A of this section shall not be eligible for experience substitution.</p> <p>C. An applicant who qualified for the FLS exam under subdivision A 1 of this section will be issued the SIT designation upon the board's receipt of the applicant's degree verification. All other applicants shall receive the SIT designation upon passing the FLS exam, FS, receiving approval from a board reviewed application, and meeting all other board requirements.</p>	<p>Revised for clarification.</p>
<p>18VAC 10-20-310</p>	<p>Requirements for the land surveyor and surveyor photogrammetrist licenses.</p> <p>A. Land surveyor license.</p> <p>1. An SIT <u>A surveyor-in-training (SIT)</u> who has met the requirements of 18VAC10-20-300 and has a minimum of four years of approved land surveying experience shall be approved to sit for an exam in the Principles and Practice of Land Surveying and the Virginia-specific land surveying exam;</p> <p><u>a. The Principles and Practice of Land Surveying exam;</u></p> <p><u>b. The Virginia-specific land surveying exam; and</u></p> <p><u>c. The board supplied exam on regulations.</u></p> <p>2. A qualified applicant shall be granted a license to practice land surveying upon passing both exams <u>all three exams and meeting all other board requirements.</u></p> <p>B. Surveyor photogrammetrist license.</p> <p>1. An SIT who has met the requirements of 18VAC10-20-300 and has a minimum of four years of approved photogrammetric surveying or similar remote sensing technology experience shall be approved to sit for the board-approved surveyor photogrammetrist exam and the Virginia-specific</p>	<p>Revised for clarification.</p>

	<p>photogrammetrist exam. <u>the following board-approved exams:</u></p> <p><u>a. The Principles and Practice of Land Surveying;</u></p> <p><u>b. The Virginia-specific land surveying exam; and</u></p> <p><u>c. The board supplied exam on regulations.</u></p> <p>2. A qualified applicant shall be granted a license to practice photogrammetric surveying upon passing both exams <u>all three exams and meeting all other board requirements.</u></p>	
18VAC 10-20-320.	<p>Requirements for the land surveyor B license.</p> <p>A. An applicant shall:</p> <ol style="list-style-type: none"> 1. Hold a valid <u>Virginia</u> license as a land surveyor for two years; 2. Present satisfactory evidence of a minimum of two years of land surveying experience that is progressive in complexity in land surveyor B land surveying, as provided in § 54.1-408 of the Code of Virginia, under the direct control and personal supervision of a licensed land surveyor B or professional engineer; 3. Present satisfactory evidence of having passed college-level courses in hydrology and hydraulics that are acceptable to the board; and 4. Pass an exam developed by the board. <p>B. A qualified applicant shall be issued a land surveyor B license upon passing the board-developed exam.</p>	Revised for clarification and eliminated two year requirement.
18VAC 10-20-330.	<p>Education.</p> <p>An applicant who is seeking credit for a degree earned from an institution outside of the United States shall have his degree authenticated and evaluated by an education evaluation service approved by the board. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant. Any cost of evaluation shall be borne by the applicant.</p>	Removed language to give board more discretion.
18VAC 10-20-340	<p>Experience standards.</p> <p>In order to demonstrate meeting the experience requirements of 18VAC10-20-300, 18VAC-10-20-310, and 18VAC10-20-320, applicants shall document experience that has been gained under the direct control and personal supervision of a licensed land surveyor or licensed surveyor photogrammetrist on the appropriate board-provided forms. Experience shall be verified by a licensed land surveyor or licensed surveyor photogrammetrist <u>in an organization with a surveying practice</u> and will be evaluated by the board in accordance with 18VAC10-20-35.</p>	
18VAC 10-20-345	<p><u>References.</u></p> <p><u>Applicants shall submit three references on a board-approved form with the application, all of which shall be from currently licensed land surveyors in a state or other jurisdiction of the United States. In addition to the requirements found in 18VAC10-20-25, the applicant shall only submit references from licensed land surveyors who have personal knowledge of the applicant's surveying experience that demonstrates the applicant's competence and integrity.</u></p>	Added to put profession in line with other professions of the board.
18VAC 10-20-	<p>Examinations.</p>	Revised for clarification

<p>350</p>	<p>A. Applications for original <u>initial</u> licensure shall be received by the board in accordance with the following deadlines:</p> <ol style="list-style-type: none"> 1. Applications <u>Applicants</u> for the SIT <u>surveyor-in-training</u> designation submitted pursuant to 18VAC10-20-300 A shall be received in the board's office no later than 60 days prior to the scheduled exam <u>are eligible to sit for the Fundamentals of Surveying (FS) exam.</u> 2. <u>Upon successful completion of the FS exam, applicants who qualify may apply to sit for the other surveying exams.</u> 3. All other applications <u>for the Virginia-specific exam</u> shall be received in the board's office no later than 130 days prior to the scheduled exam. <p>B. The board is a member board of the National Council of Examiners for Engineering and Surveying (NCEES) and is authorized to administer the NCEES exams including the Fundamentals of Land Surveying exam and the Principles and Practice of Land Surveying exam <u>Applicants approved to sit authorizes NCEES to administer the national surveying related exam.</u> <u>Applicants sitting</u> for the exam shall follow NCEES procedures.</p> <p>C. The exam <u>exams</u> for <u>Virginia board regulations, the Virginia-specific, the surveyor photogrammetrist, and the</u> land surveyor B shall be given at times designated by the board.</p> <p>D. Unless otherwise stated, applicants approved to sit for an exam must register and submit the required exam fee to be received by the <u>board or the</u> board's designee at a time designated by the board. Applicants not properly registered will not be allowed to sit for the exam.</p> <p>E. The exam shall not be reviewed by applicants. Unless authorized by NCEES rules and procedures, exam scores are final and are not subject to change.</p> <p>F. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board and meet all current entry requirements at the time of reapplication. In addition to meeting the current entry requirements upon reapplication, applicants shall, meet all current entry requirements, and demonstrate successful completion of 16 hours of educational activities that meet the requirements of 18VAC10-20-683 E and F.</p>	<p>in terminology.</p>
<p>18VAC 10-20-360</p>	<p>Licensure by comity.</p> <p>A. Applicants holding a valid license to practice land surveying in another state or other jurisdiction of the United States may be licensed as a land surveyor in Virginia. To become licensed, applicants shall:</p> <ol style="list-style-type: none"> 1. Submit to the board verifiable documentation that the education, experience, and exam requirements by which they were first licensed in the original jurisdiction were substantially equivalent to the requirements in Virginia at the same time; 2. Have passed an exam in another jurisdiction that was substantially equivalent to that approved by the board at the time of the original licensure; 3. Be in good standing in all jurisdictions where licensed; 4. Pass a <u>the</u> Virginia-specific exam; and 	

	<p>5. Satisfy all other <u>applicable</u> requirements of this chapter.</p> <p>B. Applicants who do not meet the requirements for licensure in Virginia that were in effect at the time of their original licensure shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office;</p> <p>C. Applicants holding a current license to practice land surveying or photogrammetric surveying issued by another state or other jurisdiction of the United States may be licensed in Virginia as a surveyor photogrammetrist provided they meet one of the following criteria:</p> <ol style="list-style-type: none"> 1. Applicants who were originally licensed prior to December 1, 2009, shall meet the requirements of the board's regulations effective December 1, 2008, and pass the Virginia-specific exam; or 2. Applicants who were originally licensed on or after December 1, 2009, shall meet the requirements of the board's regulations effective at the time of original licensure and pass the Virginia-specific exam. 	
<p>18VAC 10-20- 370</p>	<p>Minimum standards and procedures for land boundary surveying practice.</p> <p>A. The minimum standards and procedures set forth in this section are to be used for land boundary surveys performed in the Commonwealth of Virginia. The application of the professional's seal, signature, and date as required by these regulations shall be evidence that the land boundary survey is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this chapter.</p> <p>B. Research procedure. The professional shall search the land records for the proper description of the land to be surveyed and obtain the description of adjoining land(s) <u>land</u> as it pertains to the common boundaries. The professional shall have the additional responsibility to utilize such other available data pertinent to the survey being performed from any other known sources. Evidence found, from all known sources, including evidence found in the field, shall be carefully compared in order to aid in the establishment of the correct boundaries of the land being surveyed. The professional shall clearly identify on the plats, maps, and reports inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s) <u>land</u>. It is not the intent of this regulation to require the professional to research the question of title or encumbrances on the land involved.</p> <p>C. Minimum field procedures.</p> <ol style="list-style-type: none"> 1. Angular measurement. Angle measurements made for traverse or land boundary survey lines will be made by using a properly adjusted transit-type instrument which that <u>that</u> allows a direct reading to a minimum accuracy of 30 <u>20</u> seconds of arc or metric equivalent. The number of angles turned at a given station or corner will be the number which that, in the judgment of the professional, can be used to substantiate the average true angle considering the condition of the instrument being used and the existing field conditions. 2. Linear measurement. Distance measurement for the lines of traverse or lines of the land boundary survey shall be made <u>(i)</u> with metal tapes which that <u>that</u> have been checked and are properly calibrated as to incremental distances, or <u>(ii)</u> with properly calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane, and other necessary corrections shall be performed before using such linear measurements for computing purposes. 	<p>Revised for clarification of terminology and requirements.</p>

