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Proposed Regulation Agency Background Document

Agency name	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
Virginia Administrative Code (VAC) citation(s)	18VAC10-20
Regulation title(s)	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Regulations
Action title	General Review 2017
Date this document prepared	October 16, 2017

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary (preferably no more than 2 or 3 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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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.

The proposed regulations are the result of a comprehensive review conducted by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA). The proposed amendments, together with new and repealed sections, simplify explanations of requirements, streamline processes, and ultimately produce regulations which will be more easily read and understood by the public and regulants.

The Board last initiated a general review of its regulations with a NOIRA submitted on March 17, 2010; that regulatory action became final on January 1, 2016.

Acronyms and Definitions

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

"APELSCIDLA" means the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

"NCARB" means the National Council of Architectural Registration Boards

"NCEES" means the National Council of Examiners for Engineering and Surveying

"NOIRA" means a Notice of Intended Regulatory Action

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

Subsection A.5 of § 54.1-201 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."

Subsection A of § [54.1-404](#) states:

"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.

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. Describe the specific reasons the regulation 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.

The licensing/certification requirements for APELSCIDLA-regulated design professionals are complex regarding entry and professional conduct, due to the public health and safety aspects inherent to their practice. The Board is proposing this regulatory action to address questions that arise from applicants and regulants, by ensuring its regulations are better understood and up-to-date with what is necessary for each profession.

Although the last general review of the Board's regulations became effective on January 1, 2016, that regulatory action was first initiated in 2010. In the time elapsed since that NOIRA and its final stage approval at the end of 2015, professional and industry standards have changed enough to warrant another review. Ensuring that Board regulations remain consistent with current professional practice standards is essential for establishing regulants' minimum qualifications to perform their duties while protecting the health, safety, and welfare of the citizens of the Commonwealth.

Substance

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

For individuals, the proposed regulations add a reference component for land surveyor applicants to align their application requirements with the other regulants. The amendments also allow engineers-in-training and surveyors-in-training to sit for the fundamentals exam prior to submitting an application to the board.

For business entities, the proposed regulations streamline the registration process into one category of business entity, allowing companies looking to conduct business in Virginia to complete the process more expeditiously.

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.

- 1) The primary advantage to the public is that buildings and site plans will continue to be developed by minimally competent professionals. The proposed regulatory action will allow applicants and regulants to understand the Board's regulations with greater clarity, facilitating more efficient licensing and better aligning with industry standards of practice. The proposed amendments benefit applicants and regulants by ensuring the regulations are clearly written, consistent, and easily understandable. The action will facilitate more efficient application and licensing processing, and better align with industry standards of practice, all of which protects the public's health, safety, and welfare. No disadvantages have been identified.
- 2) The primary advantage to the Commonwealth will be the continued successful regulation of minimally competent design professionals. Another advantage is that the proposed regulatory action reflects the importance Virginia places on ensuring regulations are the least burdensome but also provide protection to the citizens of the Commonwealth. There are no disadvantages

posed by these proposed regulations to the Board, the Department of Professional and Occupational Regulation, or the Commonwealth.

- 3) Due to its regulated population, APELSCIDLA frequently interacts with the Department of Housing and Community Development (DHCD); Virginia Department of Transportation (VDOT); State Corporation Commission (SCC); Virginia Society of Professional Engineers (VSPE); American Council of Engineering Companies (ACEC); American Institute of Architects (AIA); Virginia Association of Surveyors (VAS); American Society of Landscape Architects (ASLA); and other national and local organizations, government agencies, colleges and universities. Given that communication with these entities often requires referencing information contained in the APELSCIDLA regulations, the proposed regulatory action will facilitate greater understanding of the Board's requirements among all parties.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which is more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

No federal requirements have been identified.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

No localities have been identified as being particularly affected.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments for the public comment file may do so by mail, email, or fax to:

Kate Nosbisch, Executive Director
 APELSCIDLA Board
 9960 Mayland Dr., Suite 400
 Richmond, VA 23233
apelscidla@dpor.virginia.gov
 (866) 465-6206 (Fax)

Comments may also be submitted through the Public Forum feature of the Virginia Regulatory Town Hall web site at: <http://www.townhall.virginia.gov>. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by 11:59 p.m. on the last day of the public comment period.

