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## **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES**

### **24.01.01 – RULES OF THE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS**

#### **DOCKET NO. 24-0101-2301 (ZBR CHAPTER REWRITE)**

#### **NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2024 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. The pending rule will become final and effective, July 1, 2024, after approval.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 54-3003, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

The pending rule is being adopted under [Executive Order 2020-01, Zero Based Regulation](#). Text amended since these rules were published as proposed are purely grammatical and typographical in nature. No substantive changes are made. The grammatical changes are found in:

- 100.01.b. – reworded to improve readability and reduce restrictive work count;
- 100.01.c. – adds the phrase “to the general public” to clarify the terms “health, safety, and welfare”; and
- 100.02.a. and b. – reworded to improve readability and reduce restrictive word count. The acronym of a national accrediting board is added for clarity.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the August 2, 2023, Idaho Administrative Bulletin, [Vol. 23-8, page 177](#).

**FEE SUMMARY:** The following is a description of the fee or charge imposed or increased in this rulemaking as authorized in Sections 54-5822 and 67-2614, Idaho Code. Pursuant to Section 67-5224(2)(d), Idaho Code, this pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature.

The fees for applications, licenses, registrations and reinstatement as designated in Rule 400 of these pending rules are authorized in Sections 54-5822 and 67-2614, Idaho Code. None of these fees are being changed as a result of this rulemaking or since being previously reviewed by the Idaho Legislature.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any negative fiscal impact on the State General Fund.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the pending rule, contact Katie Stuart at 208-577-2489.

DATED this 1st day of November, 2023.

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**DOCKET NO. 24-0101-2301 – ADOPTION OF PENDING RULE  
(Zero Based Regulation (ZBR) Chapter Rewrite)**

**Substantive changes have been made to the pending rule.  
*Italicized* text indicates changes between the text of the proposed rule as adopted in the pending rule.**

**The text of the proposed rule was published in the Idaho Administrative Bulletin,  
Volume 23-8, August 2, 2023, page 177.**

**This rule has been adopted as a pending rule by the agency and is now awaiting  
review and final approval by the 2024 Idaho State Legislature.**

**THE FOLLOWING IS THE TEXT OF THE PENDING RULE FOR DOCKET NO. 24-0101-2301  
(Only those sections or subsections that have changed from the original proposed text  
are printed in this Bulletin following this notice.)**

*\*Note – Due to extensive reorganization of this ZBR chapter, the rule text below is presented as clean text without showing amendments in legislative format. A redline copy provided by the agency has been included at the end of the docket for transparency and can be utilized to track all edits used to formulate the pending rule.*

**100. LICENSURE.**

**01. Architect Requirements. ( )**

**a. Approved Architectural Experience Program.** The National Council of Architectural Registration Boards' (NCARB) Architectural Experience Program (AXP). ( )

**b. Satisfactory Experience In Lieu Of Education.** Eight (8) years consisting of at least six (6) years of experience under the direct supervision of a licensed architect and the remaining two (2) years may be under the direct supervision of a licensed engineer who practices in the field of building construction as approved by the board. ( )

**c. Continuing Education.** Beginning the second year of licensure, to renew, a licensed architect must complete, during the prior licensure period, and retain proof of completion of twelve (12) hours of approved continuing education germane to the practice of architecture as it relates to the health, safety, and welfare of the general public. Approved courses are those offered by providers approved by NCARB, the National Architectural Accreditation Board (NAAB), or the American Institute of Architects (AIA). A licensee may submit a request for Board approval of other courses. ( )

**i.** A licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement. ( )

**02. Landscape Architect Requirements. ( )**

**a. Approved Education.** A landscape architecture program accredited by the Landscape Architectural Accreditation Board (LAAB). ( )

**b. Satisfactory Experience in Lieu of Education.** Eight (8) years consisting of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture. ( )

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c. Required Examination. Passage of the Landscape Architect Registration Examination administered by the Council of Landscape Architects Registration Boards (CLARB). ( )

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## 24.01.01 – RULES OF THE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS ARCHITECTURAL EXAMINERS

### 100. LICENSURE

#### ~~01. Accredited Degree Applicants.~~ 01. Architect Requirements.

a. ~~Approved Architectural Experience Program.~~ All applicants for the Architectural Registration Examination (ARE) will possess a professional degree in architecture from a program that is accredited by the ~~The~~ National Council of Architectural Registration Boards (NCARB) Accrediting Board (NAAB) or that is approved by the Board. All applicants for the ARE must have started or completed the Architectural Experience Program (AXP) requirements. ( )

