



## Final Regulation Agency Background Document

<b>Agency name</b>	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
<b>Virginia Administrative Code (VAC) citation</b>	18 VAC10-20
<b>Regulation title</b>	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Regulations
<b>Action title</b>	General Review
<b>Date this document prepared</b>	August 26, 2014 (revised September 5, 2014)

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary (no more than 2 short paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation. Also, please include a brief description of changes to the regulation from publication of the proposed regulation to the final regulation.*

The purpose of the current proposed regulations is to focus solely on a general but 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.

### 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 or board taking the action, and (3) the title of the regulation.*

On August 13, 2014, the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (APELSCIDLA Board) voted to adopt the final APELSCIDLA Board Regulations.

## Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person's overall regulatory authority.*

### (1) Relevant Laws

[§ 54.1-201.5](#) of the *Code of Virginia* states 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. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ [54.1-100](#) et seq.) and 3 (§ [54.1-300](#) et seq.) of this title.

[§ 54.1-404.A](#) of the *Code of Virginia* authorizes the board as follows: "The Board shall promulgate regulations not inconsistent with this chapter governing its own organization, the professional qualifications of applicants, the requirements necessary for passing examinations in whole or in part, the proper conduct of its examinations, the implementation of exemptions from license requirements, and the proper discharge of its duties."

The imperative form of the verb "shall" is used, making the Board's authority to regulate mandatory rather than discretionary.

Executive Order 14 (2010) states, in part, "Each existing regulation in the state shall be reviewed at least once every four years by the promulgating agency unless specifically exempted from periodic review by the Governor."

### (2) Promulgating Entity

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.

## Purpose

*Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Detail the specific reasons it is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.*

Architects, professional engineers, land surveyors, certified interior designers, and landscape architects have complex requirements for licensure and certification regarding entry and professional conduct. The complexity of these requirements results from the nature of their professions. Questions often arise from both regulants and applicants in an array of situations. The Board is proposing the new language for the purpose of ensuring that these requirements are the most up-to-date for what is necessary for each

profession. Further, the Board's intention is to simplify the existing regulatory language to make entry and performance requirements as clear as possible for both regulants and other members of the public.

## Substance

*Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. A more detailed discussion is required under the "All changes made in this regulatory action" section.*

18VAC10-20-10 is amended to clarify definitions, remove unnecessary language, and add language to a definition so as to make the term applicable to both applicants as well as regulants.

18VAC10-20-17 is amended to be consistent with the definitions in section 10 as well as to remove the fixed fee for a wall certificate.

18VAC10-20-20 is amended to relocate each specific profession's exam requirements to its specific section of the regulations. Further, section 20 is amended to divide larger text into smaller, more concise text for ease of understanding the general entry requirements.

18VAC10-20-25 is amended to read more clearly as well as require that the reference be someone known to the applicant more recently than contacts from over five years ago.

18VAC10-20-35 is amended to read more clearly.

18VAC10-20-40 is amended to read more clearly by dividing the large paragraph text into smaller paragraphs for easier reading.

18VAC10-20-50 is amended to read more clearly.

18VAC10-20-55 is amended to read more clearly and clarify specifically which applicants are required to submit a TOEFL exam score with an application.

18VAC10-20-70 is amended to read more clearly.

18VAC10-20-75 is amended to read more clearly.

18VAC10-20-85 is amended to read more clearly.

18VAC10-20-87 is a new section added to affirmatively identify the expiration date of all initial licenses, certificates, and registrations. Licenses, certificates, and registrations which are renewed or reinstated currently have an established expiration date in sections 670 and 680, respectively.

18VAC10-20-90 is amended to clarify the type of application for the profession.

18VAC10-20-110 is amended to read more clearly for easier understanding of education requirements.

18VAC10-20-120 is amended to read more clearly as well as identify the most current "Handbook for Interns and Architects" which establishes experience requirements for architects.

18VAC10-20-130 is amended to read more clearly including clarification of the purpose of providing a reference.

18VAC10-20-140 is amended to read more clearly.

18VAC10-20-150 is amended to read more clearly.

18VAC10-20-160 is amended to clarify the definition of "Related science curriculum".

18VAC10-20-170 is amended to clarify the type of application for the profession.

18VAC10-20-190 is amended to read more clearly as well as establish the standard by which coursework will be determined to be equivalent to a degree with ABET accreditation.

18VAC10-20-200 is amended to read more clearly.

18VAC10-20-210 is amended to read more clearly as well as establish the standard by which coursework will be determined to be equivalent to a degree with ABET accreditation.

18VAC10-20-215 is amended to read more clearly.

18VAC10-20-220 is amended to read more clearly including clarification of the purpose of providing a reference.

18VAC10-20-230 is amended to read more clearly including clarification of which degrees may be considered to be approved by the Board.

18VAC10-20-240 is amended to read more clearly by implementing the use of a table to more easily distinguish qualifying from non-qualifying experience based on a category. The table format is similar to tables used in sections 190 and 210 of the current regulations.

18VAC10-20-260 is amended to read more clearly. In addition, language specific to the exam deadline is relocated here from section 20. Further, additional language is added requiring that applicants, who do not pass the exam within three years from their approval, must demonstrate proof of educational activities to be eligible for the exam once again.

18VAC10-20-270 is amended to read more clearly.

18VAC10-20-280 is amended to clarify the type of application for the profession.

18VAC10-20-295 is amended to clarify the definitions of the two types of surveying experience and make them consistent as applicable to the type of surveying.

18VAC10-20-300 is amended to read more clearly by simplifying the language and structuring each paragraph to be consistent with each other when detailing requirements. Further, the experience requirement is reduced for those applicants with a Board-approved undergraduate degree in a field unrelated to surveying.

18VAC10-20-310 is amended to read more clearly as well as remove obsolete language pertaining to entry requirements for surveyor photogrammetrists under an expired "grandfather" provision.

18VAC10-20-320 is amended to read more clearly.

18VAC10-20-330 is amended to read more clearly.

18VAC10-20-340 is amended to read more clearly as well as clarify which individuals must verify an applicant's experience.

18VAC10-20-350 is amended to read more clearly. In addition, language specific to the exam deadline is relocated here from section 20. Further, additional language is added requiring that applicants, who do not pass the exam within three years from their approval, must demonstrate proof of educational activities to be eligible for the exam once again.

18VAC10-20-360 is amended to read more clearly. Further, language is added to clarify licensure requirements for surveyor photogrammetrists applying via comity. The new language addresses the requirements for those applicants licensed in other states before, during, and after the Board's period for grandfathering.

18VAC10-20-370 is amended to read more clearly as well as remove duplicative language pertaining to the sealing and signing requirement.

18VAC10-20-380 is amended to read more clearly.

18VAC10-20-382 is amended to read more clearly.

18VAC10-20-390 is amended to read more clearly.

18VAC10-20-395 is amended to address the proper citations of the Board's regulations.

18VAC10-20-400 is amended to clarify the type of application for the profession.

18VAC10-20-420 is amended to read more clearly. Further, due to the complexity in calculating eligibility, examples are provided to help individuals understand the application of the Board's calculations regarding education and experience credits.

18VAC10-20-425 is added to further determine an applicant's competence and integrity to practice landscape architecture, previously a certification, now a licensed profession. The requirement for references already exists in the current regulations for architects and professional engineers.

18VAC10-20-430 is amended to read more clearly.

18VAC10-20-440 is amended to read more clearly.

18VAC10-20-450 is amended to read more clearly.

18VAC10-20-460 is amended to read more clearly by dividing the large paragraph definition into concise, individual components. The definition of "Diversified experience" is amended.

18VAC10-20-470 is amended to clarify the type of application for the profession.

18VAC10-20-490 is amended to read more clearly. Further, a requirement, previously contained in a definition from section 460, is relocated here.

18VAC10-20-495 is added as the result of relocating the exam language from section 20 to this section.

18VAC10-20-505 is amended to read more clearly.

18VAC10-20-510 is amended to add a definition to eliminate confusion between a Board-issued registration and a certificate of registration issued by the Virginia State Corporation Commission.

18VAC10-20-515 is a new section added to clarify which businesses must apply to the Board for a registration.

18VAC10-20-520 is amended to clarify the type of application for the business. The reinstatement fee information is relocated to section 680 with all other reinstatement information.

18VAC10-20-530 is amended to read more clearly. Further, language taken directly from [§13.1-549](#) of the *Code of Virginia* is removed and replaced with a citation reference.

18VAC10-20-540 is repealed because its requirements are relocated to new section 515 and current section 770.

18VAC10-20-550 is amended to read more clearly.