A public hearing will be held following the publication of this stage and notice of the hearing will be posted on the Virginia Regulatory Town Hall website (<http://www.townhall.virginia.gov>) and on the Commonwealth Calendar website (<https://www.virginia.gov/connect/commonwealth-calendar>). Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact.

Summary:

All costs incurred in support of board activities and regulatory operations are paid by the Department of Professional and Occupational Regulation (Department) and funded through fees paid by applicants and regulants. All boards within the Department must operate within the Code provisions of the Callahan Act (§ 54.1-113) and the general provisions of § 54.1-201. Each regulatory program's revenues must be adequate to support both its direct costs and a proportional share of agency operating costs. The Department allocates costs to its regulatory programs based on consistent, equitable, and cost-effective methodologies. The Board has no other source of income.

<p>Projected cost to the state to implement and enforce the proposed regulation, including: a) fund source / fund detail; and b) a delineation of one-time versus on-going expenditures</p>	<p>No one-time or on-going fiscal impact is expected from the regulatory changes. The Board's revenue is not expected to change. The proposed fees for business entities are set at a level to be revenue neutral.</p>
<p>Projected cost of the new regulations or changes to existing regulations on localities.</p>	<p>There are no projected costs to localities.</p>
<p>Description of the individuals, businesses, or other entities likely to be affected by the new regulations or changes to existing regulations.</p>	<p>All currently regulated individuals and business entities, as well as potential applicants for licensure/certification, are likely to be affected by the proposed regulatory action.</p>
<p>Agency's best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated and; b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>As of Sept. 1, 2017, APELSCIDLA regulated 38,687 individuals and 4,357 registered businesses. More than 2,000 applicants annually may also be affected. The number of regulants considered to be small businesses is indeterminate.</p>
<p>All projected costs of the new regulations or changes to existing regulations for affected individuals, businesses, or other entities. Please be specific and include all costs including: a) the projected reporting, recordkeeping, and</p>	<p>Business entities registering with the Board would incur a \$90 initial application fee and \$45 renewal fee. Minimal administrative costs would be incurred to complete and submit the branch registration application.</p>

<p>other administrative costs required for compliance by small businesses; and b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</p>	<p>The proposed regulations would not affect the development of real estate for commercial or residential purposes.</p>
<p>Beneficial impact the regulation is designed to produce.</p>	<p>The proposed regulations benefit regulated business entities by streamlining the registration process, allowing companies looking to conduct business in Virginia to complete the process more expeditiously.</p>

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

No viable alternatives have been identified. A complete review was necessary to evaluate the regulations on a micro level to ensure that entry and performance requirements were current with today's standards of practice for each profession. After a review was completed for each profession-specific requirement, the regulations were studied at the macro level to ensure consistent language in similarly themed areas and to promote clarity for regulants and the general public. Additional possibilities for reducing the regulatory burden on licensees and applicants, while still meeting the Board's objective of protecting the public, may be identified during the remainder of the regulatory process and after review of any submissions during public comment.

Regulatory flexibility analysis

Pursuant to § 2.2-4007.1B of the Code of Virginia, please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

The Board considered the potential adverse effects of the proposed regulations on applicants and licensees, including small businesses, during the review process. Toward that end, some of the proposed amendments serve to reduce reporting requirements, including streamlining the registration process for business entities. The Board determined the remaining compliance and reporting requirements in the regulations are necessary to protect the public's health, safety, and welfare and do not pose an unreasonable administrative or financial burden.

The enabling statute establishing the regulatory program for licensing and certifying APELSCIDLA design professionals provides no exemption for small business; therefore there are no such exemptions in the proposed regulations.

Public comment

Please summarize all comments received during the public comment period following the publication of the NOIRA, and provide the agency response.

No public comments were received during the comment period following the publication of the NOIRA.

Family impact

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

No impact on the institution of the family or family stability has been identified.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes; explain the new requirements and what they mean rather than merely quoting the proposed text of the regulation. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact. Please describe the difference between existing regulation(s) and/or agency practice(s) and what is being proposed in this regulatory action. If the proposed regulation is intended to replace an emergency regulation, please follow the instructions in the text following the three chart templates below.