~~02.b. Satisfactory Experience in Lieu of Education.~~ ~~Degree Applicants.~~ The Board may allow an applicant without an architecture degree to sit for the architecture examination upon determining that such applicant has attained the knowledge and skill approximating that attained by graduation from an accredited architecture curriculum including the submission of a record of ~~The~~ eight (8) years must consist of at least six (6) years of experience under the direct supervision of a licensed architect and the remaining two (2) years may be under the direct supervision of a licensed engineer who practices in the field of building construction as approved by the Board. or more of experience in architecture work of a character deemed satisfactory by the Board. Said experience may include that necessary for completion of the AXP. Two (2) years of eight (8) or more years of experience may be accepted if determined that such experience is directly related to architecture under the direct supervision of a registered engineer (practicing as a structural, civil, mechanical or electrical engineer in the field of building construction) or a registered landscape architect. At least six (6) years of such experience must be obtained while working under the direct supervision of a licensed architect. A person is qualified for the examination once they have met the experience requirement and started the AXP. ( )

#### PENDING TEXT 100.01.b.

b. Satisfactory Experience In Lieu Of Education. ~~The eight (8) years must consist of Eight (8) years consisting of~~ at least ~~four-six (46)~~ years of experience under the direct supervision of a licensed ~~landscape~~ architect; ~~with the remainder being directly related to landscape architecture and the remaining two (2) years may be under the direct supervision of a licensed engineer who practices in the field of building construction as approved by the board.~~ ( )

~~100.01.c. Continuing Education. Requirement.~~ Each Idaho ~~Beginning the second year of licensure, to renew, a~~ licensed architect must ~~successfully complete, during the prior licensure period, and retain proof of completion a minimum~~ of twelve (12) hours of approved continuing education ~~in germane to architectural~~ the health, safety, and welfare in the practice of architecture. Approved courses are those offered by providers approved by NCARB, the National Architectural Accreditation Board (NAAB), or the American Institute of Architects (AIA). A licensee may submit a request for Board approval of other courses. ealendar year prior to license renewal. ( )

#### PENDING TEXT 100.01.c.

c. Continuing Education. Beginning the second year of licensure, to renew, a licensed architect must complete, during the prior licensure period, and retain proof of completion of twelve (12) hours of approved continuing education germane to the ~~health, safety, and welfare in the~~ practice of architecture as it relates to the health, safety, and welfare of the general public. Approved courses are those offered by providers approved by NCARB, the National Architectural Accreditation Board (NAAB), or the American Institute of Architects (AIA). A licensee may submit a request for Board approval of other courses. (\_\_\_\_)

~~a. Each licensee will submit to the Board their annual renewal application form and required fees, and will certify that they have complied with annual CE requirements for the previous calendar year. Each licensee will provide to the Board together with their application for reinstatement of an expired license form and required fees, proof of compliance with annual CE requirements for each year that their license was expired. A license that has been canceled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code. (\_\_\_\_)~~

~~b. A licensee is considered to have satisfied their CE requirements for the first renewal of their initial license. Licensees who have failed to meet the annual continuing education requirement may petition the Board for additional time to complete their continuing education requirements. (\_\_\_\_)~~

~~e.i. A licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement. (\_\_\_\_)~~

~~d. One (1) continuing education hour is equal to one (1) learning unit, as determined by the American Institute of Architects, or one (1) clock hour of education, as determined by the Board. (\_\_\_\_)~~

~~02. Architectural Health, Safety and Welfare Requirement. To qualify for continuing education, a course must involve architectural health, safety and welfare, which generally relates to the structural integrity or unimpairedness of a building or building sites and be germane to the practice of architecture. Courses may include the following subject areas: (\_\_\_\_)~~

~~a. Legal, which includes laws, codes, zoning, regulations, standards, life safety, accessibility, ethics, insurance to protect owners and public. (\_\_\_\_)~~

~~b. Building systems, which includes structural, mechanical, electrical, plumbing, communications, security, and fire protection. (\_\_\_\_)~~

~~e. Environmental, which includes energy efficiency, sustainability, natural resources, natural hazards, hazardous materials, weatherproofing, and insulation. (\_\_\_\_)~~