	<p>3. Field traverse and land boundary closure and accuracy standards. For a land boundary survey located in a rural area, the maximum permissible error of closure for a field traverse shall be one part in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. For a land boundary survey located in an urban area, the maximum permissible error of closure for a traverse shall be one part in 20,000 (1/20,000). The attendant angular closure shall be that which will sustain the one part in 20,000 (1/20,000) maximum error of closure.</p> <p>The maximum permissible positional uncertainty based on the 95% confidence level of any independent boundary corner or independent point located on a boundary that has been established by utilizing global positioning systems shall not exceed the positional tolerance of 0.07 feet (or 20 mm + 50 ppm).</p> <p>4. Monumentation. As a requisite for completion of the work product, each land boundary survey of a tract or parcel of land shall be monumented with objects made of permanent material at all corners and changes of direction on the land boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and prescriptive rights-of-way, and each such monument, other than a natural monument, shall, when physically feasible, be identified by a temporary witness marker. Where it is not physically feasible to set actual corners, appropriate reference monuments shall be set, preferably on line, and the location of each shall be shown on the plat or map of the land boundary.</p> <p>All boundaries, both exterior and interior, of the original survey for any division or partition of land shall be monumented in accordance with the provisions of this subdivision, when such monumentation is not otherwise regulated by the provisions of a local subdivision ordinance.</p> <p>5. For land boundary surveys providing for a division when only the division, in lieu of the entire parcel, is being surveyed, any new corners established along existing property lines shall require that those existing property lines be established through their entire length. This shall include the recovery or reestablishment of the existing corners for each end of the existing property lines.</p> <p>D. Office procedures.</p> <p>1. Computations. The computation of field work data shall be accomplished by using the mathematical routines that produce closures and mathematical results that can be compared with descriptions and data of record. Such computations shall be used to determine the final land boundary of the land involved.</p> <p>2. Plats and maps. The following information shall be shown on all plats and maps used to depict the results of the land boundary survey:</p> <p>a. The title of the land boundary plat identifying the land surveyed and showing the district, town, and county or city in which the land is located and scale of drawing.</p> <p>b. The name of the owner of record and recording references.</p> <p>c. Names of all adjoining owners of record with recording references, or with subdivision name and lot designations and recording references.</p> <p>d. Inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s) land. The inconsistencies shall</p>	
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	<p>be clearly noted by the professional.</p> <p>e. Names of highways and roads with route number, and widths of right-of-way, or distance to the center of the physical pavement and pavement width, name of railroads, streams adjoining, crossing, or in close proximity to the boundary and other prominent or well-known objects that are informative as to the location of the land boundary.</p> <p>f. A distance to the nearest road intersection, or prominent or well-known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.</p> <p>g. Items crossing any property lines such as, but not limited to, physical encroachments, and evidence of easements such as utilities and other physical features pertinent to the boundary of the property.</p> <p>h. Bearings of all property lines and meanders to nearest 10 seconds <u>one second</u> of arc or metric equivalent.</p> <p>i. Adequate curve data to accomplish mathematical closures.</p> <p>j. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or metric equivalent.</p> <p>k. Pursuant to subdivision C 5 of this section, the bearing and distances from the new corners to the existing corners on each end of the existing property lines.</p> <p>l. For property located in rural areas, area to the nearest hundredth (.01) of an acre or metric equivalent.</p> <p>m. For property located in urban areas, area to the nearest square foot or thousandth (0.001) of an acre or metric equivalent.</p> <p>n. North arrow and source of meridian used for the survey.</p> <p>o. For interior surveys, a reference bearing and distance to a property corner of an adjoining owner or other prominent object, including, but not limited to, intersecting streets or roads.</p> <p>p. Tax map designation or geographic parcel identification number if available, <u>for surveyed parcel and adjoining parcels.</u></p> <p>q. Description of each monument found and each monument set by the professional.</p> <p>r. A statement that the land boundary survey shown is based on a current field survey or a compilation from deeds, plats, surveys by others, or combination thereof. If the land boundary shown is a compilation from deeds or plats, or a survey by others, the title of the plat shall clearly depict that the plat does not represent a current land boundary survey.</p> <p>s. A statement as to whether a current title report has been furnished to the professional.</p> <p>t. A statement as to whether any or all easements, <u>encroachments, and improvements</u> are shown on the plat.</p> <p>u. Name <u>and</u> address <u>of</u>, <u>and contact information for</u> the land surveyor or the registered business.</p> <p>v. The professional's seal, signature and date.</p>	
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	<p>3. Metes and bounds description. The professional shall prepare a metes and bounds description in narrative form, if requested by the client or his <u>the client's</u> agent, for completion of any newly performed land boundary survey. The description shall reflect all metes and bounds, the area of the property described, all pertinent monumentation, names of record owners or other appropriate identification of all adjoining, and any other data or information deemed as warranted to properly describe the property. Customarily, the metes and bounds shall be recited in a clockwise direction around the property. The professional shall clearly identify in the metes and bounds description any inconsistencies found in the research of common boundaries between land being surveyed and the adjoining land or lands. For subdivisions, the professional shall prepare a metes and bounds description in narrative form for only the exterior boundaries of the property.</p> <p>No metes and bounds description shall be required for the verification or resetting of the corners of a lot or other parcel of land in accordance with a previously performed land boundary survey, such as a lot in a subdivision where it is unnecessary to revise the record boundaries of the lot.</p>	
<p>18VAC 10-20-380</p>	<p>Minimum standards and procedures for surveys determining the location of physical improvements; field procedures; office procedures.</p> <p>A. The following minimum standards and procedures are to be used for surveys determining the location of physical improvements on any parcel of land or lot containing less than two acres or metric equivalent (sometimes also known as "building location survey," "house location surveys," "physical surveys," and the like) <u>etc.</u> in the Commonwealth of Virginia. The application of the professional's seal, signature, and date as required by these regulations <u>this chapter</u> shall be evidence that the survey determining the location of physical improvements is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this chapter.</p> <p>B. The professional shall determine the position of the lot or parcel of land in accordance with the intent of the original survey and shall set or verify permanent monumentation at each corner of the property, consistent with the monumentation provisions of subdivision C 4 of 18VAC10-20-370. All such monumentation, other than natural monumentation shall, when physically feasible, be identified by temporary witness markers.</p> <p>When the professional finds discrepancies of sufficient magnitude to warrant, in his opinion, the performance of a land boundary survey (pursuant to the provisions of 18VAC10-20-370), he shall so inform the client or the client's agent that such land boundary survey is deemed warranted as a requisite to completion of the physical improvements survey.</p> <p>The location of the following shall be determined in the field:</p> <ol style="list-style-type: none"> 1. Fences in near proximity to the land boundary lines and other fences which <u>that</u> may reflect lines of occupancy or possession. 2. Other physical improvements on the property and all man-made or installed structures, including buildings, stoops, porches, chimneys, visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc.), utility lines, and poles. 3. Cemeteries, if known or disclosed in the process of performing the survey; roads or travelways <u>traveled ways</u> crossing the property which <u>that</u> serve other properties; and streams, creeks, and other defined drainage ways. 	<p>Revised for clarification of terminology and requirements.</p>

