

STATEMENT OF SCOPE

Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors

Rule No.: A-E 5

Relating to: Designer Permit

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The Designer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors (A-E Board) has determined that chapter A-E 5, relating to Designer Permit, needs to be reviewed and potentially amended to provide clarification on qualifications for the permit. A full review of the chapter will be undertaken to examine the education, experience, and specific types of permit requirements to ensure consistency and clarity for applicants.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

A comprehensive review will be undertaken to evaluate and potentially amend A-E 5 to provide clarification for designer permit applicants. There has been confusion in the applications related to experience and how it is defined in the rules for the different fields of the designer permit. The Designer Section would like to provide improved guidance on how the applicant's education and experience needs to relate to the field of the specific designer permit. A comprehensive review of the chapter is required to ensure consistency and clarity in the review and approval of applications for designers. The alternative of not reviewing and potentially amending the rules would be less beneficial to affected entities.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board, "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains..."

Section 440.035 (1m), Stats., states that, "each examining board or affiliated credentialing board attached to the department or an examining board shall ... independently exercise its powers, duties and functions prescribed by law with regard to rule-making, credentialing and regulation."

Section 443.07 (1), Stats., provides that, "an applicant for a permit as a designer shall submit as evidence satisfactory to the designer section of the examining board ... to indicate that he or she is competent to be..." a designer. Subsection (3) states, "permits shall be granted, designated,

and limited to the fields and subfields of technology as are determined by the designer section and recognized in engineering design practice.” Subsection (5) states, “the permit shall, on its face, restrict the holder thereof to the specific field and subfields of designing in which the permittee acquired his or her experience in designing. If qualified in more than one type of designing, persons may receive permits for more than one field or subfield of designing as may be determined by the designer section.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

The Department estimates approximately 120 hours will be needed to perform the review and develop any rule changes. The Department will assign existing staff to perform the review and develop the rule changes. No additional resources will be required.

6. List with description of all entities that may be affected by the proposed rule:

Those who plan to apply for a designer permit.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The rule changes contemplated in this project are not expected to have any negative economic impacts on any of the affected entities.

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Department Head or Authorized Signature

Date Submitted