For changes to existing regulation(s), please use the following chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change, intent, rationale, and likely impact of proposed requirements
18VAC10-20-10		Part I of the regulations provides definitions for the terminology used throughout the regulations. Current regulations require applicants to disclose all felony and misdemeanor convictions.	Removed definition of “certified” because the term “certified interior designer” is defined in the statute and it is included in the definition of regulant in the proposed regulations. The proposed regulations continue to require applicants to disclose all felony convictions; however, the window for reporting misdemeanor convictions has

			<p>been reduced to the last 10 years. The board’s view is that reporting misdemeanor convictions that occurred in the last 10 years is adequate and less restrictive.</p> <p>Removed definition of “licensed” because it is addressed within the definition of “regulant” which has been expanded in the proposed regulations.</p> <p>In general, amended terminology throughout the definitions for clarity and uniformity.</p>
18VAC10-20-20		Under current regulations, applicants are required to meet entry requirements at the time application is made.	Applicants will be required to meet and maintain entry requirements from the time of application until their application is approved by the board. This change prevents an applicant from being licensed if a disqualifying event occurs between the time of application until the time of board approval.
18VAC10-20-25		Current regulations do not allow an individual who serves as a reference to verify experience and vice versa.	Amends reference requirements for clarity and to allow an individual to serve as a reference and to verify experience. This change broadens the pool of persons eligible to serve as a reference, which can be a barrier for some applicants.
18VAC10-20-35		Thirty-five hours per week is considered full-time under current regulations.	Thirty hours per week will be considered full-time. Reducing the amount of hours makes it easier for applicants to meet experience requirements.
18VAC10-20-50		This section of the board’s regulations provides good standing requirements for regulants.	Amends terminology throughout the definitions for clarity and consistency throughout the regulations.
18VAC10-20-55		Applicants whose primary language has not always been English, or who have not graduated from a college or university in which English is the medium of instruction, are required to take a TOEFL.	Provide applicants who have been living and practicing in the United States alternatives to waive the TOEFL, which has been considered a barrier to licensure or certification for comity applicants.
18VAC10-20-70		This section provides information regarding modifications to examination administration in accordance with the Americans with Disabilities Act (ADA)	Amends terminology throughout the definitions for clarity and consistency throughout the regulations.

18VAC10-20-75		Conduct at examination requirements are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and consistency throughout the regulations.
18VAC10-20-110		Architect license applicants must have an NAAB-accredited degree to meet the education requirement.	<p>Removes barriers to licensure for applicants with non-accredited degrees and provides alternatives:</p> <p>Applicants will be able to qualify if they are actively participating in an NCARB-accepted integrated path to licensure program.</p> <p>Applicants without an accredited degree will be required to establish an NCARB record and have the degree evaluated for equivalency through NAAB's evaluation service. This change clarifies NCARB's evaluation process.</p>
18VAC10-20-120		Architects seeking their initial license (by examination) are required to be enrolled in NCARB's Intern Development Program (IDP).	<p>In 2016, NCARB changed the name and categories of their program that records experience from IDP to Architectural Experience Program (AXP). The new language in the regulation removes the name of NCARB's program so the regulation will remain applicable if the name of the program changes in the future.</p> <p>The regulation provides greater detail regarding where and how the 36-hour experience requirement should be met and submitted to the board.</p>
18VAC10-20-130		Architect references are required to be from an architect licensed in the United States or a province of Canada.	The board will allow architect references from architects licensed in a country in which a Mutual Recognition Agreement has been executed with NCARB.
18VAC10-20-140		Regulation providing information about NCARB-prepared exams references IDP program.	Amends regulation to clarify the approval, registration, eligibility and scoring processes for the NCARB-prepared exams. Replaces reference to IDP with "architectural experience program" to be consistent throughout the regulations and to keep the regulations current and relevant.
18VAC10-20-150		Architect license by comity applicants are required to have an active license in another state or jurisdiction of the United States, a province of Canada or another foreign country.	Expands the architect license-by-comity requirements to allow an applicant with an active license in a country in which a Mutual Recognition Agreement has been executed with NCARB to be eligible for a license.