18VAC10-20-560 is amended to read more clearly.

18VAC10-20-570 is amended to add a definition to eliminate confusion between a Board-issued registration and a certificate of registration issued by the Virginia State Corporation Commission.

18VAC10-20-575 is a new section added to clarify which businesses must apply to the Board for a registration.

18VAC10-20-580 is amended to clarify the type of application for the business. The reinstatement fee information is relocated to section 680 with all other reinstatement information.

18VAC10-20-590 is amended to read more clearly. Further, language taken directly from [§13.1-1111](#) of the *Code of Virginia* is removed and replaced with a citation reference.

18VAC10-20-600 is repealed because its requirements are contained in new section 575 and current section 770.

18VAC10-20-610 is amended to read more clearly.

18VAC10-20-620 is amended to read more clearly.

18VAC10-20-627 is a new section added to clarify which businesses must apply to the Board for a registration.

18VAC10-20-630 is amended to clarify the type of application for a business. The reinstatement fee information is relocated to section 680 with all other reinstatement information.

18VAC10-20-640 is amended to read more clearly.

18VAC10-20-650 is amended to remove the term "certified" because landscape architects are now licensed.

18VAC10-20-660 is amended to read more clearly.

18VAC10-20-670 is amended to read more clearly. Language is added to establish a regulant's rights under the Administrative Process Act. Additional language is added authorizing the Board to withhold renewal, reinstatement, examination, or other services for regulants who fail to pay penalties or other fees owed to the Board.

18VAC10-20-680 is amended to read more clearly. Language is added to establish a regulant's rights under the Administrative Process Act. Additional language is added authorizing the Board to withhold renewal, reinstatement, examination, or other services for regulants who fail to pay penalties or other fees owed to the Board.

18VAC10-20-683 is amended to read more clearly.

18VAC10-20-687 is amended to remove an improper citation reference to section 683.

18VAC10-20-690 is amended to read more clearly.

18VAC10-20-700 is amended to read more clearly.

18VAC10-20-710 is amended to read more clearly.

18VAC10-20-720 is amended to read more clearly.

18VAC10-20-730 is amended to read more clearly.

18VAC10-20-740 is amended to read more clearly. Language containing requirements from the definition of "direct control and personal supervision" is relocated here from section 10 of the regulations.

18VAC10-20-750 is amended to read more clearly by eliminating duplicative language.

18VAC10-20-760 is amended to read more clearly. Language is also added to clarify which documents must be sealed for a project involving multiple professionals performing work on different aspects of the project. Obsolete language is removed.

18VAC10-20-770 is amended to read more clearly. Language is relocated here from sections 540 and 600.

18VAC10-20-780 is amended to read more clearly.

18VAC10-20-790 is amended to read more clearly. Language is added clarifying the Board's authority to sanction regulants for failing to maintain good moral character (as defined in section 10). Duplicative language is removed.

## Issues

*Please identify the issues associated with the proposed regulatory action, 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, please indicate.*

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1) The primary advantage to the public is that buildings and site plans will continue to be developed by minimally competent professionals. Further, regulants and applicants within the various industries of these professions will be able read the Board's regulations with greater clarity and understanding. The added clarity of the language in the proposed regulations will facilitate a quicker and more efficient process for applicants and regulants by enhancing their understanding of their individual requirements. Further, consumers in the public, as well as regulators from related agencies, will have a better understanding of the requirements of these professionals which will also allow them to conduct their business with greater efficiency.

2) The primary advantage to the Commonwealth will be the continued successful regulation of minimally competent individuals working as architects, professional engineers, land surveyors, certified interior designers, and landscape architects throughout Virginia. No disadvantage has been identified.

3) The Board, housed within the Department of Professional and Occupational Regulation (DPOR), has frequent interactions with the Department of Housing and Community Development (DHCD), VDOT, the SCC, the Virginia Society of Professional Engineers (VSPE), the American Council of Engineering Companies (ACEC), the American Institute of Architects (AIA), the Virginia Association of Surveyors (VAS), the American Society of Landscape Architects (ASLA), as well as numerous other local government agencies, national and local organizations, colleges and universities. Interaction with these agencies and organizations often requires information contained in the regulations. The clarification of the proposed language will facilitate greater understanding of the Board's requirements for all involved.

**Changes made since the proposed stage**

*Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar's office, please put an asterisk next to any substantive changes.*

Section number	Requirement at proposed stage	What has changed	Rationale for change
640.B.	<u>Partnerships, Applications registration as a partnership shall include a</u>	<u>Partnerships, Applications [for] registration as a partnership shall include a</u>	Added the word "for" as it was inadvertently omitted from the new language.
710.B	The regulant shall not accept compensation, financial or otherwise, from more than one <del>party</del> <u>person</u> for services on or pertaining to the same project; unless the circumstances are fully disclosed <del>to,</del> and agreed to <u>in writing</u> by; all interested <del>parties</del> <u>in writing</u> persons.	The regulant shall not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project; unless the circumstances are fully disclosed <del>to,</del> and agreed to <u>in writing</u> by; all interested parties <del>in writing</del> .	Removed proposed wording and changed back to original language.
710.D	The regulant shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other <del>parties</del> <u>persons</u> dealing with a client or employer in connection with work for which the regulant is responsible.	The regulant shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the regulant is responsible.	Removed proposed wording and changed back to original language.
730	A. The <del>professional</del> <u>regulant</u> shall undertake to perform professional assignments only when qualified by education <del>or,</del> experience, or both, and licensed or certified in the profession involved. <del>Licensed professionals</del> <u>Regulants</u> may perform assignments related to interior design provided they do not hold themselves out as certified in this profession unless they are so certified by this board.	A. The professional shall undertake to perform professional assignments only when qualified by education <del>or,</del> experience, or both, and licensed or certified in the profession involved. Licensed professionals may perform assignments related to interior design provided they do not hold themselves out as certified in this profession unless they are so certified by this board. The professional may accept an assignment requiring education or	Removed proposed wording and changed back to original language.



	<p>The <del>professional</del> <u>regulant</u> may accept an assignment requiring education or experience outside of the field of the <del>professional's</del> <u>regulant's</u> competence, but only to the extent that services are restricted to those phases of the project in which the <del>professional</del> <u>regulant</u> is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.</p> <p>B. A <del>professional</del> <u>regulant</u> shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.</p> <p>C. The <del>professional</del> <u>regulant</u> shall adhere to the minimum standards and requirements pertaining to the practice of his own profession, as well as other professions if incidental work is performed.</p>	<p>experience outside of the field of the professional's competence, but only to the extent that services are restricted to those phases of the project in which the professional is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.</p> <p>B. A professional shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.</p> <p>C. The professional shall adhere to the minimum standards and requirements pertaining to the practice of his own profession, as well as other professions if incidental work is performed.</p>	
<p>740. G.1</p>	<p><u>A regulant who utilizes the designs, drawings, specifications, or work of another regulant pursuant to 18VAC10-20-740 F 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 any changes or modifications to the work.</u></p>	<p><u>A regulant who utilizes the designs, drawings, specifications, or work of another regulant pursuant to 18VAC10-20-740 F 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.</u></p>	<p>Amended to read more clearly.</p>
<p>760.A.</p>	<p>The application of a professional seal, <u>signature, and date</u> shall indicate that the professional has</p>	<p><del>The application</del> <u>Affixing</u> of a professional seal, <u>signature, and date</u> shall indicate that the professional has exercised direct</p>	<p>Amended to read more clearly. "The application" changed to "affixing."</p>

	<p>exercised direct control and personal supervision over the work to which it is affixed. Therefore, no professional shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person unless such work was performed under the direct control and personal supervision of the professional while said 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. If the original professional of record is no longer employed by the regulant or is otherwise unable to seal completed professional work, such work may be sealed by another professional, but only after a thorough review of the work by the professional affixing the professional seal to verify that the work has been accomplished to the same extent that would have been exercised if the work had been done under the direct control and personal supervision of the professional affixing the professional seal. <u>The application of the seal, signature, and date also indicates the professional's acceptance of responsibility for the work shown thereon.</u></p>	<p>control and personal supervision over the work to which it is affixed. Therefore, no professional shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person unless such work was performed under the direct control and personal supervision of the professional while said 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. If the original professional of record is no longer employed by the regulant or is otherwise unable to seal completed professional work, such work may be sealed by another professional, but only after a thorough review of the work by the professional affixing the professional seal to verify that the work has been accomplished to the same extent that would have been exercised if the work had been done under the direct control and personal supervision of the professional affixing the professional seal. <u>Affixing of the seal, signature, and date also indicates the professional's acceptance of responsibility for the work shown thereon.</u></p>	
<p>760.B.2</p>	<p><u>For projects involving multiple sets of plans from multiple professionals involved 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</u></p>	<p><u>For projects involving multiple sets of plans from multiple professionals involved 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</u></p>	<p>Amended to read more clearly. Last sentence changed "any" to "the."</p>