	<p>4. Other visible evidence of physical encroachment on the property.</p> <p>C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:</p> <ol style="list-style-type: none"> 1. The bearings and distances for the boundaries and the area of the lot or parcel of land shall be shown in accordance with record data, unless a current, new land boundary survey has been performed in conjunction with the physical improvements survey. If needed to produce a closed polygon, the meander lines necessary to verify locations of streams, tidelands, lakes, and swamps shall be shown. All bearings shall be shown in a clockwise direction, unless otherwise indicated. 2. North arrow, in accordance with record data. 3. Fences in the near proximity to the land boundary lines and other fences which <u>that</u> may reflect lines of occupancy or possession. 4. Improvements and other pertinent features on the property as located in the field pursuant to subsection B of this section. 5. Physical encroachment, including fences, across a property line shall be identified and dimensioned with respect to the property line. 6. The closest dimension (to the nearest 0.1 foot or metric equivalent) from the front property line, side property line, and if pertinent, rear property line to the principal walls of each building. Also, all principal building dimensions (to the nearest 0.1 foot or metric equivalent). 7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed. 8. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features. 9. Street name(s) <u>names</u>, as posted or currently identified, and as per record data, if different from posted name. 10. Distance to nearest intersection from a property corner, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified. 11. Building restriction or setback line(s) <u>lines</u> per restrictive covenants, if shown or noted on the record subdivision plat. 12. The caption or title of the plat shall include the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) <u>names</u> of the record owner; town or county, or city; date of survey; and scale of drawing. 13. Adjoining property identification. 14. Easements and other encumbrances set forth on the record subdivision plat, and those otherwise known to the professional. 15. A statement as to whether or not a current title report has been furnished to the professional. 16. Inconsistencies found in the research or field work of common boundaries between the land being surveyed and the adjoining land or lands shall be 	
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	<p>clearly noted.</p> <p>17. <u>Name, address, and contact information for the individual or entity for whom the survey is being performed.</u></p> <p>18. Professional's seal, signature, and date.</p> <p>48. 19. <u>Name and address of, and contact information for the land surveyor or registered business.</u></p> <p>D. In performing a physical improvements survey, a professional shall not be required to set corner monumentation on any property when:</p> <ol style="list-style-type: none"> 1. It is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.2-2240 of the Code of Virginia or by subdivision A 7 of § 15.2-2241 of the Code of Virginia; 2. Its <u>Eventual</u> placement is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty; or 3. Exempt by § 54.1-407 of the Code of Virginia. <p>E. A professional performing a physical improvements survey when monumentation is not required as stated in subsection D of this section shall clearly note on the plat "no corner markers set," the reason why it is not required, and the name of guarantors.</p>	
<p>18VAC 10-20-382.</p>	<p>Minimum standards and procedures for surveys determining topography; field procedures; office procedures.</p> <p>A. The minimum standards and procedures set forth in this section are to be used for topographic surveys performed in the Commonwealth of Virginia pursuant to Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia. The application of the professional's seal, signature, and date as required by these regulations <u>this chapter</u> shall be evidence that the topographic survey is correct to the best of the professional's knowledge and belief and complies with the minimum standards and procedures.</p> <p>B. Minimum field and office procedures. The following information shall be shown on, or contained in, all plats, maps, or digital geospatial data including metadata used to depict the results of the topographic survey:</p> <ol style="list-style-type: none"> 1. Physical improvements on the property, all man-made or installed structures, as well as visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc.), and utility lines and poles shall be shown or depicted when they are visible based on the methodology and scale. If the methodology or scale prevents depiction of the above <u>improvements as described in this subdivision</u>, then notice shall be clearly stated on or contained in the map, plat, or digital geospatial data including metadata indicating the improvements that are not depicted. 2. Elevations shall be provided as spot elevations, contours, or digital terrain models. 3. Onsite, or in close proximity, bench mark(s) <u>benchmarks</u> shall be established with reference to vertical datum, preferably North American Vertical Datum (NAVD), and shown in the correct location. 4. The title of the topographic survey identifying the land surveyed and showing the state, county, or city in which property is located. 5. <u>Name, address, and contact information of the individual or entity for whom</u> 	<p>Revised for clarification and consistency.</p>

the survey is being performed.

6. Name, address, and contact information for the land surveyor or registered business.

7. Date, graphic scale, numerical scale, and contour interval of plat, map, or digital geospatial data including metadata.

7- 8. North arrow and source of meridian used for the survey.

8- 9. Names or route numbers of highways, streets and named waterways shall be shown.

9- 10. The horizontal and vertical unit of measurement, coordinate system, and data, including adjustments if applicable.

40- 11. A statement, in the following form, shall be shown on or contained in plats, maps, or digital geospatial data including metadata:

This _____ (provide description of the project) was completed under the direct and responsible charge of _____ (Name of Professional) from an actual _____ Ground or ~~Airborne~~ Remote Sensing (check the one that is applicable) survey made under my supervision; that the imagery and/or original data was obtained on _____ (Date); and that this plat, map, or digital geospatial data including metadata meets minimum accuracy standards unless otherwise noted.

C. Minimum positional accuracies shall be met in accordance with the tables in subdivisions 1, 2, and 3 of this subsection. These tables are not intended to be acceptable in all situations, and the professional shall be responsible to perform the work to the appropriate quality and extent that is prudent or warranted under the existing field conditions and circumstances. Metric or other unit of measurements shall meet an equivalent positional accuracy. Map or plat scales, or contour intervals, other than those defined in these tables shall meet an equivalent positional accuracy. The minimum positional accuracy tables are as follows:

1. Scale and contour interval combinations.

Map or Plat Scale	Contour Interval
1" = 20'	1 or 2 feet
1" = 30'	1 or 2 feet
1" = 40'	1 or 2 feet
1" = 50'	1 or 2 feet
1" = 100'	1 or 2 feet
1" = 200'	2, 4, or 5 feet
1" = 400'	4, 5, or 10 feet

2. Vertical accuracy standards.

	Contours - Vertical Positional Accuracy	Spot Elevation Position
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		Contour line 1' interval	± 0.60 feet	± 0.30 feet		
		Contour line 2' interval	± 1.19 feet	± 0.60 feet		
		Contour line 4' interval	± 2.38 feet	± 1.19 feet		
		Contour line 5' interval	± 2.98 feet	± 1.49 feet		
		Contour line 10' interval	± 5.96 feet	± 2.98 feet		
		Positional Accuracy is given at the 95% confidence level.				
		3. Horizontal accuracy standards.				
		Well defined ground points - Horizontal (Radial) Positional Accuracy				
		Map or Plat Scale	Absolute Horizontal Positional Accuracy	Relative Horizontal Accuracy		
		1" = 20'	± 0.8 feet	± 0.20 feet		
		1" = 30'	± 1.1 feet	± 0.30 feet		
		1" = 40'	± 1.5 feet	± 0.40 feet		
		1" = 50'	± 1.9 feet	± 0.50 feet		
		1" = 100'	± 3.8 feet	± 1.00 feet		
		1" = 200'	± 7.6 feet	± 2.00 feet		
		1" = 400'	± 15.2 feet	± 4.00 feet		
		Positional Accuracy is given at the 95% confidence level.				
18VAC 10-20-392		<p>Photogrammetric surveys <u>or similar remote sensing technology</u>.</p> <p>The use of photogrammetric methods or similar remote sensing technology to perform any part of the practice of land surveying as defined in Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia, shall be performed under the direct control and supervision of a licensed land surveyor or a licensed surveyor photogrammetrist.</p>				
18VAC 10-20-420		<p>Requirements for licensure.</p> <p>A. Applicants for licensure as a landscape architect shall satisfy the requirements of subsection B or C <u>subdivision 1 or 2</u> of this section.</p> <p>B. <u>1.</u> An applicant who has graduated from a landscape architecture <u>curriculum program</u> accredited by the Landscape Architectural Accreditation Board (LAAB) shall have:</p> <p>4. <u>a.</u> Obtained a minimum of 36 months of experience as follows:</p> <p>a. <u>(1)</u> A minimum of 12 months of experience under the direct control and personal supervision of a licensed or certified landscape architect; and</p> <p>b. <u>(2)</u> The remaining 24 months of experience under the direct control and personal supervision of a licensed or certified landscape architect or a licensed architect, professional engineer, or land surveyor, in accordance with the Landscape Architects Experience Credit Table; and or</p> <p><u>(3)</u> In lieu of the provision in subdivisions 1 a (1) and 1 a (2) of this section, <u>a</u></p>				Revised for additional pathway for applicants.

	<p><u>minimum of 48 months of experience under the direct control and personal supervision of a licensed architect, professional engineer, or land surveyor; and</u></p> <p>2- <u>b.</u> Passed all sections of the Council of Landscape Architectural Registration Board (CLARB)-prepared exam.</p> <p>2. <u>2.</u> Applicants who have not graduated from a LAAB-accredited landscape architecture curriculum <u>program</u> shall have obtained a minimum of eight years of combined education and work experience in accordance with this subsection.</p> <p>4- <u>a.</u> Only semester and quarter hours with passing grades <u>scores</u> shall be accepted. Credit shall be calculated as follows:</p> <p>a. <u>(1)</u> 32 semester credit hours or 48 quarter credit hours shall be worth one year.</p> <p>b. <u>(2)</u> Fractions greater than or equal to one half-year, but less than one year, will be counted as one-half year.</p> <p>c. <u>(3)</u> Fractions smaller than one half-year will not be counted.</p> <p>2. <u>b.</u> The maximum years indicated in subdivisions a through d of the LANDSCAPE ARCHITECTS EDUCATION CREDIT TABLE shall apply regardless of the length of the degree program.</p> <p>3. <u>c.</u> All applicants shall have a minimum of two years of experience under the direct control and personal supervision of a licensed or certified landscape architect.</p> <p>4- <u>d.</u> Education and experience shall be evaluated against the LANDSCAPE ARCHITECTS EDUCATION CREDIT TABLE and the LANDSCAPE ARCHITECTS EXPERIENCE CREDIT TABLE to determine if an applicant has met the minimum eight years required in this subsection.</p>	<p>Revised for consistency in terminology.</p>
<p>LANDSCAPE ARCHITECTS EDUCATION CREDIT TABLE</p>		
<p>Categories</p>	<p>Values</p>	<p>E</p>
<p>a. <u>(1)</u> Credits completed applicable toward a LAAB-accredited degree.</p>	<p>Credit shall be given at the rate of 100% with a maximum of four years allowable.</p>	<p>A c C ◆ ◆ (2</p>
<p>b. <u>(2)</u> A degree in landscape architecture, or credits completed applicable toward a degree in landscape architecture, from a non-LAAB-accredited curriculum <u>program</u>.</p>		<p>◆ y F y</p>
<p>c. <u>(3)</u> A degree, or credits completed applicable toward a degree, in an allied professional discipline approved by the</p>	<p>Credit shall be given at the rate of 75% for the first two years and 100% for</p>	<p>A c</p>