		Architect applicants are required to have an NCARB record or meet the requirements that were in place in Virginia at the time they were originally licensed.	Changes the architect license-by-comity eligibility requirements to allow applicants to qualify provided the licensing requirements in their initial state of licensure were substantially equivalent to those in effect in Virginia at the time they were originally licensed. This change is consistent with the other license professions of the board and allows the board to determine if an applicant has met the scope of the Virginia requirements at the time of their initial licensure.
18VAC-10-20-160		This section of the regulations provides definitions for terms used throughout Part IV, Qualifications for Licensing of Professional Engineers.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC-10-20-200		Education and experience requirements for the engineer-in-training designation are provided in this section of the regulations.	Allows applicants to sit for the exam prior to applying to the board. The process is in line with what is occurring in other states. The engineer-in-training designation will not be issued until applicants have met the board's requirements.
18VAC10-20-210		Requirements for the Principles and Practice of Engineering exam are provided in this section of the regulations. This portion of the regulations also includes a table with education, engineer-in-training designation and number of years of experience requirements.	The requirements to qualify to sit for the Principles and Practice of Engineering exam are provided in a list format for easier understanding. Allows applicants to sit for the exam prior to applying to the board. The process is in line with what is occurring in other states. A professional engineer license will not be issued until an applicant has met the board's requirements. Requires applicants to have a four year degree in an engineering, engineering technology, or a related science curriculum. This change aligns with the majority of the board's licensed professions.
18VAC10-20-220		The regulation provides requirements that must be met in order for an individual to serve as a reference for engineer-in-training and professional engineer applicants.	Amends terminology for clarity and uniformity with language used throughout the regulations. Relocates language that pertains to reference requirements for professional engineer license-by-comity applicants to 18VAC10-20-270 where it is more appropriate.
18VAC10-20-230		Professional engineer education requirements are	Amends terminology for clarity and uniformity with language used throughout

		provided in this section of the regulations.	the regulations.
18VAC10-20-240		Professional engineer experience requirements are provided in this section of the regulations.	<p>Specifies experience must be obtained in an organization with an engineering practice, and must be verified on the board's experience verification form by a licensed professional engineer in the organization's engineering practice.</p> <p>This change is consistent with experience requirements for the other professional license and certification requirements of the board.</p> <p>Clarifies how credit for advanced degrees may be granted.</p>
18VAC10-20-260		This section of the regulations provides examination eligibility and reapplication requirements for engineer-in training and professional engineer applicants.	Clarifies the approval, registration, eligibility and reapplication processes and requirements.
18VAC10-20-270		Professional engineer license by comity requirements are provided in this section of the board's regulations.	<p>Amends terminology for clarity and uniformity with language used throughout the regulations.</p> <p>Adds reference requirement to the comity requirements which is consistent with the other professions of the board.</p>
18VAC10-20-295		This section of the regulations provides definitions for terms used throughout Part V, Qualifications for Licensing and Standards of Procedure for Land Surveyors.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-300		<p>Surveyor-in-training designation requirements are provided in this section of the board's regulations.</p> <p>Under current regulations, an applicant with a high school diploma meets an education requirement.</p>	<p>An applicant may qualify with a high school diploma until the provision expires on June 30, 2026. The dates identified within the proposed regulation are to allow individuals who are currently pursuing a license with a high school diploma an opportunity to complete their path to licensure.</p> <p>After July 1, 2026, applicants will be required to have a degree or complete the approved apprenticeship program.</p>

18VAC10-20-310		Land surveyor and surveyor photogrammetrist license requirements are provided in this section of the board's regulations.	Amends terminology for clarity and uniformity with language used throughout the regulations.
18VAC10-20-320		Land surveyor B requirements are provided in this section of the board's regulations.	Eliminates redundancy between 18VAC10-20-320.1 and 18VAC10-320.2
18VAC10-20-330		Land surveyor degree evaluation requirements for degrees earned from institutions located outside of the United States are provided in this section of the board's regulations.	Amends terminology for clarity and uniformity with language used throughout the regulations.
18VAC10-20-340		Land surveyor experience standards are provided in this section of the board's regulations.	Amends terminology for clarity and uniformity with language used throughout the regulations.
18VAC10-20-350		Land surveyor examination requirements are provided in this section of the board's regulations.	Amends terminology for clarity and uniformity with language used throughout the regulations.
18VAC10-20-360		Land surveyor license-by-comity requirements are provided in this section of the board's regulations.	Adds "NCEES Model Law Surveyors" for specificity.
18VAC10-20-370		Land surveyor minimum standards and procedures for land boundary surveying practice are provided in this section of the board's regulations.	Updates the direct reading minimum accuracy from 30 to 20 in order to keep the regulations current and relevant. Requires additional contact information for the land surveyor of record or registered business.
18VAC10-20-380		Land surveyor minimum standards and procedures for surveys determining the location of physical improvements; field procedures; office procedures are provided in this section of the board's regulations.	Requires the address and contact information of the individual or entity for whom the survey is being performed. Requires additional contact information for the land surveyor of record or registered business.
18VAC10-20-382		Land surveyor minimum standards and procedures for surveys determining	Requires additional contact information for the land surveyor of record or registered business.