	<u>supervision. Any professional responsible for the entire project shall seal, sign, and date the cover sheet of the aggregate collection of final documents for the project.</u>	<u>the cover sheet of the aggregate collection of final documents for the project.</u>	
780.B	<del>A resident responsible person designated by the firm shall exercise direct control and personal supervision of the work being offered or practiced at the each place of business for which he is named. Each named professional shall be responsible for only one location at a time. A named professional</del> <u>A resident responsible person may be responsible for more than one location provided that he is resident at the each place of business during a majority of the its operating hours of operation at each location.</u>	<u>Each resident responsible person designated by the firm shall exercise direct control and personal supervision of the work being offered or practiced at the each place of business for which he is named. Each named professional shall be responsible for only one location at a time. A named professional</u> <u>Each resident responsible person may be responsible for more than one location provided that he is resident at the each place of business during a majority of the its operating hours of operation at each location.</u>	Amended to read more clearly. Changed the word "a" to "each."
790.3	The regulant has been found guilty by the board, or by a court of <del>competent legal</del> jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or <u>has been</u> found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor <del>which that</del> , 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. <u>The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia;</u>	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 <u>has been</u> found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor <del>which that</del> , 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. <u>The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia;</u>	Removed proposed wording and changed back to original language.

**Public comment**

Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate.

Commenter	Comment	Agency response
<p>18VAC10-20-740 G Professional responsibility. Craig S. Moore, VSPE</p>	<p>Commenter agrees the regulant should assume full responsibility for any changes or modifications to the work. The proposed language adds clarity; however, there is still some ambiguity in the language that should be clarified. I am now unsure if the regulant is responsible for the “existing” work or ONLY responsible for any changes or modifications?</p> <p>Assuming the changes are made to 18VAC10-20-740 F to add proposed G.2 as a F.2., I feel there are two situations involving section 18VAC10-20-740 G.: (i) utilization of work that has not been signed and sealed and (ii) utilization of work that has been signed and sealed.</p> <p>Situation (i): Utilization of unsealed work created under the direction of another regulant.</p> <p>Situation (i) represents a case in which the original regulant may be unavailable to complete the work; therefore, a “second” regulant utilizes the designs, drawings, specifications, or work of another regulant to complete the project. In this case, the “second” regulant shall assume full responsibility for all work to which his or her seal is affixed.</p> <p>Situation (ii): Utilization of sealed work created by another regulant.</p> <p>Situation (ii) represents a case in which the original regulant has completed a work. The client or others have decided to build on the work of the previous professional. If a client wants to add a deck to a structure, then “new” regulant should not need to redo all the calculations. In this case the “new” regulant should be responsible for his/her work, any “previous” work relied on which his/her work relied, and the</p>	<p>G2 is for surveyors to use <u>information</u> on recorded plats in conducting research, not for using the work of another. The Board will keep proposed language as originally drafted. However, the language in G1 will be modified to clarify the professional’s responsibilities when using sealed and unsealed work of another professional.</p>

	<p>impacts and effects his/her work will have on the work of the previous regulant. Requiring the "new" regulant to redo everything does not protect the public welfare; instead, it adds an unnecessary expense. The "existing" information if shown on the plan should be represented in a manner that is readily visible to a reviewer or client. For example, this representation may be gray scale line work, cloud, or some other method. Sometimes an existing design has been constructed and the most efficient and effective means for renovating the structure is to utilize existing drawings. For example, a business owner wishes to install a new heating system in an existing building. As opposed to generating a new survey of the interior of the building space. The professional would secure written permission, pursuant to 18VAC10-20-740 F, and add his or her ductwork, heat exchangers, etc... Instead of being responsible for the informational items shown on the plan, I feel the mechanical engineer should only be responsible for his/her work and those components of the existing design utilized by his/her work. The mechanical engineer would only need to review and be responsible for the structural components and electrical components impacted by the HVAC system. The mechanical engineer would then be able to show other existing features on his or her drawing for the construction documents so as to facilitate constructing the new HVAC system. Another example would be adding a pump to pump-house. The civil or mechanical engineer may show the building, roof, and other components of the structure to assist in the installation of the pump; however, I don't believe the engineer should be expected or responsible for portions shown on his/her plans that were not relied on for the current work. The civil or mechanical engineer should not be responsible for this other work shown on the plan unless the pump relies on some component of these existing conditions. If the civil or mechanical engineer were to install a pump that will</p>	
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	<p>be hung from the roof, then the civil or mechanical engineer should verify that the roof structure is designed to carry the additional loading.</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 18VAC10-20-740 F.1 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 any changes or modifications to the work.</p> <p>Recommendation - create two items under Section G as discussed above and listed below. This is the preferred method of establishing 18VAC10-20-740 G.</p> <p>G. Utilization and modification of work.</p> <p>1. A regulant who utilizes unsealed designs, drawings, specifications, or incomplete work of another regulant pursuant to 18VAC10-20-740 F.1 or 18VAC10-20-760 A.2, 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. Pursuant to 18VAC10-20-760 A, the application of the seal, signature, and date shall indicate the regulant's acceptance of responsibility for all the work, including any changes or modifications to the work, shown thereon. [Drop professional from in front of seal.]</p> <p>2. A regulant who utilizes the sealed, signed, and dated work of another regulant pursuant to 18VAC10-20-740 F.1 shall conduct a thorough review of the work impacted or affected by the regulant's proposed work and any work upon which his design shall rely. The</p>	
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	<p>review shall be conducted in a manner to verify that impacted and affected work of the other regulant 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. An exception to 18VAC10-20-760 A, shall apply in this situation such that the application of the seal, signature, and date shall indicate the regulant's acceptance of responsibility for the changes and modifications to the work, those portions of the previous work relied on to design the changes and modifications, and those portions of the previous work affected and impacted by the changes or modifications. A note shall be placed on the work and near the seal that states, "Per 18VAC10-20-740 G.2, the regulant's seal shown on this work is responsible for the changes and modifications, those portions of the previous work on which the proposed design relied, and those portions affected or impacted by the changes and modifications." Work shown, but not affected, impacted, or relied on shall be represented in a manner that is evident to the reviewer and client.</p>	
<p>18VAC10-20-760. Use of seal. Craig S. Moore, VSPE</p>	<p>Within this section, it would appear that a cover sheet may not need to be signed and sealed if no professional had assumed responsibility for the entire project. It appears a statement needs to be included. Also, should professional and professionals be changed to regulant and regulants, respectively?</p> <p><u>B.2. For projects involving multiple sets of plans from multiple professionals involved 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. Any professional responsible for the entire project shall seal, sign, and date the cover sheet of the aggregate collection</u></p>	<p>After reviewing the comment, the Board will change the last sentence of 760.B.2 to read "the" instead of "any." In addition, suggest clarifying the responsibility of the professional who is compiling the final documents.</p>

	<p><u>of final documents for the project.</u></p> <p>Recommendation – add “a sentence that at least one professional shall be responsible for the entire project”. Change "professional(s)" to "regulant(s)".</p> <p><u>B.2. For projects involving multiple sets of plans from multiple professionals regulants involved in the same project, each professional regulant 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 regulant responsible for the entire project shall seal, sign, and date the cover sheet of the aggregate collection of final documents for the project.</u> All projects shall have a minimum of one regulant responsible for the entire project. This regulant(s) shall also be responsible for assembling the final documents (work) and ensuring compliance with the regulations. When a regulant affixes his seal, pursuant to 18VAC10-20-760 A, to the cover sheet of the final documents (work), he shall assume responsibility for all work shown in the final documents (work) for which no other seal has been affixed.</p>	
<p>18VAC10-20-780. Professional required at each place of business. (Option 1) Craig S. Moore, VSPE</p>	<p>Recommend using another term other than “firm” or defining “firm”. Who designates the resident, responsible person? Paragraph A states that it is the regulant who maintains a place of business is responsible to name at least one responsible person; however, paragraph B states that a resident, responsible person is to be designated by the firm.</p> <p>Location and place of business are used interchangeably. I recommend using “location” instead of “place of business”.</p> <p>Also, the proposed regulations place the burden of signing and sealing ALL documents on the resident, responsible person. Instead allow multiple regulants within this location to sign and seal documents so long as they are in direct control and personal supervision</p>	<p>Board response: Changing “a” to “each” in 18VAC10-20-780.B appears to address concerns.</p>