	board (i.e., architecture, civil engineering, environmental science).	succeeding years with a maximum of three years allowable.	<p>Calculation:</p> <ul style="list-style-type: none"> ◆ $101/32 = 3.15625$ years ◆ 75% credit for the first two years = 1.5 years). ◆ 100% credit for succeeding years (1.15625 x 100% = 1.15625 years) ◆ $1.5 + 1.15625 = 2.65625$ years ◆ 0.65625 is ≥ 0.5 years, which is 0.65625 years. <p>Final result: 101 semester hours = 3.15625 years.</p>
	d. (4) Any other undergraduate degree or credits completed applicable toward that degree.	Credit shall be given at the rate of 50% for the first two years and 75% for succeeding years with a maximum of two years allowable.	<p>An applicant has 95 semester hours of credit.</p> <p>Calculation:</p> <ul style="list-style-type: none"> ◆ $95/32 = 2.96875$ years ◆ 50% credit for the first two years = 1 year). ◆ 75% credit for succeeding years = .72656 years). ◆ $1 + .72656 = 1.72656$ years. ◆ 0.72656 is ≥ 0.5 years, which is 0.72656 years. <p>Final result: 95 semester hours = 2.96875 years.</p>
LANDSCAPE ARCHITECTS EXPERIENCE CREDIT TABLE			
	Categories	Values	Examples
	e. (5) Experience gained under the direct control and personal supervision of a licensed or certified landscape architect.	Credit shall be given at the rate of 100% of work experience gained with no maximum.	<p>An applicant worked under a landscape architect for 3.7 years.</p> <p>Calculation:</p> <p>$3.7 \text{ years} \times 100\% = 3.7 \text{ years}$ (no maximum).</p> <p>Final result: An applicant with 3.7 years of work experience will be credited with the entire 3.7 years.</p>
	f. (6) Experience gained under the direct control and personal supervision of a licensed architect, professional engineer, or land surveyor.	Credit shall be given at the rate of 50% of work experience gained with a maximum of four years allowable.	<p>An applicant has worked under a professional surveyor for eight years or more.</p> <p>Calculation:</p> <p>$8 \text{ years} \times 50\% = 4 \text{ years}$.</p> <p>Final result: eight years or more.</p>

			experience is worth only four years on the maximum allowable.
18VAC 10-20-425		<p>References.</p> <p>In addition to the requirements found in 18VAC10-20-25, applicants shall submit three references with the application, each from a currently licensed one of which shall be from a currently licensed, certified, or registered landscape architect in another a state or other jurisdiction of the United States. An applicant shall only submit references from landscape architects who have a licensed professional engineer, architect, land surveyor, or a landscape architect who has personal knowledge of his <u>the applicant's</u> competence and integrity relative to his landscape architectural experience.</p>	Makes reference requirements less burdensome for applicant.
18VAC 10-20-430		<p>Experience standard.</p> <p>Qualifying landscape architectural training and experience shall be progressive in complexity and based on knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture.</p> <p><u>The experience must be obtained in an organization with a landscape architecture practice and must be verified on the board experience verification form by a licensed landscape architect, professional engineer, architect, or land surveyor in the organization's practice.</u></p>	Revised for clarification of requirement.
18VAC 10-20-440		<p>Examination.</p> <p>A. Applicants with a LAAB-accredited degree may be approved to sit for the exam prior to completing the 36-month experience requirement contained in <u>subdivision 1 a</u> of 18VAC10-20-420 B-4.</p> <p>B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards (CLARB) and is authorized to administer the CLARB <u>make available the CLARB prepared</u> exams. All applicants for original licensure in Virginia are required to pass the CLARB-prepared exam.</p> <p>C. Applicants approved to sit for the exam shall register and submit the required exam fee to be received in the board office, or by the board's designee. Applicants not properly registered will not be allowed to sit for the exam.</p> <p>D. Grading of the exam shall be in accordance with the national grading procedures established <u>administered</u> by CLARB. The board shall adopt <u>utilize</u> the scoring procedures recommended by CLARB.</p> <p>E. Applicants shall be advised only of their passing or failing score and the CLARB minimum passing score.</p> <p>F. Upon written request to the board within 30 days of receiving exam results, applicants will be permitted to view the performance problems contained within the section that they failed. Exam appeals are permitted in accordance with the CLARB score verification process. The board may approve transfer credits for parts of the exam taken and passed in accordance with national standards.</p> <p>G. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass all sections of the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board as follows:</p> <p>1. Applicants who have taken at least one section of the exam and who</p>	<p>Multi-part exam.</p> <p>Revised for clarification.</p> <p>Board will accept portions taken in other jurisdictions.</p>

	<p>reapply to the board no later than six months after the end of their eligibility may be approved to sit for the exam for an additional three years. The original application requirements shall apply.</p> <p>2. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.</p>	
<p>18VAC 10-20- 450</p>	<p>Licensure by comity.</p> <p>A. Applicants with a valid license in good standing to practice landscape architecture issued by another state or other jurisdiction of the United States may be licensed by the board without further examination provided they:</p> <ol style="list-style-type: none"> 1. Were issued the original license based on requirements that do not conflict with and that are substantially equivalent to the board's regulations that were in effect at the time of original licensure; and 2. Passed an exam in another jurisdiction that was substantially equivalent to that approved by the board at that time; or <u>met the regulations in effect at that time; and</u> 3. Possess a CLARB certificate. <p>B. Applicants who do not qualify under subsection A of this section shall be required to meet current entry requirements at the time the application for comity is received in the board's office.</p>	<p>Revised for clarification of process.</p>
<p>18VAC 10-20- 460</p>	<p>Definitions</p> <p>The following words, terms, and phrases when used in this part shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings.</p> <p>"CIDA" means the Council for Interior Design Accreditation (CIDA), formerly known as the Foundation of Interior Design Education Research (FIDER).</p> <p>"Diversified experience" includes the identification, research, and creative solution of problems pertaining to the function and quality of the interior environment including, but not limited to, code analysis, fire safety consideration, and barrier free evaluations that relate to the health, safety, and welfare of the public.</p> <p>"Monitored experience" means diversified experience in interior design under the direct control and personal supervision of a certified or licensed interior designer, an architect, or a professional engineer.</p> <p>"Professional program approved by the board" means an evaluated degree or combination of evaluated degrees as follows:</p> <ol style="list-style-type: none"> 1. A minimum of an undergraduate degree in an interior design program that is deemed by the board to be substantially equivalent to an undergraduate degree in interior design from a CIDA-accredited institution at the time of the applicant's graduation program; <u>or</u> 2. <u>A graduate degree from a CIDA-accredited program; or</u> 3. <u>A graduate degree in interior design plus an undergraduate degree that is a in combination are</u> deemed by the board to be substantially equivalent to an undergraduate degree program from a CIDA-accredited institution <u>program</u> at the time of the applicant's graduation. <p>For the purposes of this definition, a degree program that met CIDA</p>	<p>Revised for changes in terminology.</p> <p>Revised for clarification of degree requirement.</p>

