



Virginia  
Regulatory  
Town Hall

## Notice of Intended Regulatory Action Agency Background Document

<b>Agency Name:</b>	10
<b>VAC Chapter Number:</b>	20
<b>Regulation Title:</b>	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board)
<b>Action Title:</b>	Amend
<b>Date:</b>	June 13, 2003

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 2.2-4007(B). Please refer to Executive Order Twenty-Five (98) and Executive Order Fifty-Eight (99) for more information.

### Purpose

*Please describe the subject matter and intent of the planned regulation. This description should include a brief explanation of the need for and the goals of the new or amended regulation.*

The purpose of the proposal is to make the following changes:

General clarifying changes to the regulation as well as amending the Board's regulation to clarify the Board's requirements relating to "responsible charge" and "direct control and personal supervision."

Other changes which may be necessary pursuant to the Board's periodic review of its regulation, and any other changes, will also be considered.

### Basis

*Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to*

*which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the legal authority identified above should be explained. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided.*

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§§ 54.1-404, 54.1-411.C, 13.1-549 and 13.1-1111 of the Code of Virginia authorizes the Board to promulgate regulations for a regulatory system. While the Board is mandated to establish regulations, the content of the regulations is up to the discretion of the Board.

### Substance

*Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.*

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General clarifying changes to the regulation as well as amending the Board's regulation to clarify the Board's requirements relating to "responsible charge" and "direct control and personal supervision." Any other changes which may be necessary may also be considered. Failure to adopt these changes will allow unclear language to remain in the regulations. Ensuring that the regulations are as clear as possible will facilitate the regulants complying with the Board's requirements which will better protect the health, safety and welfare of the public.

### Alternatives

*Please describe, to the extent known, the specific alternatives to the proposal that have been considered or will be considered to meet the essential purpose of the action.*

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Failure to adopt these changes will permit the Board's regulation to not be as clear as it could be. The Board will consider any and all comments received during the comment periods as to any proposed alternatives.

### Family Impact Statement

*Please provide a preliminary analysis of the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The contemplated changes are not anticipated to have any significant impact on Virginia's families.