

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2015-0922-03	REGULATORY ACTION NUMBER 2016-0826-015	EMERGENCY NUMBER
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ENDORSED - FILED
 In the office of the Secretary of State
 of the State of California

SEP 29 2016
 1:43 P.M.

For use by Office of Administrative Law (OAL) only

2016 AUG 26 A 8:14

OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
 California Architects Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER 2015 402	PUBLICATION DATE 10/2/2015

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Architect Registration Examination (ARE) Transition	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 119.8
	AMEND 118.5
	REPEAL 16

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §911346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
 N/A

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 10/1/16 per GC 11343.4(b)(3)
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6. IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
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Other (Specify) **Awet Kidane, Director, Department of Consumer Affairs**

7. CONTACT PERSON Timothy Rodda	TELEPHONE NUMBER (916) 575-7217	FAX NUMBER (Optional) (916) 575-7283	E-MAIL ADDRESS (Optional) timothy.rodde@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Douglas B. McCauley</i>	DATE 8-25-16
TYPED NAME AND TITLE OF SIGNATORY Douglas B. McCauley, Executive officer	

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ENDORSED APPROVED

SEP 29 2016

Office of Administrative Law

CALIFORNIA ARCHITECTS BOARD

FINAL STATEMENT OF REASONS

Hearing Date: November 16, 2015

Subject Matter of Proposed Regulations: Architect Registration Examination (ARE) Transition

Section Affected: Title 16, California Code of Regulations (CCR), Sections 118.5 and 119.8

Updated Information

The Initial Statement of Reasons is included in the file. The information contained therein is updated as follows:

There were two non-substantive changes to the text of the proposed rulemaking file, the first deletes the introductory sentence, which is inaccurate as ARE 5.0 will not be offered until November 1, 2016 and is unnecessary, and the second, deleting “and versions thereafter” from the language to avoid any confusion and clarify the version of the examination to be taken and credited.

The proposed regulations will not have a significant adverse economic impact directly affecting businesses due to the modification of the licensing examination. The modification to the examination credit will not have an impact on the ability for businesses to compete in other states or within California, as it only impacts individuals who are in the process of becoming licensed. These individuals are not required to be employed to take the licensing examination, only to have met the requirements for examination eligibility.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

This regulation will not have a significant adverse economic impact on small business.

Anticipated Benefits of This Regulatory Action

The proposed regulatory amendment aligns credit for ARE divisions specified in the regulations with the nationally accepted model. The proposal also creates a chart for those candidates who transition from ARE 4.0 to ARE 5.0, allowing candidates to retain

credit for divisions of the ARE passed in prior versions. Candidates who change their licensing jurisdiction to California will retain credit for divisions taken in other jurisdictions.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

One alternative would be to keep the status quo, but if the Board does not adopt the proposed amendment, candidates would be unable to receive new or transitional credit for examinations in the updated format. This would cause an adverse delay in completion of the ARE, and subsequently licensure.

Objections or Recommendations/Responses

There were no objections or recommendations regarding the proposed action.