		<p>accreditation requirements not later than two years after the date of the applicant's graduation shall be determined to be CIDA accredited.</p>	
18VAC 10-20-490		<p>Requirements for certification.</p> <p>A. Applicants shall meet one of the following education requirements: <u>A degree from a professional program approved by the board.</u></p> <p>1. Have graduated from a program accredited by CIDA;</p> <p>2. Have graduated from a program accredited by an organization equivalent to CIDA; or</p> <p>3. Have graduated from a professional degree program approved by the board.</p> <p>B. The board reserves the right to reject any evaluation submitted. Any costs attributable to evaluation shall be borne by the applicant.</p> <p>C. Applicants shall possess a minimum of two years of monitored experience. Any monitored experience gained under the direct control and personal supervision of a professional engineer shall be reduced by 50% and shall not account for more than six months of the two years required by this subsection.</p> <p>C. D. Applicants shall have passed the board-approved exam and provide documentation acceptable to the board verifying that the exam has been passed.</p> <p>D. Any cost of evaluation of degrees shall be borne by the applicant. The board reserves the right to reject, for good cause, any evaluation submitted.</p>	Relocated from D and revised for clarity.
18VAC 10-20-495		<p>Examination.</p> <p>A. The National Council of Interior Design Qualification (NCIDQ) exam is approved by the board.</p> <p>B. Applicants shall apply directly to NCIDQ <u>the Council for Interior Design Qualifications</u> for the exam.</p> <p>18VAC10-20-505 18VAC10-20-505. Certification by comity.</p> <p>An applicant with a valid license or certificate in another state or country or the District of Columbia may be issued a certificate if he provides satisfactory evidence to the board that: <u>1. The Applicants who hold a license or certificate in good standing in another jurisdiction of the United States or province of Canada may be issued a certificate if the board is provided with satisfactory evidence that the license or certificate was issued based on qualifications equal to those required by this chapter as of the date the application is received by the board; and 2. The license or certificate is in good standing.</u></p>	Revised for clarification.
18VAC 10-20-510		<p>Definitions. (Repealed.)</p> <p>Section 13.1-543 of the Code of Virginia provides the definition of the following term:</p> <p>Professional Corporation ("P.C.")</p> <p>The following words, terms, and phrases when used in this part shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings:</p>	Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation

	<p>"Employee" of a corporation, for purposes of stock ownership, is a person regularly employed by the corporation who devotes 60% or more of his gainfully employed time to that of the corporation.</p> <p>"Registration" means a certificate of authority issued by the board to transact business in Virginia pursuant to § 13.1-549 of the Code of Virginia.</p>	<p>reduction.</p>				
<p>18VAC 10-20-520</p>	<p>Fee schedule. (Repealed.)</p> <p>All fees are nonrefundable and shall not be prorated.</p> <table border="1" data-bbox="396 499 1289 716"> <tr> <td data-bbox="396 499 1289 554"> <p>Application for professional corporation registration</p> </td> </tr> <tr> <td data-bbox="396 554 1289 606"> <p>Application for professional corporation branch office registration</p> </td> </tr> <tr> <td data-bbox="396 606 1289 659"> <p>Renewal of professional corporation registration</p> </td> </tr> <tr> <td data-bbox="396 659 1289 716"> <p>Renewal of professional corporation branch office registration</p> </td> </tr> </table>	<p>Application for professional corporation registration</p>	<p>Application for professional corporation branch office registration</p>	<p>Renewal of professional corporation registration</p>	<p>Renewal of professional corporation branch office registration</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>
<p>Application for professional corporation registration</p>						
<p>Application for professional corporation branch office registration</p>						
<p>Renewal of professional corporation registration</p>						
<p>Renewal of professional corporation branch office registration</p>						
<p>18VAC 10-20-530</p>	<p>Application requirements. (Repealed.)</p> <p>A. All applicants shall be incorporated in the Commonwealth of Virginia or, if a foreign professional corporation, shall have a certificate of authority to conduct business in Virginia from the State Corporation Commission in accordance with § 13.1-544.2 of the Code of Virginia. The corporation shall be in good standing with the State Corporation Commission at the time of application to the board office and at all times when the board registration is in effect.</p> <p>B. Each application shall include:</p> <p>1. For applicants incorporated in Virginia, the applicant shall provide a copy of its articles of incorporation, bylaws, or charter, and the certificate of incorporation issued by the Virginia State Corporation Commission.</p> <p>2. For applicants incorporated in a state other than Virginia, the applicant shall provide a copy of its articles of incorporation, bylaws, or charter, the certificate of incorporation issued by the foreign state of incorporation, and the certificate of authority issued by the Virginia State Corporation Commission.</p> <p>C. Articles of incorporation or bylaws.</p> <p>1. The articles of incorporation or bylaws shall specifically state that cumulative voting is prohibited.</p> <p>2. The bylaws shall affirmatively state that the professional corporation meets the requirements of § 13.1-549 of the Code of Virginia.</p> <p>3. The bylaws shall state that nonlicensed or noncertified individuals will not have a voice or standing in any matter affecting the practice of the corporation requiring professional expertise, in any matter constituting professional practice, or both.</p> <p>D. The board of directors shall meet the following requirements:</p> <p>1. A corporation may not elect to its board of directors more than one third of its members who are employees of the corporation and are not authorized to render professional services;</p> <p>2. At least two thirds of the board of directors shall be licensed to render the services of an architect, professional engineer, land surveyor, or landscape architect or be duly certified to use the title of certified interior designer, or any</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>				

		<p>combination thereof; and</p> <p>3. At least one director, currently licensed or certified in each profession offered or practiced, shall be resident at the business to provide effective supervision and control of the final professional product.</p> <p>E. Joint ownership of stock. Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated.</p> <p>F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.</p> <p>G. Any branch office offering or rendering professional services shall complete a branch office registration application from the board. Each branch office shall have a responsible person resident at the branch office for each profession offered or rendered.</p>	
<p>18VAC 10-20-550.</p>		<p>Foreign corporations. <u>(Repealed.)</u></p> <p>A. The bylaws shall state that the foreign corporation's activities in Virginia shall be limited to rendering the services of architects, professional engineers, land surveyors, landscape architects, certified interior designers, or any combination thereof.</p> <p>B. Foreign corporations shall not be required to have two thirds of its stockholders be licensed or certified to perform professional services in Virginia but must meet all other requirements of this chapter.</p> <p>C. Foreign corporations shall provide the name, address, and Virginia license or certificate number of each stockholder or employee of the corporation who will be offering or providing the professional services in Virginia.</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>
<p>18VAC 10-20-560.</p>		<p>Amendments and changes. <u>(Repealed.)</u></p> <p>A. Amendments to charter, articles of incorporation or bylaws. A corporation holding a registration to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a copy of any amendment to the articles of incorporation, bylaws or charter.</p> <p>B. Change in directors or shareholders. The following shall apply to the board-issued registration upon the event of any change in directors or shareholders whether the change is temporary or permanent, caused by death, resignation, or otherwise:</p> <ol style="list-style-type: none"> 1. The professional corporation shall notify the board within 30 days of any change in its directors or shareholders; 2. In the event of a change in the corporate directors or shareholders, the board-issued registration shall be limited to the professional practices permitted by those pertinent licenses or certificates held by the remaining directors and shareholders of the corporation unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services; and 3. In the event that a change results in the professional corporation's noncompliance with the requirements of this chapter and applicable statutes relating to ownership of capital stock or composition of the board of directors, the board-issued registration shall be automatically suspended until such time 	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>

	<p>as the corporation comes into compliance with this chapter.</p> <p>C. Change of name, address and place of business. The professional corporation shall notify the board, in writing, within 30 days of any of the following changes at each place of business:</p> <p>1. Any change of name (including assumed names), address, place of business in Virginia, or responsible person of the profession offered or practiced; and</p> <p>2. Any change in the employment status of a licensed or certified employee responsible for professional practice.</p>				
18VAC 10-20-570.	<p>Definitions. (Repealed.)</p> <p>A. Section 13.1-1102 of the Code of Virginia provides the definition of the following term:</p> <p>Professional Limited Liability Company ("P.L.C.," "PLC," "P.L.L.C.," or "PLLC")</p> <p>B. The following words, terms, and phrases when used in this part shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings:</p> <p>"Manager" is a person or persons designated by the members of a limited liability company to manage the professional limited liability company as provided in the articles of organization or an operating agreement, and who is duly licensed or otherwise legally authorized to render one or more of the professional services of architects, professional engineers, land surveyors, landscape architects, or certified interior designers in the Commonwealth of Virginia.</p> <p>"Member" means an individual or professional business entity that owns an interest in a professional limited liability company.</p> <p>"Registration" means a certificate of authority issued by the board to transact business in Virginia pursuant to § 13.1-1111 of the Code of Virginia.</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>			
18VAC 10-20-575	<p>Registration required. (Repealed.)</p> <p>Any professional limited liability company offering or rendering professional services in the Commonwealth of Virginia shall register with the board. Professional services shall include architecture, engineering, land surveying, landscape architecture, and interior design.</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>			
18VAC 10-20-580	<p>Fee schedule. (Repealed.)</p> <p>All fees are nonrefundable and shall not be prorated.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application for professional limited liability company registration</td> </tr> <tr> <td style="padding: 2px;">Application for professional limited liability company branch office registration</td> </tr> <tr> <td style="padding: 2px;">Renewal of professional limited liability company registration</td> </tr> </table>	Application for professional limited liability company registration	Application for professional limited liability company branch office registration	Renewal of professional limited liability company registration	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory</p>
Application for professional limited liability company registration					
Application for professional limited liability company branch office registration					
Renewal of professional limited liability company registration					