	<p>in accordance with 18VAC10-20-760. This would force a business (firm) to designate every PE, Architect, LS, LSA that is in direct control and personal supervision of the work produced in a given location. This could be 1, 10, 50, 100, etc... regulants who need to be designated to the Board.</p> <p><u>A. Any legal entity or professional regulant</u> maintaining a place of business <del>from which the entity or professional that</del> offers or provides practices architectural, engineering, land surveying, landscape architectural, or certified interior design services in Virginia, shall name <u>at least one responsible person</u> for each profession offered or practiced at each place of business <del>a resident, responsible person. The named resident, responsible person must hold a current valid Virginia license or certificate in the profession being offered or practiced.</del></p> <p><del>Each named professional</del> <u>B. A resident responsible person designated by the firm</u> shall exercise direct control and personal supervision of the work being offered or practiced at <del>the</del> <u>each</u> place of business <del>for which he is named. Each named professional shall be responsible for only one location at a time. A named professional</del> <u>A resident responsible person</u> may be responsible for more than one location provided that he is resident at <del>the</del> <u>each</u> place of business during a majority of <del>the its</del> <u>operating</u> hours of operation at <del>each location.</del></p> <p>Recommendation – Modify A and B to remove “services”. Change B to reduce the burden of having the designated person responsible for ALL work produced at a given location.</p> <p><u>A. Any legal entity or professional regulant</u> maintaining a place of business <del>from which the entity or professional that</del> offers or provides practices architecture, engineering, land surveying, landscape architecture, or certified interior</p>	
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	<p>design in Virginia, shall name <u>at least one resident, responsible person</u> for each profession offered or practiced at each location <del>a resident, responsible person</del>. <del>The named resident, responsible person must hold a current valid Virginia license or certificate in the profession being offered or practiced.</del></p> <p><del>Each named professional B. A</del> <u>resident, responsible person designated by the firm</u> shall ensure the work being offered or practiced at each location place is being performed under the direct control and personal supervision of a regulant who is minimally competent in the profession practiced. <u>A resident responsible person</u> may be responsible for more than one location provided that he is resident at <del>the</del> <u>each</u> location during a majority of <del>the</del> <u>its</u> <u>operating hours of operation at each location.</u></p>	
<p><b>18VAC10-20-780. Professional required at each place of business. (Option 2, preferred)</b></p>	<p>Option 2 is preferred over Option 1. Recommend using another term other than “firm” or defining “firm”. Who designates the resident, responsible person? Paragraph A states that it is the regulant who maintains a place of business is responsible to name at least one responsible person; however, paragraph B states that a resident, responsible person is to be designated by the firm. Requiring the “regulant” to name a responsible person is ambiguous because which regulant is required to designate another regulant. Make this a senior officer in the firm/entity or the title used on the business registration. Another option would be to clarify that “regulant maintaining a place of business” shall mean the person who signs the DPOR business registration form.</p> <p>I feel it needs to be clear that a regulant needs to be minimal competent in the profession and discipline being offered or practiced. Virginia does not distinguish disciplines within a profession. I am supportive of this</p>	<p>Board response: Changing “a” to “each” in 18VAC10-20-780.B appears to address concerns.</p>

	<p>concept because there are numerous disciplines within a profession, and there is overlap within these disciplines. For example, a civil engineer may also be a water resources engineer, a structural engineer, an electrical engineer etc... The reason for adding a discipline is to better ensure to the public that not only is the appropriate profession resident at the location, but the specific discipline also has a competent person.</p> <p>For example, if a business is offering mechanical engineering services, then the CEO must designate a professional engineer who is competent in mechanical engineering. I do NOT think this area or discipline needs to be listed on a form or website, but it allows the Board to better regulate professions in the event someone is not minimally competent within the area/discipline.]</p> <p>Physical Address, location, and place of business are used interchangeably. I recommend using a single term to improve the meaning. I recommend using "location" so that you don't have someone working remotely without supervision.</p> <p>The proposed wording states the designated person shall exercise direct control and personal supervision of the work being offered or practiced at that location. This requires the person listed to be the regulant who signs and seals the work as indicated in section 18VAC10-20-760. Many firms would be required to send documentation to the Board weekly if each and every person who is signing and sealing work is required to be listed. The proposed regulations place the burden of signing and sealing ALL documents on the resident, responsible person. This would force a business (firm) to designate every PE, Architect, LS, LSA that is in direct control and personal supervision of the work produced in a given location. This could be 1, 10, 50, 100, etc... regulants who need to be designated.</p> <p>The recommended language places a</p>	
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	<p>responsibility on the resident, responsible person to ensure he or she has minimally competent regulants working in that location. If someone then wants to see more information about who signed/sealed the document, then the person can check the regulant's individual license information. This would allow multiple regulants within this location to sign and seal documents so long as they are in direct control and personal supervision in accordance with 18VAC10-20-760.</p> <p><del>A. Any legal entity or professional regulant maintaining a place of business from which the entity or professional that offers or provides practices architectural, engineering, land surveying, landscape architectural, or certified interior design services in Virginia, shall name at least one responsible person for each profession offered or practiced at each place of business a resident, responsible person. The named resident, responsible person must hold a current valid Virginia license or certificate in the profession being offered or practiced.</del></p> <p><del>Each named professional B. A resident responsible person designated by the firm shall exercise direct control and personal supervision of the work being offered or practiced at the each place of business for which he is named. Each named professional shall be responsible for only one location at a time. A named professional A resident responsible person may be responsible for more than one location provided that he is resident at the each place of business during a majority of the its operating hours of operation at each location.</del></p> <p>Recommendation – replace A and B with the following and add C.</p> <p>A. For each physical address or location and for every discipline offered or practiced there shall be at least one designated</p>	
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	<p>resident, responsible person who is also competent in the discipline offered. It shall be the chief executive officer's or similar position's responsibility to designate to the board at least one resident, responsible person for each profession and discipline offered or practiced at this physical address or location.</p> <p>B. A resident, responsible person, as designated by the chief executive officer or similar position, shall ensure the work being offered or practiced at each location is being performed under the direct control and personal supervision of a regulant who is minimally competent in the profession and discipline practiced.</p> <p>A resident responsible person may be responsible for more than one location provided that he is resident at <del>the</del> each place of business during a majority of <del>the</del> its operating hours <del>of operation at each location.</del></p>	
<p>18VAC10-20-10. Definitions. Craig S. Moore, VSPE</p>	<p>Add terms "field" and "discipline" in the definitions. Architecture, Engineering, Land Surveying, and Landscape Architecture are broad areas of practice that contain specialty areas. In order to provide the minimal protection of public health, safety, and welfare, I feel it is important to require regulants to be competent in the overall profession and possess competency within the sub-areas in which they practice. I think this concept is implied within the regulations, but it is not explicitly stated. Therefore, I believe the</p>	<p>Addressed in 18VAC10-20-730, after review, the Board recommends changing back to "professional" throughout this section.</p>

	<p>regulations should include language that indicates to regulants that they must be competent in the work they perform – not just the profession. For example, the discipline of engineering is extremely broad, and encompasses a range of more specialized fields of engineering, each with a more specific emphasis on particular areas of technology and types of application. I do NOT think the Board needs to seek certification or licensure for areas, sub-areas, or disciplines because I think this should be left up to the professional – self-policing. My intention to modify the regulations is to allow the Board to have a means to better regulate our profession in the event a regulant practices an area, sub-area, or discipline in which the regulant was clearly not competent to practice and by doing so jeopardize the public health, safety, and welfare. In addition, if unaddressed then a regulant would perpetuate a perception to the public that professionals are neither trustworthy nor are they interested in looking out for the public.</p> <p>Recommendation – add two terms to the definition..</p> <p>"Field" means an area or sub-area within a profession that typically requires additional, specific knowledge and experience beyond the experience and education required to become licensed as a profession.</p> <p>"Discipline" means an area or sub-area within a profession that typically requires additional, specific knowledge and experience beyond the experience and education required to become licensed as a profession.</p>	
<p>18VAC10-20-10. Definitions. (Revised Responsible Person) Craig S. Moore, VSPE</p>	<p>Include competency in the definition of "responsible person". "Responsible person" means the <del>individual</del> <u>professional</u> named by the <del>entity</del> <u>registrant</u> to be responsible and have control of the <u>registrant's</u> regulated services offered, or rendered, or both,</p>	<p>After review, the Board has determined that it is not necessary, as standards for competency are addressed in 18VAC10-20-730 and 18VAC10-20-780.</p>