~~d. Occupant comfort, which includes air quality, lighting, acoustics, ergonomics. (\_\_\_\_)~~

~~e. Materials and methods, which includes construction systems, products, finishes, furnishings, and equipment. (\_\_\_\_)~~

~~f. Preservation, which includes historical, reuse, and adaptation. (\_\_\_\_)~~

~~g. Pre-Design, which includes land use analysis, programming, site selection, site and soils analysis, and surveying. (\_\_\_\_)~~

~~h. Design, which includes urban planning, master planning, building design, site design, interiors, safety and security measures. (\_\_\_\_)~~

~~i. Construction documents, which includes drawings, specifications, and delivery methods. (\_\_\_\_)~~

~~j. Construction contract administration, which includes contracts, bidding, contract negotiations.~~

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~~03. Approved Credit.~~ Continuing education courses must be presented by: ( )

~~a. Providers approved by the National Architectural Accreditation Board (NAAB) schools of architecture; or ( )~~

~~b. Providers approved by the National Council of Architectural Registration Board (NCARB); or ( )~~

~~e. Providers approved by the American Institute of Architects (AIA); or ( )~~

~~d. Providers as otherwise approved by the Board. All requests for approval or pre-approval of continuing education credits must be made to the Board in writing and must be accompanied by a statement that includes the name of the instructor or instructors, his or her qualifications, the date, time and location of the course, the specific agenda for the course, the number of continuing education hours requested, and a statement of how the course is believed to be in the nature of architectural health, safety and welfare. ( )~~

~~04. Verification of Attendance.~~ It shall be necessary for each licensee to maintain verification of attendance by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours attended by the licensee. This verification shall be maintained by the licensee for a period of five (5) years and provided to the Board upon request of the Board or its agent. ( )

~~05. Failure to Fulfill the Continuing Education Requirements.~~ The license will not be renewed for those licensees who fail to certify or otherwise provide acceptable documentation of meeting the CE requirements. Licensees who make a false attestation regarding compliance with the CE requirements shall be subject to disciplinary action by the Board. ( )

~~06. Exemptions.~~ A licensed architect shall be deemed to have complied with the CE requirements if the licensee attests in the required affidavit that for not less than ten (10) months of the preceding one (1) year period of licensure, the architect has met one (1) of the following criteria: ( )

~~a. Meets the military exemption set forth in Section 67-2602A, Idaho Code. ( )~~

~~b. Is a government employee working as an architect and assigned to duty outside the United States. ( )~~

~~e. Special Exemption. The Board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. The architect must provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board. ( )~~

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## 24.07.01 – RULES OF THE IDAHO STATE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

### ~~101. 100.02. Landscape Architect Requirements.~~

~~Aa. Approved Education.~~

~~An approved college or school of landscape architecture shall have a landscape architecture program accredited by the Landscape Architectural Accreditation Board (LAAB), or shall substantially meet the accrediting standards of the LAAB as may be determined by the Board. ( )~~

~~102.B. PRACTICAL SATISFACTORY~~

~~Bb. Satisfactory Experience In Lieu Of Education.~~

~~An applicant shall document at least The eight (8) years must consist of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture. of actual practical experience in landscape architecture in lieu of graduation from an approved college or school of landscape architecture. Such experience shall establish the applicant's education in those subjects and areas contained in the curriculum of an approved college or school of landscape architecture. No less than fifty percent (50%) of such practical experience shall be under the supervision of a licensed landscape architect.( )~~

**PENDING TEXT 100.02.a. and b.**

a. Approved Education. A landscape architecture program accredited by the Landscape Architectural Accreditation Board (LAAB).( )

b. Satisfactory Experience in Lieu of Education. ~~The eight (8) years must consist of~~ Eight (8) years consisting of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture. ( )

~~100.02.Cc. Required Examination. Passage of the Landscape Architect Registration Examination administered by the Council of Landscape Architects Registration Boards (CLARB). The examination prepared by the Council of Landscape Architectural Registration Boards is an approved examination. The Board may approve other examinations it deems appropriate.( )~~

~~01. Minimum Passing Score. The minimum passing score for each section of the examination shall be the score as determined by the examination provider.( )~~

~~02. Failing a Section of Exam. An applicant failing any section of the examination will be required to retake only that section failed.( )~~