		<p>topography; field procedures; office procedures</p> <p>The regulation requires additional contact information for the land surveyor of record or registered business are provided in this section of the board's regulations.</p>	<p>Updates the term "Airborne" to "Remote Sensing" in order to keep the regulations current and relevant.</p>
18VAC10-20-392		<p>Photogrammetric survey requirements for land surveyors are provided in this portion of the regulations are provided in this section of the board's regulations.</p>	<p>Updates the title of the section by adding "or similar remote sensing technology" in order to keep the regulations current and relevant.</p>
18VAC10-20-420		<p>This section of the regulations provides definitions for terms used throughout Part VI, Qualifications for Licensing of Landscape Architects.</p> <p>Under current regulations, 36 hours of experience is required. A minimum of 12 hours are to be obtained under the direct control and supervision of a licensed or certified landscape architect. The balance of the experience may be under the direct control and personal supervision of a licensed or certified landscape architect <u>or</u> a licensed architect, professional engineer, or land surveyor.</p>	<p>Amends terminology for clarity and uniformity with language used throughout the regulations.</p> <p>Adds a provision for applicants to qualify for a license by obtaining a minimum of 48 months of experience under the direct control and personal supervision of a licensed architect, professional engineer, or land surveyor.</p> <p>The population of certified or licensed landscape architects is limited. The experience requirement was a barrier to licensure as they could not obtain credit for experience they acquired in a practice or under an individual that did not have a licensed or certified landscape architect. The addition of this provision makes easier for an applicant to meet the experience requirement.</p>
18VAC10-20-425		<p>Requirements for landscape architect references are provided in this section of the regulations. Under current regulations, only licensed landscape architects can serve as a reference. Three references are required.</p>	<p>The regulation has been amended to require one reference from a licensed, certified, or registered landscape architect. The remaining two references may be from a professional engineer, architect or land surveyor. The new regulation expands the pool of professionals that may serve as a reference which eliminates a barrier to licensure.</p>
18VAC10-20-430		<p>Landscape architect experience standards are provided in this section of the regulations.</p>	<p>Specifies that experience must be obtained in an organization with a landscape architecture practice, and must be verified on the board Experience Verification Form by a licensed landscape</p>

			<p>architect, professional engineer, architect, or land surveyor in the organization’s practice.</p> <p>This change is consistent with experience requirements for the other professional license and certification requirements of the board.</p>
18VAC10-20-440		Landscape architect examination approval, scoring, reapplication process is provided in this section of the regulations.	<p>Amends terminology for clarity and uniformity with language used throughout the regulations.</p> <p>Allow transfer credits for parts of the exam that have already been taken and passed in accordance with the national standard.</p>
18VAC10-20-450		Landscape architect license-by-comity requirements are provided in this section of the regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-460		This section of the regulations defines terms used throughout Part VII, Qualifications for Certifying of Interior Designers.	<p>Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.</p> <p>“A graduate degree from a CIDA-accredited program” has been added to the definition of “Professional program approved by the board” for clarification purposes.</p>
18VAC10-20-490		Requirements for Certified Interior Designer applicants are provided in this section of the regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-495		Examination requirements for certified interior designer applicants are provided in this section of the regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-505		Interior designer certification-by-comity requirements are provided in this section of the regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-627		Qualifications for registration as a business entity other than a professional corporation and professional limited liability company are provided in this section of the	Companies seeking to conduct business in Virginia will complete the registration process in a more expeditious manner.