	<p><del>by the entity. A professional can only be the responsible person for the professions indicated on his license or certification.</del></p> <p>Recommendation – modify the definition of “Responsible person” by referencing competency.</p> <p>"Responsible person" means the <del>individual professional</del> named by the <del>entity registrant</del> to be responsible and have control of the <del>registrant's</del> regulated services offered, or rendered, or both, <del>by the entity. A professional can only be the responsible person for the professions indicated on his license or certification</del> and the field or discipline within the profession for which he is competent.</p> <p>[“Field” is used in 18VAC10-20-730 and I have proposed using “discipline” in the additional comments submitted. Consequently, I have proposed to include the terms “field” and “discipline” in the definitions. See following comment.]</p>	
<p>18VAC10-20-790. Sanctions. Craig Moore</p>	<p>Replace “discipline” with “profession”.</p> <p><del>2- 3.</del> The regulant has been found guilty by the board, or by a court of <del>competent</del> <u>legal</u> jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or <u>has been</u> found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor <del>which that</del>, 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. <u>The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia;</u></p> <p>Recommendation – drop “regulated” because a profession by default is regulated. Replace “discipline” with “profession” because disciplines are not defined as being regulated; instead,</p>	<p>Board response: The term “profession” is too broad; it should remain “discipline.”</p> <p>Additionally: Proposed language change from “competent” to “legal.” Legally speaking, the term “competent” should remain.</p>

	<p>professions are regulated.</p> <p><del>2- 3.</del> The regulant has been found guilty by the board, or by a court of <del>competent</del> <u>legal</u> jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or <u>has been</u> found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor <del>which that</del>, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the <del>regulated</del> profession. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. <u>The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia;</u></p>	
<p>18VAC10-20-740 F Professional responsibility. Craig S. Moore, VSPE</p>	<p>Move item 18VAC10-20-740 G.2 to 18VAC10-20-740 F.</p> <p><del>D-A F.</del> <u>Except as authorized by 18VAC10-20-760 A 2,</u> a regulant shall not utilize the design, drawings, specifications, or work of another regulant to complete <del>the design, drawings, specifications, or work,</del> or to replicate <del>like design, drawings, specifications, or any</del> work without the <del>knowledge and</del> written consent of the person or organization that owns the design, drawings, specifications, or work.</p> <p>Recommendation – modify 18VAC10-20-740 F. to have two items by moving an item from G.</p> <p><u>F. Permission to use another regulant's work.</u></p> <p><u>1. Except as authorized by 18VAC10-20-760 A 2,</u> a regulant shall not utilize the design, drawings, specifications, or work of another regulant to complete <del>the design, drawings, specifications, or work,</del> or to replicate <del>like design, drawings, specifications, or any</del> work without the <del>knowledge and</del> written consent of the person or</p>	<p>18VAC10-20-740.G.2 is for <del>surveyors</del> <u>professionals</u> to use <u>information</u> on recorded plats in conducting research, not for using the work of another.</p>



	<p>organization that owns the design, drawings, specifications, or work.</p> <p>2. The information contained in recorded plats or surveys may be utilized by another regulant without permission.</p>	
<p>18VAC10-20-10. Definitions. Professional vs Regulant Craig S. Moore, VSPE</p>	<p>Comments: It seems there is duplication in terms “professional” and “regulant”, but also defined differences that may lead to confusion. For example, a “professional” hold a license or certificate pursuant to the provisions of this chapter and in good standing; whereas, a regulant need only hold a valid license. Is it the Board’s intention to have two similar terms, but with specific differences? I recommend updating “regulant” and removing “professional” from the definitions and sections because it adds confusion to have in some circumstances “professional” used as a standalone term and then in other sections to use the term “professional engineer”.</p> <p>"Professional" means an architect, professional engineer, land surveyor, landscape architect, or interior designer who <del>is licensed or certified, as appropriate,</del> 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 Commonwealth.</p> <p><del>"Regulant" means a licensee, certificate holder or registrant an architect, professional engineer, land surveyor, or landscape architect holding a valid license issued by the board; an interior designer holding a valid certification issued by the board; or a registrant.</del></p> <p>Recommendation – modify “Regulant” to include all the components of “Professional” and update sections within this chapter to only use “regulant” Use the term “good standing” because it is defined as “a current or active license,</p>	<p>Board response: Some sections of the Virginia Administrative Code apply only to individuals – “professional” is used in those instances. Other sections apply to individuals and firms and in those cases “regulant” is used.</p>

	<p>certificate, or registration issued by a regulatory body that is not revoked, suspended, or surrendered.”</p> <p>“Regulant” means an architect, professional engineer, land surveyor, landscape architect, or interior designer who is in good standing with the board to practice his profession in this Commonwealth.</p>	
<p>18VAC10-20-10. Definitions. (New term - "Work") Craig S. Moore, VSPE</p>	<p>Comments: I recommend adding a definition for “work” such that it includes design, drawing, specifications, technical reports and documents, and other professional services. This would help reduce confusion and uncertainty with certain sections of the regulations.</p> <p>For example, section 18VAC10-20-740 uses “designs, drawings, specifications, or work”; whereas, section 18VAC10-20-760 uses final documents and includes an impromptu definition of documents to include plans, plats, documents, sketches, technical reports, and specifications. Also, section 18VAC10-20-760 E. only references “work”, but in other sections “work” is distinguished as being separate from design, drawing, specifications, etc....</p> <p>Recommendation – add a term “work” and update other sections to replace multiple terms with "work". “Work” means any design, drawing, specification, technical report, document, plan, plat, survey, sketch, or other product that represent the practice of a profession.</p>	<p>If a term is not defined, it defaults to the dictionary definition.</p>
<p>18VAC10-20-730. Competency for assignments. Craig S. Moore, VSPE</p>	<p>Comment: The issue of self-determination of competency as the regulations have been written and are currently proposed places an undue burden on a review authority. It seems regulants sometimes use a review authority to determine whether he or she is competent to practice a profession. In other cases, it has been observed regulants use a review authority’s comments as a learning</p>	<p>The professional is responsible for their work whether it is approved or not. As discussed previously, the term “regulant” will revert back to “professional.”</p>

	<p>process to help educate him- or her-self on the requirements because he or she is not readily competent in the work submitted for review.</p> <p>As a result and all too often a regulant assumes because his or her plan was reviewed, commented on and/or approved by a review authority that it absolves him or her from any responsibility associated with the work not meeting the applicable technical regulations and standard of care. Many time the phrase used by a regulant is “You (or you all) approved it.” This mentality by regulants only serves to undermine the importance of licensure and perpetuate inappropriate perceptions of our professions by the public and review agencies.</p> <p>It should be clear within the regulations that the review authority is not obligated or expected to determine whether a regulant is competent to practice a profession, a discipline within a profession, or work incidental to another profession.</p> <p>A. The <del>professional</del> <u>regulant</u> shall undertake to perform professional assignments only when qualified by education <del>or</del> experience, or both, and licensed or certified in the profession involved. <del>Licensed professionals</del> <u>Regulants</u> may perform assignments related to interior design provided they do not hold themselves out as certified in this profession unless they are so certified by this board. The <del>professional</del> <u>regulant</u> may accept an assignment requiring education or experience outside of the field of the <del>professional's</del> <u>regulant's</u> competence, but only to the extent that services are restricted to those phases of the project in which the <del>professional</del> <u>regulant</u> is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.</p> <p>Recommendation – add “sentence that compliments section 18VAC10-20-760”. A. The <del>professional</del> <u>regulant</u> shall undertake to perform</p>	
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	<p>professional assignments only when qualified by education or experience, or both, and licensed or certified in the profession involved. Regardless of acceptance, reviews, comments, recordations or approvals from a review authority, the regulant continues to assume full responsibilities for the work on which his or her seal and signature are affixed and possessing the competency required for such work.</p> <p><del>Licensed professionals</del> Regulants may perform assignments related to interior design provided they do not hold themselves out as certified in this profession unless they are so certified by this board. The <del>professional regulant</del> may accept an assignment requiring education or experience outside of the field of the <del>professional's</del> <u>regulant's</u> competence, but only to the extent that services are restricted to those phases of the project in which the <del>professional</del> <u>regulant</u> is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.</p>	
<p>18VAC10-20-710. Conflicts of interest. Craig S. Moore, VSPE</p>	<p>Comments: Within this section “in writing” should be included in all notification requirements because the issues are too important not to document. “Entity and Entities” should be added to this section because a regulant may construe that a person did not pay them for the same services because the additional compensation was from a business entity.</p> <p>A. The regulant shall promptly and fully inform an employer or client of any business association, interest, or circumstance which may influence the <del>professional's</del> <u>regulant's</u> judgment or the quality of service.</p> <p>Recommendation – add “in</p>	<p>Board response: Adding “in writing” to 18VAC10-20-710.A could be overly burdensome to the licensee. With respect to 18VAC10-20-710.B and 18VAC10-20-710.D, the proposed “person” and “persons” should revert back to “party” and “parties.”</p> <p>The Board thanks Mr. Moore for his comments.</p>