	<p>Renewal of professional limited liability company branch office registration</p>	<p>regulation reduction.</p>	<p>\$50</p>
<p>18VAC 10-20-590.</p>	<p>Application requirements: <u>(Repealed.)</u></p> <p>A. All applicants shall have a certificate of organization in the Commonwealth of Virginia or, if a foreign professional limited liability company, shall have a certificate of authority to conduct business in Virginia from the State Corporation Commission, in accordance with § 13.1-1105 of the Code of Virginia. The company shall be in good standing with the State Corporation Commission at the time of application to the board and at all times when the board registration is in effect.</p> <p>B. Each application shall include a copy of the articles of organization or operating agreement. Applications shall also include additional information as follows:</p> <ol style="list-style-type: none"> 1. Applicants organized as a professional limited liability company in Virginia shall provide a copy of the certificate of organization. 2. Applicants organized as a professional limited liability company in a state other than Virginia shall provide a copy of the certificate of authority issued by the Virginia State Corporation Commission. <p>C. Articles of organization or operating agreement.</p> <ol style="list-style-type: none"> 1. The articles of organization or operating agreement shall state the specific purpose of the professional limited liability company. 2. The articles of organization or operating agreement shall affirmatively state that the professional limited liability company meets the requirements of § 13.1-1111 of the Code of Virginia. 3. The articles of organization or operating agreement shall attest that all members, managers, employees and agents who render professional services of architects, professional engineers, land surveyors, or landscape architects, or use the title of certified interior designers, are duly licensed or certified to provide those services. 4. The person executing the affidavit shall sign it and state beneath his signature his name and the capacity in which he signs. If the person signing the affidavit is not a manager of the PLLC, the affidavit shall also state that the individual has been authorized by the members of the PLLC to execute the affidavit for the benefit of the company. <p>D. Management of the PLLC.</p> <ol style="list-style-type: none"> 1. Pursuant to § 13.1-1118 of the Code of Virginia, unless the articles of organization or operating agreement provides for management of the PLLC by a manager or managers, management shall be vested in its members. 2. Any manager or member must be licensed to render the same professional services within the Commonwealth for which the company was formed. These members or managers shall be the only members or managers authorized to supervise and direct the provision of professional services within the Commonwealth. 3. At least one member or manager currently licensed or certified in each profession offered or practiced shall be resident at the business to provide effective supervision and control of the final professional product. <p>E. The name of the business and any assumed, fictitious, trading as, or doing</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>	

	<p>business as names of the firm shall be disclosed on the application.</p> <p>F. Any branch office offering or rendering professional services shall complete a branch office registration application from the board. Each branch office shall have a resident responsible person at the branch office for each profession offered or rendered.</p>	
18VAC 10-20-610.	<p>Foreign professional limited liability companies. (Repealed.)</p> <p>A. The articles of organization or operating agreement shall state that the PLLC's activities in Virginia shall be limited to rendering the professional services of architects, professional engineers, land surveyors, landscape architects, certified interior designers, or any combination thereof.</p> <p>B. The foreign PLLC shall meet every requirement of § 13.1-1111 of the Code of Virginia except for the requirement that two thirds of its members and managers be licensed or certified to perform the professional service in this Commonwealth.</p> <p>C. The PLLC shall provide the name, address, and Virginia license or certificate number of each manager or member who will be providing the professional service(s) in Virginia.</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>
18VAC 10-20-620	<p>Amendments and changes. (Repealed.)</p> <p>A. A PLLC holding a registration to practice in any combination of the professions covered in these regulations shall file with the board a copy of any amendment to the articles of organization, operating agreement, or certificate of organization within 30 days of its adoption.</p> <p>B. Change of managers or members of the PLLC. The following shall apply to the board issued registration upon the event of any change in members or managers whether the change is temporary or permanent, caused by death, resignation, or otherwise:</p> <p>1. The PLLC shall notify the board within 30 days of any change in its members or managers;</p> <p>2. In the event of a change in the members or managers, the board issued registration shall be limited to the professional practices consistent with the licenses or certificates held by the remaining members or managers of the PLLC unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services; and</p> <p>3. In the event that a change results in the PLLC's noncompliance with the requirements of this chapter and applicable statutes relating to ownership of the membership interests, the board issued registration shall be automatically suspended until such time as the PLLC comes into compliance with this chapter.</p> <p>C. Change of name, address, or place of business. The PLLC shall notify the board, in writing, within 30 days of any of the following changes at each place of business:</p> <p>1. Any change of name (including assumed names), address, place of business in Virginia, or responsible person of the profession offered or practiced; and</p> <p>2. Any change in the employment status of a licensed or certified employee responsible for professional practice.</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>

<p>18VAC 10-20- 627.</p>	<p>Registration required.</p> <p>Any business entity, which is not a professional corporation or professional limited liability company but is offering or practicing architectural, engineering, surveying, landscape architectural, or interior design offering or rendering professional services in the Commonwealth of Virginia, shall register with the board. Professional services shall include architecture, engineering, land surveying, landscape architecture, or interior design.</p>	<p>Revision to business registration process to only offer business entity registration, make it less burdensome for applicants.</p>				
<p>18VAC 10-20- 630</p>	<p>Fee schedule.</p> <p>All fees are nonrefundable and shall not be prorated.</p> <table border="1" data-bbox="396 646 1289 863"> <tr> <td data-bbox="396 646 1289 701">Application for business entity registration</td> </tr> <tr> <td data-bbox="396 701 1289 756">Application for business entity branch office registration</td> </tr> <tr> <td data-bbox="396 756 1289 810">Renewal of business entity registration</td> </tr> <tr> <td data-bbox="396 810 1289 863">Renewal of business entity branch office registration</td> </tr> </table>	Application for business entity registration	Application for business entity branch office registration	Renewal of business entity registration	Renewal of business entity branch office registration	<p>Necessary adjustments made since there will only be one business registration type. All fees reduced.</p>
Application for business entity registration						
Application for business entity branch office registration						
Renewal of business entity registration						
Renewal of business entity branch office registration						
<p>18VAC 10-20- 640.</p>	<p>Application requirements.</p> <p>A. In accordance with § 54.1-411 of the Code of Virginia, any entity that is not a PC, PLLC, or sole proprietorship that does not employ other individuals for which licensing is required shall register with the board. This includes, but is not limited to, any corporation, partnership, limited liability company, joint ventures, or nonprofit.</p> <p>B. Partnerships. Applications for registration as a partnership shall include a copy of the partnership agreement, which shall state that all professional services of the partnership shall be under the direct control and personal supervision of a licensed or certified professional.</p> <p>C. Limited partnerships. Applications for registration as a limited partnership shall include:</p> <p>1. A copy of the partnership agreement that shall state that all professional services of the limited partnership shall be under the direct control and personal supervision of duly licensed or certified professionals; and</p> <p>2. A copy of the certificate of limited partnership issued by the Virginia State Corporation Commission for applicants organized in Virginia or, if organized as a foreign limited partnership, a certification of registration issued by the Virginia State Corporation Commission.</p> <p>D. Corporations. Applications for registration as a corporation shall include:</p> <p>1. A copy of the articles of incorporation, bylaws, or charter; and</p> <p>2. A copy of the certificate of incorporation issued by the Virginia State Corporation Commission if organized in Virginia or, if organized as a foreign corporation, a copy of the certificate of authority issued by the Virginia State Corporation Commission.</p> <p>E. Limited liability companies. Applications for registration as a limited liability company shall include a copy of the certificate of organization issued by the State Corporation Commission if organized in Virginia or, if organized as a foreign limited liability company, a copy of the certificate of authority issued by</p>	<p>Eliminated as business registrations being streamlined to be less burdensome to applicants and in line with mandatory regulation reduction.</p>				

	<p>the Virginia State Corporation Commission.</p> <p>F. If architectural, engineering, surveying, landscape architectural, or interior design services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office. Resident responsible persons shall be designated for each branch office in accordance with this chapter.</p> <p>G. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.</p> <p><u>A. All applicants shall be appropriately credentialed to do business in the Commonwealth of Virginia by the State Corporation Commission in accordance with the Code of Virginia. The business entity shall be in good standing with the State Corporation Commission at the time of application to the board office, at the time of board approval, and at all times when the board registration is in effect.</u></p> <p><u>B. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.</u></p> <p><u>C. Any branch office offering or rendering professional services shall complete a branch office registration application from the board. Each branch office shall have a responsible person resident at the branch office for each professional offered or rendered.</u></p>	<p>New language to reflect revised business registration.</p>
<p>18VAC 10-20-650.</p>	<p>Registration certification.</p> <p>The application shall contain an affidavit by an authorized official in the corporation, partnership, sole proprietorship, limited liability company, or other <u>business entity</u> unit that the practice of architecture, engineering, land surveying, landscape architecture, or certified interior design to be done by that entity shall be under the direct control and personal supervision of the licensed or certified full-time employees or licensed or certified resident principals identified in the application as responsible persons for the practice. In addition, the licensed or certified employees or principals responsible for the practice shall sign their names indicating that they are responsible persons who are resident, and that they understand and shall comply with all statutes and regulations of the board.</p>	<p>Revised for changes in terminology.</p> <p>Deletion to reflect revised business registration.</p>
<p>18VAC 10-20-670</p>	<p>Renewal.</p> <p>A. Individuals and organizations <u>Regulants</u> shall not practice with an expired license, certificate, or registration. The following timeframes shall determine the required fees for renewal based on the date the fee is received in the board's office:</p> <ol style="list-style-type: none"> 1. If the renewal fee is received by the board by the expiration date of the license, certificate, or registration, no additional fee shall be required to renew. 2. If the renewal fee is not received by the board within 30 days following the expiration date of the branch office registration, the registration shall be subject to the requirements of 18VAC10-20-680. 3. If the renewal fee is not received by the board within 30 days following the expiration date of the license, certificate, or nonbranch office registration, a \$25 late fee shall be required in addition to the renewal fee. 4. If the renewal fee and applicable late fee are not received by the board within six months following the expiration date of the license, certificate, or nonbranch office registration, the reinstatement fee shall be required pursuant 	<p>Revised for changes in terminology.</p>




