

STATEMENT OF SCOPE

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

Rule No.: A-E 3

Relating to: Architect Registration

Rule Type: Permanent

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

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

At the 2022 National Council of Architectural Registration Boards (NCARB) Annual Business Meeting, member licensing boards ratified a mutual recognition agreement (MRA) between NCARB and its counterpart in the United Kingdom, the Architects Registration Board (ARB). This MRA allows for reciprocal licensure between residents of the United States and the United Kingdom.

The objective of the proposed rule is to conduct a comprehensive review of architect registration requirements and ensure that experience, education, and examination requirements for architect registration reflect current best practices and make any amendments required to prevent confusion for both Wisconsin applicants seeking foreign reciprocity and foreign applicants seeking Wisconsin reciprocity.

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:

The ratified agreement between the National Council of Architectural Registration Boards (NCARB) and the Architects Registration Board (ARB) provides an opportunity to review, clarify and update current architect registration requirements.

The alternative is to not revise the architect registration rules, which the Board believes will result in confusion for potential licensure applicants as well as professionals practicing in the field who wish to pursue reciprocal licensure.

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

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

Section 227.11 (2) (a), Stats., "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute..."

Section 443.03 (1), Stats., provides that architect applicants must submit satisfactory evidence “that he or she has acquired a thorough knowledge of sound construction, building hygiene, architectural design and mathematics,” including, “one of the following:

- 1m. A diploma of graduation, or a certificate, from an architectural school or college approved by the architect section as of satisfactory standing, together with at least 2 years' practical experience of a character satisfactory to the architect section in the design and construction of buildings.
2. A specific record of 7 or more years of experience in architectural work of a character satisfactory to the architect section in the design and construction of buildings.”

Section 443.09, Stats., relating to examination and experience requirements, states “(1) considering the qualifications of an applicant as an architect...responsible charge of architectural...teaching may be construed as experience. (2) Subject to ss. 111.321, 111.322 and 111.335, no person who has an arrest or conviction record is eligible for registration as an architect...and, (4) Written or written and oral examinations shall be required of every applicant for registration as an architect...Only one form of examination may be required for all applicants. The examination shall be reasonably related to the skills likely to be needed by an applicant practicing the profession at the time of examination and seek to determine the applicant's preparedness to exercise such skills.”

Section 443.10 (1), Stats., relating to registration and reciprocity, states, “(a) The appropriate section of the examining board may, upon application and the payment of the required fee, grant a certificate of registration as an architect...to any person who holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects...are of a standard not lower than specified in this chapter. (b) The appropriate section of the examining board may, upon application and payment of the required fee, grant a certificate of registration as an architect..., to any person who holds an unrevoked card or certificate of national reciprocal registration, issued by any state, territory, or possession of the United States or by any country, which is in conformity with the regulations of the national council of state board of architectural...examiners, and who complies with the regulations of the appropriate section, except as to qualifications and registration fee. (d) The appropriate section of the examining board may, upon application and payment of the required fee, grant a permit to practice or to offer to practice architecture...to a person who is not a resident of and has no established place of business in this state, or who has recently become a resident of this state, if the person holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects...are of a standard not lower than specified in this chapter.”

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

80 hours

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

Registered architects and individuals seeking to enter the profession as a registered architect in Wisconsin.

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 proposed rule is likely to have minimal to no economic impact on small businesses and the state's economy as a whole.

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