	<p>writing”. The regulant, in writing, shall promptly and fully inform an employer or client of any business association, interest, or circumstance which may influence the <del>professional's</del> <u>regulant's</u> judgment or the quality of service.</p> <p>B. The regulant shall not accept compensation, financial or otherwise, from more than one <del>party person</del> for services on or pertaining to the same project, unless the circumstances are fully disclosed <del>to,</del> and agreed to <u>in writing</u> by, all interested <del>parties in writing</del> <u>persons</u>.</p> <p>Recommendation – add “or entity” and “and entities”. B. The regulant shall not accept compensation, financial or otherwise, from more than one <del>party person</del> or entity for services on or pertaining to the same project, unless the circumstances are fully disclosed <del>to,</del> and agreed to <u>in writing</u> by, all interested <del>parties in writing</del> <u>persons and entities</u>.</p> <p>D. The regulant shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other <del>parties</del> <u>persons</u> dealing with a client or employer in connection with work for which the regulant is responsible.</p> <p>Recommendation – add “or entities”. D. The regulant shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other <del>parties</del> <u>persons</u> or entities dealing with a client or employer in connection with work for which the regulant is responsible.</p>	
<p>General Comments on experience and continuing education R.F. Guercia</p>	<p>1. I am not sure why the board doesn't allow one of the references to validate experience. It appears rather unseemly to have to trawl for references if one has to use your supervisor to verify experienec in order to sit for the exam, versus using the supervisor as one of</p>	<p>The requirement removes conflict of interest from verifying experience and references.</p> <p>The Board thanks Mr. Guercia for his comments.</p>

	<p>the references.</p> <p>2. It is appreciated that the Board does not invent Virginia specific classes so popular in other states. Requiring classes such as a hypothetical "Ethics for Virginia Engineers" are self serving to local training vendors only. The regulations drafted are very clear and need nothing to further explain their meaning.</p>	
<p>18VAC10-20- 25m, 18VAC10 - 20 - 130 , 18VAC10 - 20 - 220 Mike Peele, Georgetown University</p>	<p>I believe that increasing the requirements for references, and instituting a time frame places an unreasonable requirement on applicants.</p> <p>Civil engineers make up a large majority of both examinees and licensees. From my experience and what I've seen on message boards, engineers, who are anything other than Civil Engineers, have a hard time finding any PE references to begin with.</p> <p>With the new Computer Engineering examination and licence, it will be nearly impossible for Computer Engineers to find any references.</p> <p>Do references have any legal liability of the referred person's failures? No, they don't. I propose to eliminate requirements of PE references completely, and optionally, replace them with a background check.</p> <p>-130 and -220 do not specify any legal reason for providing references other than to "demonstrate the applicants competence and integrity". Competence requirements should be met by the degree, passing of the FE, passing the PE, and integrity by a background check.</p> <p>At a minimum, I believe that Engineers and Architects should be able to be references for each other, in particular since the work often overlaps, and legally, each one can do a portion of the others work.</p>	<p>18VAC10-20-130 – This is to ensure the applicant’s recent conduct is consistent with the Standards of Conduct in the Virginia Administrative Code.</p> <p>Background checks are timely, expensive, and only find convictions, not ethical issues.</p> <p>Architects are best suited to provide references for architects, and engineers for engineers.</p> <p>The Board thanks Mr. Peele for his comments.</p>
<p>Effects on VA</p>		

<p>registered PE's John Fuoto, personal views</p>	<p>As someone who has held a PE license for 34 years, and a VA PE license for 23 years, overall I am in favor of the proposed changes. I am "grandfathered" from many of the new provisions; however, I am commenting as a member of the PE profession with a view to the long-term health of the PE practice.</p> <p>The fact that some fees are going up, while not pleasant, is to be expected and is in line with what other jurisdictions have been doing. VA increases are quite modest in comparison with other jurisdictions.</p> <p>As I read the specific changes, it looks to me that the intent to clarify and simplify the language while maintaining the basic intent has been met.</p> <p>However, if the intent of DPOR is to be more in line with other jurisdictions and model laws (e.g., NCEES CPC) as it relates to continuous education requirements, then there is still a lot of work to do. For example, VA's requirement for 16 PDH for PE's is low compared to most jurisdictions that have imposed the requirement (I think it is ~34 so far) - 16 compared to 24 to 32. Also, VA does not allow any carryover PDH's from one license period to the next. The PE regulant requires a minimum of 16 PDH in the prescribed categories for each two year license term. Other nearby jurisdictions (e.g., PA and MD) require 24 PDH, but up to 12 PDH can be carried over from the previous year. This approach is much more in line with the concept of "continuous" education.</p> <p>I also believe that part of PDH should include training on the specific VA regulations as they apply to PE's. I think the citizens of VA should have better assurance that a VA regulant is fully familiar with VA requirements.</p> <p>I hope that DPOR intends this as a "first step" and will continue to review and further conform its PDH requirements to be leaders, rather than followers.</p>	<p>Fees are not changing at this time. Continuing Education requirements are in statute.</p> <p>The Board thanks Mr. Fuoto for his comments.</p>
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<p>Comments on Proposed Changes to APELSCIDLA Regulations Ed Westerman (VSPE Past President)</p>	<p>I agree with the comments submitted by Mr. Craig Moore, P.E. regarding various sections of the APELSCIDLA Regulations and the proposed changes thereto. The sections are listed below. The changes proposed by Mr. Moore will improve the clarity and content of the Regulations and render the Regulations more usable by regulants and the public alike. I applaud Mr. Moore for the significant effort and time he has obviously expended, based on the breadth and depth of his comments, reviewing the proposed changes to the APELSIDLA Regulations.</p> <p>18VAC10-20-10 18VAC10-20-710 18VAC10-20-730 18VAC10-20-740.F 18VAC10-20-740.G 18VAC10-20-760 18VAC10-20-780 18VAC10-20-790</p>	<p>The Board thanks Mr. Westerman for his comments and respectfully refers back to responses to Mr. Moore's comments.</p>
<p>Comments on proposed changes to APELSCIDLA regulations Melisa Weaver Wamsley</p>	<p>Current VA Code does not provide an alternative means to satisfy the education or experience requirements in order to be eligible for licensure as an architect. Proposed changes still do not include any alternatives. NCARBS's website shows that 15 states provide alternative means for satisfying education and experience. These state all allow candidates to possess a 4 year pre-professional degree in addition to several eyars of experience as an alternate to possessing a 5 year NAAB accredited degree. Ask the Board to consider a candidate possess a 4 year pre-professional degree and at minimum, 5 years of experience. This would provide assurance that a candidate's experience is broad across various divisions. If a candidate has all of the foundation work in place including</p>	<p>This is existing regulation, not subject to change in this regulation package.</p> <p>The Board thanks Ms.Wamsley for her comments.</p>



	<p>experience and can successfully pass all division of the ARE without completing a 5<sup>th</sup> year, why not provide the opportunity for licensure.</p>	
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.</p> <p>Paragraph A., at the end of this paragraph add:</p> <p><u>All documents to which the professional's seal, signature, and date have been affixed shall meet the requirements of this chapter regardless of the status of recordation of the document.</u></p> <p><u>Rationale:</u> This will clarify the fact that all documents to which the Respondent affixes a seal are required to meet this chapter. This was a critical issue in a recent complaint investigation where the Board's subject matter expert incorrectly concluded that because the plat under investigation had not been recorded the Respondent could be afforded the opportunity to correct violations (without sanctions).</p>	<p>This is covered under 18VAC10-20-760, use of seal.</p>
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.</p> <p>Paragraph B. Research procedure., change the first sentence to read: The professional shall search the land records <u>for documents depicting pertinent, valid, and accurate land boundary reference points and</u> for the proper description of the land to be surveyed and to obtain the description of adjoining properties as it pertains to the common boundaries.</p> <p><u>Rationale:</u> This will add the Respondent's responsibility to determine the proper land boundary boundary reference points. This was a critical issue in a recent complaint investigation that went unaddressed by the Board's subject matter expert.</p>	<p>As written it captures the minimum standards and procedures.</p>