	<p>to 18VAC10-20-680.</p> <p>B. Upon receipt of the required fee, licenses, certificates, and registrations not currently sanctioned by the board shall be renewed for a two-year period from their previous expiration date.</p> <p>C. Branch offices shall not renew or reinstate until the main office registration is properly renewed or reinstated.</p> <p>D. The board may deny renewal of a license, certificate, or registration for the same reasons as it may refuse initial licensure, certification, or registration or for the same reasons that it may discipline a regulant for noncompliance with the standards of practice and conduct as well as the continuing education requirements contained in this chapter. The regulant has the right to request further review of any such action by the board under the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).</p> <p>E. By submitting the renewal fee, the regulant is certifying continued compliance with the standards of practice and conduct as established by the board. In addition, by submitting the renewal fee, licensees are certifying their compliance with the continuing education requirements as contained in this chapter.</p> <p>F. Failure to receive a renewal notice shall not relieve the regulant of the responsibility to renew. In the absence of a renewal notice, the regulant may submit a copy of the license, certificate, or registration with the required fee for renewal.</p> <p>G. A license, certificate, or registration that is renewed shall be regarded as having been current without interruption and under the authority of the board.</p> <p>H. Failure to pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in a delay or withholding of services provided by the department such as, but not limited to, renewal, reinstatement, processing a new application, or exam administration.</p>	
<p>18VAC 10-20-680.</p>	<p>Reinstatement.</p> <p>A. Applicants whose license, certificate, or nonbranch main office registration has expired for more than six months, and applicants whose branch office registration has expired for more than 30 days, shall be required to submit a reinstatement application, which shall be evaluated by the board to determine if the applicant remains qualified to be a regulant of the board.</p> <p>B. <u>Applicants whose license or certificate has expired for more than five years shall be required to reapply for licensure or certification on the initial application and document experience from the date of expiration of the license or certificate to the present.</u></p> <p>C. <u>The board may require an exam, additional continuing education, or experience for architects, professional engineers, land surveyors, landscape architects, and interior designers whose license or certificate has expired for more than five years.</u></p> <p>D. The board may deny reinstatement of a license, certificate, or registration for the same reasons as it may refuse initial licensure, certification, or registration or for the same reasons that it may discipline a regulant for noncompliance with the standards of practice and conduct, as well as the continuing education requirements, contained in this chapter. The applicant has the right to request further review of any such action by the board under</p>	<p>Additional language for reinstatement to clarify process.</p>





	<p>the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).</p> <p>C. E. The date the reinstatement fee is received in the board's office shall determine the amount to be paid pursuant to the following requirements:</p> <ol style="list-style-type: none"> 1. Branch office registrations that have expired for more than 30 days shall require a reinstatement fee that shall equal the renewal fee plus \$30. 2. Licenses, certificates, and nonbranch <u>main</u> office registrations that have expired for more than six months, but less than five years, shall require a reinstatement fee that shall equal the renewal fee plus \$100. 3. Licenses, certificates, and nonbranch <u>main</u> office registrations that have expired for more than five years shall require a reinstatement fee that shall equal the renewal fee plus \$250. <p>D. Architects, professional engineers, land surveyors, surveyor photogrammetrists, and landscape architects applying for reinstatement shall provide evidence of compliance with the continuing education requirements of this chapter.</p> <p>E. The board may require an exam for architects, professional engineers, land surveyors, surveyor photogrammetrists, landscape architects, and interior designers whose license or certificate has expired for more than five years.</p> <p>F. Licensees shall remain under the disciplinary authority of the board at all times, regardless of whether the license is reinstated, pursuant to § 54.1-405 of the Code of Virginia.</p> <p>G. A certificate or registration holder who reinstates shall be regarded as having been current and without interruption and under the authority of the board.</p> <p>H. Failure to pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in a delay or withholding of services provided by the department such as, but not limited to, renewal, reinstatement, processing a new application, or exam administration.</p>	
<p>18VAC 10-20- 683</p>	<p>Continuing education requirements for renewal or reinstatement.</p> <p>A. Licensees are required to complete 16 hours of continuing education (CE) pursuant to the provisions of this section <u>§ 54.1-404.2 of the Code of Virginia</u> for any renewal or reinstatement.</p> <p>B. CE for renewal shall be completed during the two-year license period immediately prior to the expiration date of the license and shall be valid for that renewal only; additional hours over 16 hours shall not be valid for subsequent renewal.</p> <p>C. CE for reinstatement shall be completed during the two years immediately prior to the date of the board's receipt of a reinstatement application and shall be valid for that reinstatement only; additional hours over 16 hours shall not be valid for subsequent reinstatement <u>renewal</u>.</p> <p>D. Licensees shall maintain records of completion of CE used to renew a license for three years from the date of expiration of the license. Licensees shall provide those records to the board or its authorized agents upon request.</p> <p>E. CE activities completed by licensees may be accepted by the board provided the activity:</p> <ol style="list-style-type: none"> 1. Consists of content and subject matter related to the practice of the 	<p>Revised for clarification.</p>

