

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS**

**Title of Rule:** Rules and Regulations for Architects

**Rule Identifier:** 415-RICR-00-00-1

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: 04/06/2021

End of Public Comment: 05/06/2021

**Authority for this Rulemaking:**

R.I. Gen. Laws § 5-1-5

**Summary of Rulemaking Action:**

This regulation was advertised for public comment from January 8, 2021 to February 7, 2021. We received 11 comments and in response to those comments, the Board and the Department have made some additional changes to clarify existing practices.

The impetus for the original amendments was when the Board received an inquiry from the Emerging Professionals Network of AIA Rhode Island regarding the Board's policy for the National Council of Architectural Registration Boards (NCARB) Integrated Path to Architectural Licensure (IPAL). The IPAL option allows students in the process of earning an accredited architecture degree to complete the experience requirements and portions of the Architectural Registration exam (ARE) concurrently. (The ARE is a multi-part exam given in 6 divisions, which are administered in separate sittings. The exam length is a total of 21 hours.) The goals of IPAL are to streamline and hopefully shorten the path to licensure for architecture students and provide them with work experience prior to graduation. There are currently 21 schools nationwide that have established an IPAL option, with U Mass Amherst and Boston Architectural College being the closest to RI.

While reviewing the regulation, the Board has also proposed some clarifying continuing education amendments. In addition, new provisions would allow members of state architect licensing boards and certain other RI state and local boards to receive up to four continuing education credits for membership on those public bodies.

Summary of proposed substantive changes (updated after first comment period):

§ 1.4 – Add definitions for "Architectural Registration Exam," "IPAL" and "NAAB". Relocate internal definition for "Continuing Education Hour" and update the definition of the "Division."

§ 1.6 – Add language to allow applicants enrolled in an NCARB approved IPAL degree program to take components of the ARE prior to graduation. IPAL language edited in response to public comments from first comment period.

§ 1.7(B)(3) – During the first public comment period, no changes were proposed to this paragraph, but commentary was received that the regulation of the word "Associate(s)" in firm names was not necessary. After reviewing this commentary, the Board and the Department agreed with the commentary and proposes deleting this paragraph. This restriction leads to absurd results if strictly enforced. It requires a firm to change its name if after many years of employing multiple architects it now only employs one architect. Furthermore, we do not believe that this change would be misleading to the public because a person can only identify themselves as an architect if they are registered in accordance with this regulation and R.I. Gen. Laws Chapter 5-1.

§ 1.8(C) - After moving the CEH definition to § 1.4, added a new introductory statement at 1.8(C). In response to commentary from the first comment period, added a sentence clarifying existing practice that the Board does not approve courses or providers and will accept any course designated as "Health, Safety and Welfare" as eligible for credit.

§ 1.8(D) - Added a provision which allows members of any state architecture licensing board to receive up to 4 CEHs per year for attending licensing board meetings and clarified that no other types of self-reported CEHs qualify for credit in RI. In response to commentary from the first comment period, added membership and participation on the following additional RI boards as eligible for credit: a RI municipal zoning board, planning board, or RI historic district commission; the Rhode Island Building Code Standards Committee; the RI Fire Safety Code Board of Appeal and Review; and the Rhode Island Rehabilitation Building and Fire Code for Existing Buildings and Structures Board.

§ 1.8(E) – In response to commentary from the first comment period, clarified the status quo that continuing education courses may be taken in person or online. This has been the long-standing rule of the Board but it was not clearly stated in the regulation.

§ 1.8(J) – Clarified the heading and updated the cross references. In response to commentary from the first comment period, we clarified what type of documentation is acceptable for proof of CEH completion. We also explained how proof of completion is determined. These are existing practices. No change to the status quo.

#### **Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until May 6, 2021 by contacting the appropriate party at the address listed below:

Amy Stewart  
Board of Examination and Registration of Architects  
1511 Pontiac Avenue  
Cranston, RI 02920  
amy.stewart@dbr.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

**Regulatory Analysis Summary and Supporting Documentation:**

With its recognition of NCARB's IPAL program, the Board is helping to streamline the path to licensure for RI applicants. This benefits the current group of emerging professionals seeking to apply for initial registration in RI. This is positive for the industry in the state and may encourage more new architect registrations in RI. This may also result in the accredited architecture degree programs in RI adopting the IPAL program as well.

The continuing education amendments recognize the volunteer service registered architects to state architect licensing boards and certain RI municipal and state boards involved in reviewing building plans and building codes. The additional amendments in response to commentary clarify some ambiguous provisions in the regulation. These amendments codify the status quo of architect continuing education requirements in the regulation by explaining specifically that the Board does not approve course providers and classes, that AIA transcripts and course completion certificates with HSW designations are proof of completion and that the Board will review those documents if the architect is audited for CE compliance. We also clarify that courses may be taken in person or online (live or asynchronous), which is also the status quo.

Any small business impact is positive. In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation see agency contact person above.