<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice. Paragraph D. Office Procedures, subparagraph 2. Plats and maps., change to read.                  The following information <u>shall be correct and</u> shall be shown on all plats and maps used to depict the results of the land boundary survey:  <u>Rationale:</u> This will add the Respondent's responsibility not just to include these items; but will more clearly require that the items are correct. Although this may appear to be self-explanatory and obviously implied in the current wording, this was a critical issue in a recent complaint investigation where the Board's subject matter expert concluded that the Respondent did not violate the VAC because although he did not have the correct town he did show a town and thus avoided violations and sanctions.</p>	<p>It is expected and assumed the information is correct.</p>
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice. Paragraph D Office Procedures, subparagraph 2. Plats and maps, sub-subparagraph h., change to read:  <u>Bearings, to include bearings of record,</u> of all property lines and meanders to nearest 10 seconds of an arc or metric equivalent.  <u>Rationale:</u> Based on written statements by the Board's subject matter expert there is a serious misconception that bearings of record are only historical and are not used in calculations. His statement is incorrect and this change clarifies the importance of bearings of record.</p>	<p>Regulations already state in 18VAC10-20-370. B, that the professional "to utilize such other available data pertinent to the survey being performed from any other known source," which would include 'bearings of record' 18VAC10-20-370D.2.d.</p>
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice. Paragraph D Office Procedures, subparagraph 2. Plats and maps, sub-subparagraph r., change the beginning of this entry to read:                  A statement that the land boundary</p>	<p>The proposed language sufficiently addresses this comment.</p>

	<p>survey shown is based on a current field survey; or <u>a statement that the land boundary survey is a compilation from deeds...</u></p> <p><u>Rationale:</u> This change is editorial in nature. The current wording implies there is a requirement for one statement. This change will clarify that there are two alternative statements required.</p>	
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-690. Responsibility to the public. Change the first two sentences to read:</p> <p>The primary obligation of the regulant <del>is to shall be to the general public and not the client.</del> The regulant shall <del>recognize that not harm</del> the health, safety, welfare of the general public <del>are dependent upon</del> <u>when making professional judgments, decisions, practices and when preparing products and documents.</u></p> <p><u>Rationale:</u> This change will clearly require that the regulant <i>shall not</i> endanger the health, safety or welfare of the general public. Currently, 18VAC-20-690 only requires that the regulant merely <i>recognize</i> the fact that his actions can impact the health, safety, and welfare of the general public. This is an important issue in a recent complaint investigation that was not addressed properly by the Board's subject matter expert. Despite an obvious harm to the complainant the Board's subject matter expert failed to recognize this important fact and the gravity of his recommendation to close the case.</p>	<p>The change would have no effect, if a regulant causes harm, he is subject to the same set of sanctions as when it reads as it does presently.</p>
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-700. Public statements. Paragraph A., change to read: A. The regulant shall be truthful in all professional matters and shall include all relevant and <u>accurate</u> information in professional reports, <u>documents</u>, statements, or testimony, which shall include the date indicating when such information was current. <u>The regulant</u></p>	<p>This would be an unnecessary change.</p>

	<p><u>shall be truthful in preparing client documents that the Regulant or the client may place in the public domain. The regulant shall reasonably expect that the client will record the regulant's documents, plats, reports, or other written deliverables in an official public repository and thus enter into the public domain and thus potentially affect the Safety, Health, and Welfare of the general public.</u></p> <p><u>Rationale:</u> This change will clearly require the professional be truthful in all documents as well as statements. The change also asserts that the regulant should reasonably expect that deliverables to the client will enter into the public domain and therefore potentially do harm to the general public. Currently, 18VAC10-20-700 only requires the professional be truthful in professional reports, statements, or testimony.</p>	
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-700. Public statements. After paragraph D., add:  <u>E. A professional shall not knowingly make a materially false written statement or deliberately fail to disclose a material fact on a document that the professional affixes his seal and signature.</u></p> <p><u>Rationale:</u> The change will clearly require the respondent to be truthful in all documents that have the respondent's seal because the respondent should reasonably expect that these sealed documents will enter into the public domain.</p>	<p>This is not necessary as it is addressed in 18VAC10-20-700.D.</p>
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-700. Public statements. After paragraph E., add:  <u>F. The Regulant shall truthfully answer all Department requests associated with an investigation of a complaint and shall not knowingly make a materially false statement or deliberately withhold a material fact requested. The Regulant shall specifically and truthfully answer questions and requests for information and shall not submit extraneous and</u></p>	<p>This is not necessary as it is addressed in 18VAC10-20-740.E.</p>

	<p><u>unsolicited answers and materials that might taint individuals conducting the investigation.</u></p> <p><u>Rationale:</u> Although 18VAC10-20-700 paragraph D. addresses a respondent's truthfulness concerning applications, it is silent on similar truthfulness in responding to complaint investigations. This recommended change is a direct result of a recent complaint investigation in which the Board's subject matter expert asked the respondent to provide answers to two reasonable questions. In his reply, the respondent answered the two questions but then went on to provided extraneous and unsolicited information that was false and misleading and obviously tainted the subject matter expert in his deliberations. Based on the false and misleading information, the tainted subject matter expert then went on to make inaccurate conclusions (such as to close the case) and to characterize the complainant in a manner that was inappropriate and unprofessional.</p>	
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-710. Conflicts of interest. Paragraph B., begin the paragraph with: The regulant shall not accept <u>direction</u>, compensation...</p> <p><u>Rationale:</u> This change will clearly include the conflict of interest in <i>direction</i> from any party regardless of compensation.</p> <p>18VAC10-20-740. Professional responsibility. Paragraph C., begin the paragraph with: C. The regulant shall not knowingly <u>accept a project, task, or contract from a client, or associate in a business venture...</u></p> <p><u>Rationale:</u> This change will clearly include the professional's responsibility when accepting work from a client who may have fraudulent or dishonest intentions. Currently, 18VAC10-20-740 limits this issue to business ventures. This may have been the situation in recent complaint investigations.</p>	<p>This is a contractual issue between parties.</p>

<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-760. Use of seal. Paragraph A. make the following change  <del>The application</del> <u>Affixing of a professional....</u>  <u>Rationale:</u> This change is editorial in nature and simply avoids the use of the term <i>application</i> which has other connotations in this chapter and uses the term <i>affixing</i> which has been used in this context.</p>	<p>This is consistent with 18VAC10-20-760.A, and supports this recommendation.</p>
<p>Carmen DiGiandomenico</p>	<p>18VAC10-20-760. Use of seal. Paragraph B. Documents to be sealed., subparagraph 1., change the last sentence to read:                  Final documents are completed documents or copies <u>delivered to the Respondent's client</u> or copies submitted on a client's behalf for approval by authorities for construction or for recordation.   <u>Rationale:</u> This change will clarify that final and completed documents include those delivered to the respondent's client and not just those that have been recorded. This was a critical issue in a recent complaint investigation where the Board's subject matter expert incorrectly concluded that because the plat under investigation had not been recorded; the Respondent could be afforded the opportunity to correct violations without sanctions.</p>	<p>The term "respondent" is not used in regulations. This is addressed in 18VAC10-20-760.B.1 for final documents, and 18VAC10-20-760.D for incomplete documents.</p>

**All changes made in this regulatory action**

*Please list all changes that are being proposed and the consequences of the proposed changes. Describe new provisions and/or all changes to existing sections.*