		regulations.	
18VAC10-20-630		The current fee schedule for business entities are provided in this section of the regulations.	Amends fee schedule to reflect one type of business registration, in accordance with Callahan Act (§ 54.1-113).
18VAC10-20-640		Business entity registration application requirements are provided in this section of the board's regulations.	Companies seeking to conduct business in Virginia will complete the registration process in a more expeditious manner.
18VAC10-20-650		Business entity registration certification requirement are provided in this section of the board's regulations.	Companies seeking to conduct business in Virginia will complete the registration process in a more expeditious manner.
18VAC10-20-670		Renewal requirements for individuals and organizations are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-680		Reinstatement requirements for licenses, certificates or office registrations are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations. Reorganizes requirements for easier understanding of the reinstatement process.
18VAC10-20-683		Continuing education requirements for renewal or reinstatement are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-740		Professional responsibility requirements are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-760		Use of seal requirements are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.
18VAC10-20-790		Sanctions are provided in this section of the board's regulations.	Removes language regarding nolo contendere pleas. The board determined it is not necessary to report nolo contendere pleas.
18VAC10-20-795		Change of address requirements are provided in this section of the board's regulations.	Amends terminology throughout the definitions for clarity and uniformity with language used throughout the regulations.

If an existing regulation or regulations (or parts thereof) are being repealed and replaced by one or more new regulations, please use the following chart:

Current chapter-section number	Proposed new chapter-section number, if applicable	Current requirement	Proposed change, intent, rationale, and likely impact of proposed requirements
18VAC10-20-190		The current regulation provides education and experience requirements that must be met prior to sitting for the Fundamentals of Engineering examination	Allows applicants to take the exam prior to applying to the board, as is the practice in most other states. The engineer-in-training designation will not be issued until applicants have met the board's requirements.
18VAC10-20-215		The current regulation states, "An applicant who has satisfied the requirements of this chapter will receive the professional engineer license upon successful completion of the PE exam."	Allows applicants to sit for the exam prior to applying to the board, as is the practice in most other states. A professional engineer license will not be issued until an applicant has met the board's requirements.
18VAC10-20-510		The current regulation requires professional corporations to register with the board prior to conducting business in Virginia.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-520		Professional corporation fee schedule is provided in this section of the regulations.	This section is no longer needed because one fee schedule will apply to all business entities.
18VAC10-20-530		Professional corporation application requirements are provided in this section of the regulations.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-550		The current regulation requires foreign corporations to register with the board	This section is no longer needed because all businesses will register as a business entity.

		prior to conducting business in Virginia.	<p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-560		Requirements for amendments and changes for corporations are provided in this section of the regulations	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-570		Current regulations provide definitions for terms used throughout Part IX, Qualifications for Registration as a Professional Limited Liability Company.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-575		Professional limited liability company registration requirements are provided in this section of the regulations.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-580		Professional limited liability company fee schedule is provided in this section of the regulations.	<p>This section is no longer needed because one fee schedule will apply to all business entities.</p>
18VAC10-20-590		Professional limited liability company application requirements are provided in this section of the regulations.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for</p>

			<p>companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-610		Foreign professional LLC application requirements are provided in this section of the regulations.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-620		Requirements for amendments and changes for professional limited liability companies are provided in this section of the regulations.	<p>This section is no longer needed because all businesses will register as a business entity.</p> <p>The intent of the change is to streamline the business registration process for companies seeking to conduct business in Virginia.</p> <p>The likely impact of the proposed requirements will be less burdensome.</p>
18VAC10-20-750		Good standing is defined and reporting requirements are provided in this section of the regulations	Repealed because the term is defined in 18VAC10-20-10 and the requirement to remain in good standing and reporting requirements are provided in 18VAC10-20-40.

If a new regulation is being promulgated, that is not replacing an existing regulation, please use this chart:

Section number	Proposed requirements	Other regulations and law that apply	Intent and likely impact of proposed requirements
18VAC10-20-345	Require three references for land surveyor, surveyor photogrammetrist, and land surveyor B license applicants.	<p>Board regulation 18VAC10-20-130 requires architect license applicants to submit three references.</p> <p>Board regulation 18VAC10-20-220 requires professional engineer license applicants to submit three references.</p> <p>Board regulation</p>	<p>The proposed reference requirement is consistent with the licensing requirements for the other board regulants.</p> <p>The intent is to ensure the board qualifies minimally competent individuals for licensure. The impact will result in land surveyor license applicants being subject to the same reference requirement as similar board applicants.</p>

		18VAC10-20-425 requires landscape architect license applicants to submit three references.	
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