	<p>profession;</p> <p>2. Has a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of practice and may be in areas related to business practices, including project management, risk management, and ethics, <u>and public health, safety, and welfare</u> that have demonstrated relevance to the licensee's area of practice as defined in § 54.1-400 of the Code of Virginia;</p> <p>3. Is taught by instructors who are competent in the subject matter, either by education or experience, for those activities involving an interaction with an instructor;</p> <p>4. If self-directed, contains an assessment by the sponsor at the conclusion of the activity that verifies that the licensee has successfully achieved the purpose and objective of the activity; and</p> <p>5. Results in documentation that verifies the licensee's successful completion of the activity.</p> <p>F. Computation of credit.</p> <p>1. Fifty contact minutes shall equal one hour of CE. For activities that consist of segments that are less than 50 minutes, those segments shall be totaled for computation of CE for that activity.</p> <p>2. One semester hour of college credit shall equal 15 hours of CE and one-quarter hour of college credit shall equal 10 hours of CE.</p> <p>3. The number of hours required to successfully complete any CE activity must have been predetermined <u>determined</u> by the sponsor. A licensee shall not claim more credit for any CE activity than the number of hours that was predetermined by the sponsor at the time the activity was completed.</p> <p>4. CE may be granted for the initial development, substantial updating, or the initial teaching of a CE activity that meets the requirements of this chapter at twice the amount of credit that participants receive. CE claimed pursuant to this subdivision shall not be claimed for subsequent offerings of the same activity.</p> <p>5. A licensee applying for renewal shall not receive credit for completing a CE activity with the same content more than once during the two years prior to license expiration.</p> <p>6. A licensee applying for reinstatement shall not receive credit more than once for completing a CE activity with the same content during the two years immediately prior to the date of the board's receipt of his reinstatement application.</p> <p>G. The board may periodically conduct a random audit of its licensees who have applied for renewal to determine compliance. Licensees who are selected for audit shall provide all documentation of all CE activities utilized to renew their license within 21 calendar days of the date of the board's notification of audit.</p> <p>H. If the board determines that CE was not obtained properly to renew or reinstate a license, the licensee shall be required to make up the deficiency to satisfy the 16-hour CE requirement for that license renewal or reinstatement. Any CE activity used to satisfy the deficiency shall not be applied to his current license CE requirement or any subsequent renewal or reinstatement.</p>	
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<p>18VAC 10-20- 740</p>	<p>Professional responsibility.</p> <p>A. Unless exempt by statute, all architectural, engineering, land surveying, landscape architectural, and interior design work must be completed by a professional or a person performing the work who is under the direct control and personal supervision of a professional.</p> <p>B. A professional shall be able to clearly define his scope and degree of direct control and personal supervision, clearly define how it was exercised, and demonstrate that he was responsible within that capacity for the work that he has sealed, signed, and dated. For the work prepared under his supervision, a professional shall:</p> <ol style="list-style-type: none"> 1. Have detailed professional knowledge of the work; 2. Exercise the degree of direct control over work that includes: <ol style="list-style-type: none"> a. Having control over decisions on technical matters of policy and design; b. Personally making professional decisions or the review and approval of proposed decisions prior to implementation, including the consideration of alternatives to be investigated and compared for designed work, whenever professional decisions are made that could affect the health, safety, and welfare of the public involving permanent or temporary work; c. The selection or development of design standards and materials to be used; and d. Determining the validity and applicability of recommendations prior to incorporation into the work, including the qualifications of those making the recommendations; 3. Have exercised his professional judgment in all professional matters that are embodied in the work and the drawings, specifications, or other documents involved in the work; and 4. Have exercised critical examination and evaluation of an employee's, consultant's, subcontractor's, or project team member's work product, during and after preparation, for purposes of compliance with applicable laws, codes, ordinances, regulations, and usual and customary standards of care pertaining to professional practice. <p>C. The regulant shall not knowingly associate in a business venture with, or permit the use of his name, by any person or firm when there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.</p> <p>D. A regulant who has direct knowledge or reason to believe that any individual or firm <u>person</u> may have violated or may currently be violating any of these provisions, or the provisions of Chapters 7 (§ 13.1-542.1 et seq.) and 13 (§ 13.1-1100 et seq.) of Title 13.1 or Chapters 1 (§ 54.1-100 et seq.) through 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia, shall immediately inform the board in writing and shall cooperate in furnishing any further information or assistance that may be required by the board or any of its agents.</p> <p>E. Upon request by the board or any of its agents, the regulant shall produce any plan, plat, document, sketch, book, record, or copy thereof concerning a transaction covered by this chapter and shall cooperate in the investigation of a complaint filed with the board against a regulant.</p>	<p>Revised for clarification less burdensome to regulant.</p>
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	<p>F. Except as authorized by 18VAC10-20-760 A 2, a regulant shall not utilize the design, drawings, specifications, or work of another regulant to complete or to replicate any work without the written consent of the person or organization that owns the design, drawings, specifications, or work.</p> <p>G. Utilization and modification of work.</p> <p>1. A regulant who utilizes the designs, drawings, specifications, or work of another regulant pursuant to subsection F of this section or 18VAC10-20-760 A 2, or who modifies any plats or surveys, shall conduct a thorough review of the work to verify that it has been accomplished to the same extent that would have been done under the direct control and personal supervision of the regulant affixing the professional seal, signature, and date. The regulant shall assume full responsibility for the utilization of any unsealed work or any changes or modifications to previously sealed work.</p> <p>2. The information contained in recorded plats or surveys may be utilized by another regulant without permission. <u>Information from recorded plats or surveys may be utilized without permission. However, the modification of the actual recorded plat or survey is prohibited without written permission of the regulant.</u></p>	
<p>18VAC 10-20- 750</p>	<p>Good standing. (Repealed.)</p> <p>A. A regulant licensed, certified, or registered to practice architecture, engineering, land surveying, landscape architecture, or interior design in any jurisdiction shall be in good standing in every jurisdiction where licensed, certified, or registered.</p> <p>B. A regulant who has received a reprimand, civil penalty, or monetary penalty, or whose license, certificate or registration is revoked, suspended, denied, or surrendered as a result of a disciplinary action by any jurisdiction, shall notify the board of such action within 30 days.</p>	<p>In definitions.</p>
<p>18VAC 10-20- 760</p>	<p>Use of seal.</p> <p>A. Affixing of a professional seal, signature, and date shall indicate that the professional has exercised direct control and personal supervision over the work to which it is affixed. Affixing of the seal, signature, and date also indicates the professional's acceptance of responsibility for the work shown thereon.</p> <p>1. No professional shall affix a seal, signature, and date or certification to a plan, plat, document, sketch, or other work <u>plans, plats, documents, drawings, or other works</u> constituting the practice of the professions regulated that has been prepared by an unlicensed or uncertified person unless such work was <u>works were</u> performed under the direct control and personal supervision of the professional while the unlicensed or uncertified person was an employee of the same firm as the professional or was under written contract to the same firm that employs the professional.</p> <p>2. If the original professional of record is no longer able to seal, sign, and date completed professional work, such work may be sealed, signed, and dated by another qualified professional pursuant to the standards established in 18VAC10-20-740 G 1.</p> <p>B. Documents to be sealed.</p> <p>1. All final documents, including original cover sheet of plans, plats, documents, sketches, technical reports, and specifications, and each original sheet of plans, cover sheet of plans, plats, documents, drawings, technical</p>	<p>Revised for clarification.</p> <p>Revised for clarification.</p>

	<p><u>reports, and specifications, and each sheet of plans or plats, or drawings prepared by the professional, or someone under his direct control and personal supervision, shall be sealed, signed, and dated by the professional. All final documents shall also bear the professional's name or firm name, address, and project name. Final documents are completed documents or copies submitted on a client's behalf for approval by authorities, for construction, or for recordation.</u></p> <p>2. For projects involving multiple sets of plans from multiple professionals <u>professional services involved</u> in the same project, each professional shall seal, sign, and date the final documents for the work component that he completed or that was completed under his direct control and personal supervision. The professional responsible for the compilation of the project shall seal, sign, and date the cover sheet of the aggregate collection of final documents for the project.</p> <p>C. An electronic seal, signature, and date are permitted to be used in lieu of an original seal, signature, and date when the following criteria, and all other requirements of this section, are met:</p> <ol style="list-style-type: none"> 1. It is a unique identification of the professional; 2. It is verifiable; and 3. It is under the professional's direct control. <p>D. Incomplete plans, plats, documents, and sketches <u>drawings</u>, whether advance or preliminary copies, shall be so identified on the plan, plat, document, or sketch <u>plans, plats, documents, or drawings</u> and need not be sealed, signed, or dated. Advance or preliminary copies of incomplete plans, plats, documents, and sketches <u>drawings</u>, must be clearly identified as not complete but need not be sealed, signed, or dated.</p> <p>E. All work performed by a professional who is licensed or certified by this board, including work that is exempt from licensure pursuant to § 54.1-402 of the Code of Virginia, shall be sealed, signed, and dated pursuant to subsection B of this section.</p> <p>F. The original seal shall conform in detail and size to the design illustrated below <u>in this subsection</u> and shall be two inches in diameter. The designs below <u>illustrated</u> may not be shown to scale:</p>		
			

				
				
		<p>*The number referred to is the last six-digit number as shown on the license or certificate. The number is permanent. Leading zeros contained in the six-digit number may be omitted from the seal.</p>		
<p>18VAC 10-20- 790</p>	<p>Sanctions.</p> <p>A license, certificate, or registration shall not be sanctioned unless a majority of the eligible voting members of the entire board vote for the action. The board may discipline or sanction any regulant if the board finds that:</p> <ol style="list-style-type: none"> 1. The regulant failed to maintain good moral character pursuant to the definition in 18VAC10-20-10; 2. The license, certification, or registration was obtained or renewed through fraud or misrepresentation; 3. The regulant has been found guilty by the board, or by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty, or has been found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor that, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia; 4. The regulant is guilty of <u>has committed acts constituting</u> professional incompetence, negligence, or gross negligence; 5. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected; 6. The regulant fails to comply, or misrepresents any information pertaining to 			<p>Revised for clarification.</p>

	<p>their compliance, with any of the continuing education requirements as contained in this chapter;</p> <p>7. The regulant violates any standard of practice and conduct as defined in this chapter; or</p> <p>8. The regulant violates or induces others to violate any provision of Chapters 7 (§ 13.1-542.1 et seq.) and 13 (§ 13.1-1100 et seq.) of Title 13.1 or Chapters 1 (§ 54.1-100 et seq.) through 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia, or any other statute applicable to the practice of the professions regulated by this chapter;</p> <p><u>9. The regulant has been disciplined by any county, city, town, state, or federal governing body. For purposes of this section "discipline" means reprimand; civil or monetary penalty; probation, suspension, or revocation of a license; or cease and desist order. The board will review such discipline before taking any disciplinary action of its own; or</u></p> <p><u>10. The regulant fails to notify the board within 30 days of having been disciplined by any county, city, town, state, or federal governing body as stipulated in subdivision 9 of this section.</u></p>	
<p>18VAC 10-20- 795</p>	<p>Change of address.</p> <p>All regulants shall notify the board in writing of any change of address of a <u>change of mailing address on the designated address change form</u> within 30 days of making the change. When submitting a change of address, regulants holding more than one license, certificate, or registration shall inform the board of each affected by the change. A post office box will not be accepted in lieu of a physical address.</p>	<p>Revised to conform with form requirement agency wide.</p>