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
10		Definitions.	To clarify definitions, remove unnecessary language, and add language to a definition so as to make the term applicable to both applicants as well as regulants.
17		Replacement of wall certificate.	Amended to be consistent with the definitions in section 10 as well as to remove the fixed fee for a wall certificate.
20		General application requirements.	Amended to relocate each specific profession's exam requirements to its specific section of the regulations. Further, section 20 is amended to divide larger text into smaller, more concise text for ease of understanding the general entry requirements.
25		References.	Amended to read more clearly as well as require that the reference be someone known to the applicant more recently than contacts from over five years ago.
35		Experience.	Amended to read more clearly.
40		Good standing of applicants.	Amended to read more clearly by dividing the large paragraph text into smaller paragraphs for easier reading.
50		Transfer of scores to other boards.	Amended to read more clearly.
55		Language and comprehension.	Amended to read more clearly and clarify specifically which applicants are required to submit a TOEFL exam score with an application.
70		Modifications to examination administration.	Amended to read more clearly.
75		Conduct at examination	Amended to read more clearly.
85		Examination on Regulations.	Amended to read more clearly.
	87	Expiration of initial licenses, certificates, and registrations.	New section added to affirmatively identify the expiration date of all initial licenses, certificates, and registrations. Licenses, certificates, and registrations which are renewed or reinstated currently have an established expiration date in sections 670 and 680, respectively.
90		Fee schedule.	Amended to clarify the type of application for the profession.
110		Education.	Amended to read more clearly for easier understanding of education requirements.
120		Experience.	Amended to read more clearly as well as

			identify the most current "Handbook for Interns and Architects" which establishes experience requirements for architects.
130		References.	Amended to read more clearly including clarification of the purpose of providing a reference.
140		Examinations.	Amended to read more clearly.
150		Licensure by comity.	Amended to read more clearly.
160		Definitions.	Amended to clarify the type of application for the profession.
170		Fee schedule.	Amended to clarify the type of application for the profession.
190		Requirements for the Fundamentals of Engineering (FE) exam.	Amended to read more clearly as well as establish the standard by which coursework will be determined to be equivalent to a degree with ABET accreditation.
200		Requirements for engineer-in-training (EIT) designation.	Amended to read more clearly.
210		Requirements for the Principles of Engineering (PE) examination.	Amended to read more clearly as well as establish the standard by which coursework will be determined to be equivalent to a degree with ABET accreditation.
215		Requirements for the PE license.	Amended to read more clearly.
220		References.	Amended to read more clearly including clarification of the purpose of providing a reference.
230		Education.	Amended to read more clearly including clarification of which degrees may be considered to be approved by the Board.
240		Experience.	Amended to read more clearly by implementing the use of a table to more easily distinguish qualifying from non-qualifying experience based on a category. The table format is similar to tables used in sections 190 and 210 of the current regulations.
260		Examinations.	Amended to read more clearly. In addition, language specific to the exam deadline is relocated here from section 20. Further, additional language is added requiring that applicants, who do not pass the exam within three years from their approval, must



			demonstrate proof of educational activities to be eligible for the exam once again.
270		Licensure by comity.	Amended to read more clearly.
280		Fee schedule.	Amended to clarify the type of application for the profession.
295		Definitions.	Amended to clarify the definitions of the two types of surveying experience and make them consistent as applicable to the type of surveying.
300		Requirements for surveyor-in-training (SIT) designation.	Amended to read more clearly by simplifying the language and structuring each paragraph to be consistent with each other when detailing requirements. Further, the experience requirement is reduced for those applicants with a Board-approved undergraduate degree in a field unrelated to surveying.
310		Requirements for a licensed land surveyor or surveyor photogrammetrist..	Amended to read more clearly as well as remove obsolete language pertaining to entry requirements for surveyor photogrammetrists under an expired "grandfather" provision.
320		Requirements for a licensed land surveyor B.	Amended to read more clearly.
330		Education.	Amended to read more clearly.
340		Experience Standards.	Amended to read more clearly as well as clarify which individuals must verify an applicant's experience.
350		Examinations.	Amended to read more clearly. In addition, language specific to the exam deadline is relocated here from section 20. Further, additional language is added requiring that applicants, who do not pass the exam within three years from their approval, must demonstrate proof of educational activities to be eligible for the exam once again.
360		Licensure by comity.	Amended to read more clearly. Further, language is added to clarify licensure requirements for surveyor photogrammetrists applying via comity. The new language addresses the requirements for those applicants licensed in other states before, during, and after the Board's period for grandfathering.
370		Minimum standards and procedures for land boundary surveying practice.	Amended to read more clearly as well as remove duplicative language pertaining to the sealing and signing requirement.

380		Minimum standards and procedures for surveys determining the location of physical improvements; field procedures; office procedures.	Amended to read more clearly.
382		Minimum standards and procedures for surveys determining topography; field procedures; office procedures.	Amended to read more clearly.
390		Geodetic surveys.	Amended to read more clearly.
395		Standard of care.	Amended to address the proper citations of the Board's regulations.
400		Fee schedule.	Amended to clarify the type of application for the profession.
420		Requirements for licensure.	Amended to read more clearly. Further, due to the complexity in calculating eligibility, examples are provided to help individuals understand the application of the Board's calculations regarding education and experience credits.
	425	References.	Added to further determine an applicant's competence and integrity to practice landscape architecture, previously a certification, now a licensed profession. The requirement for references already exists in the current regulations for architects and professional engineers.
430		Experience standard.	Amended to read more clearly.
440		Examination.	Amended to read more clearly.
450		Licensure by comity.	Amended to read more clearly.
460		Definitions.	Amended to read more clearly by dividing the large paragraph definition into concise, individual components. The definition of "Diversified experience" is amended.
470		Fee schedule.	Amended to clarify the type of application for the profession.
490		Requirements for certification.	Amended to read more clearly. Further, a requirement, previously contained in a definition from section 460, is relocated here.
	495	Examination.	Added as the result of relocating the exam language from section 20 to this section.
505		Certification by comity.	Amended to read more clearly.
510		Definitions.	Amended to add a definition to eliminate confusion between a Board-issued

			registration and a certificate of registration issued by the Virginia State Corporation Commission.
	515	Registration required.	New section added to clarify which businesses must apply to the Board for a registration.
520		Fee schedule.	Amended to clarify the type of application for the business. The reinstatement fee information is relocated to section 680 with all other reinstatement information.
530		Application requirements.	Amended to read more clearly. Further, language taken directly from <a href="#">§13.1-549</a> of the <i>Code of Virginia</i> is removed and replaced with a citation reference.
540		Certificates of authority.	Repealed because its requirements are relocated to new section 515 and current section 770.
550		Foreign corporations.	Amended to read more clearly.
560		Amendments and changes.	Amended to read more clearly.
570		Definitions.	Amended to add a definition to eliminate confusion between a Board-issued registration and a certificate of registration issued by the Virginia State Corporation Commission.
	575	Registration required.	New section added to clarify which businesses must apply to the Board for a registration.
580		Fee schedule.	Amended to clarify the type of application for the business. The reinstatement fee information is relocated to section 680 with all other reinstatement information.
590		Application requirements.	Amended to read more clearly. Further, language taken directly from <a href="#">§13.1-1111</a> of the <i>Code of Virginia</i> is removed and replaced with a citation reference.
600		Certificates of authority.	Repealed because its requirements are contained in new section 575 and current section 770.
610		Foreign professional limited liability companies.	Amended to read more clearly.
620		Amendments to articles of organization, operating agreements or certificate of organization; change in	Amended to read more clearly.

		managers or members; change in name, address and place of business.	
	627	Registration required.	New section added to clarify which businesses must apply to the Board for a registration.
630		Fee schedule.	Amended to clarify the type of application for a business. The reinstatement fee information is relocated to section 680 with all other reinstatement information.
640		Application requirements.	Amended to read more clearly.
650		Registration certification.	Amended to remove the term "certified" because landscape architects are now licensed.
660		Change of status.	Amended to read more clearly.
670		Expiration and renewal.	Amended to read more clearly. Language is added to establish a regulant's rights under the Administrative Process Act. Additional language is added authorizing the Board to withhold renewal, reinstatement, examination, or other services for regulants who fail to pay penalties or other fees owed to the Board.
680		Reinstatement.	Amended to read more clearly. Language is added to establish a regulant's rights under the Administrative Process Act. Additional language is added authorizing the Board to withhold renewal, reinstatement, examination, or other services for regulants who fail to pay penalties or other fees owed to the Board.
683		Continuing education requirements for renewal or reinstatement.	Amended to read more clearly.
687		Exemptions and waivers.	Amended to remove an improper citation reference to section 683.
690		Responsibility to the public.	Amended to read more clearly.
700		Public statements.	Amended to read more clearly.
710.B		Conflicts of interest.	Removed proposed wording and changed back to original language.
710.D		Conflicts of interest.	Removed proposed wording and changed back to original language.
720		Solicitation of work or	Amended to read more clearly.

		employment.	
730		Competency for assignments	Removed proposed wording and changed back to original language.
740.G.1		Professional responsibility.	Amended to read more clearly.
750		Good standing in other jurisdictions.	Amended to read more clearly by eliminating duplicative language.
760.A		Use of seal.	Amended to read more clearly. "The application" changed to "affixing."
760.B.2		Use of seal.	Amended to read more clearly. Last sentence changed "any" to "the."
770		Organization and styling of practice.	Amended to read more clearly. Language is relocated here from sections 540 and 600.
780.B		Professional required at each place of business.	Amended to read more clearly. Changed the word "a" to "each."
790		Sanctions.	Amended to read more clearly. Language is added clarifying the Board's authority to sanction regulants for failing to maintain good moral character (as defined in section 10). Duplicative language is removed.
790.3		Sanctions.	Removed proposed wording and changed back to original language.