

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
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DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 806
STATE BOARD OF ARCHITECT EXAMINERS

FILED

07/01/2024 10:34 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amends the date of the NCARB Architectural Experience Program (AXP) Guidelines.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 08/21/2024 4:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT: Elizabeth Boxall
503-763-0662, Ext. 5
elizabeth.boxall@osbae.oregon.gov

205 Liberty St. NE, Suite A
Salem, OR 97301

Filed By:
Mari Karnowski
Rules Coordinator

NEED FOR THE RULE(S)

Amend the date of the referenced guide to align with the most current version.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS 671.010 to 220 and OAR 806. These documents are available at oregon.gov/osbae.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The rule revisions have no impact on racial equity.

FISCAL AND ECONOMIC IMPACT:

There is no material fiscal impact on registrants or small business.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) The Board will absorb the costs required to implement these changes within its current staffing levels and budgeted resources. No state agencies, units of local government, nor members of the public are likely to be economically affected.

(2) (a) Small businesses are not affected by this rule. (b) No reporting, recording or other administrative activities related to the proposed change. (c) No change.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The Board is comprised of 5 registrants and 2 public members, which includes small business representation.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The revisions are minor and were discussed at a public Board meeting. The proposed rules will be distributed to all actively registered architects and architectural firms and input will be obtained via the public comment process.

AMEND: 806-010-0010

RULE SUMMARY: Updates the date of the NCARB Architectural Experience Program (AXP) Guidelines from 2020 to 2024.

CHANGES TO RULE:

806-010-0010

Approved Architect and Firm Registration and Evaluation Programs ¶¶

(1) The Board adopts the education standard adopted by the National Council of Architectural Registration Boards (NCARB), consisting of a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB), or a professional degree in architecture certified by the CACB from a Canadian University.¶¶

(2) The Board adopts the requirements in the document titled NCARB Architectural Experience Program (AXP) Guidelines dated May 2020~~4~~ for the experience requirement for registration.¶¶

(3) The Board adopts the Architect Registration Examination (ARE) 5.0 prepared by NCARB, and previously adopted versions of the examination, as the approved examination to test applicant qualifications for registration. An applicant shall pass the ARE in accordance with the NCARB standards current at the time the applicant took the examination to obtain an initial registration. The Board shall accept the ARE results as determined by NCARB. To qualify for the ARE, an applicant shall present satisfactory evidence of one of the following:¶¶

(a) An architecture degree from an Approved Educational Program; or¶¶

(b) Active enrollment in a NCARB-accepted Integrated Path to Architectural Licensure (IPAL) option within an Approved Educational Program.¶¶

(4) The Board adopts the requirements in the document titled NCARB Certification Guidelines dated July 2022 for the NCARB Certificate under OAR 806-010-0035(3)(f)(A).¶¶

(5) A person may be considered for registration by the Board by satisfying:¶¶

(a) The rules for registration by examination under OAR 806-010-0020; or¶¶

(b) The rules for registration by reciprocity under OAR 806-010-0035.¶¶

(6) A firm may be considered for registration by the Board by satisfying the rules under OAR 806-010-0080.¶¶

(7) To pass the Jurisprudence Exam (JE) an individual must do the following:¶¶

(a) Complete the JE within 90 minutes; and¶¶

(b) Score at least 84 percent.¶¶

(A) An individual who fails the JE must wait seven days before retaking the examination.¶¶

(B) Test results are final and binding on the applicant.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 670, 670.310, 671, 671.041, 671.050, 671.125

Statutes/Other Implemented: ORS 671.010 - 671.220