

DEPARTMENT OF CONSUMER AFFAIRS

**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 2.**

CALIFORNIA ARCHITECTS BOARD

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Experience Evaluation

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than Tuesday, June 4, 2024, by 5:00 p.m.**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 5526, 5550 and 5552 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 5550 and 5552, the Board is considering amending section 117 of title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Currently, Board regulations 16 CCR section 117 describe the method by which candidates may obtain the required experience to become eligible for licensure as set forth in BPC section 5552. The existing regulation provides a chart of experience followed by explanations of education, training, and practice equivalents as necessary. 16 CCR 117 was last updated in 2014, when the now non-existent NCARB program was available. The current regulation references an obsolete program, limits the amount of work experience that can be gained while enrolled in an academic setting and the

experience submitted as part of an internship program, and lists specific degrees related to architecture.

This proposal would increase the amount of experience allowed for earning a degree related to architecture and broaden the degrees that are related to architecture which will, in turn, reduce delays in licensure. Additionally, increasing the amount of experience that can be granted for completing degree and internship programs will increase efficiencies for staff and reduce unnecessary delays in licensure for candidates.

This regulatory proposal will amend 16 CCR section 117. The amendments to the regulations through this proposed rulemaking are as follows:

Amend 16 CCR section 117 prefatory paragraphs to clarify the Table of Equivalents' structure and purpose.

Amend 16 CCR section 117(a) to clarify language and remove obsolete language and columns from the table that are unnecessary. This will provide a more clear and concise understanding of what the following table will include to make it easier for future licensees to comprehend the requirements for licensure.

Amend 16 CCR section 117(a)(1) to update the language so candidates can clearly locate additional information about relevant degrees and update the table with relevant credit. This will provide a more clear and concise understanding of the acceptable equivalents making it easier for future licensees to comprehend the requirements for licensure.

Amend 16 CCR section 117(a)(2) to update the language so candidates can clearly locate additional information about relevant degrees and update the table with relevant credit.

Amend 16 CCR section 117(a)(3) to remove unnecessary language, update the language so candidates can clearly locate additional information about relevant degrees, increase the maximum amount of credit gained for the degree, and update the table with relevant credit.

Remove former 16 CCR section 117(a)(4) as it duplicates prior subsection (a)(3).

Amend 16 CCR section 117(a)(4) to renumber for consistency, remove unnecessary language, update the language so candidates can clearly locate additional information about relevant degrees, increase the maximum amount of credit gained for the degree, and update the table with relevant credit.

Amend 16 CCR section 117(a)(5) to renumber for consistency and remove obsolete language to provide more concise and clear information for candidates.

Amend 16 CCR section 117(a)(6) to renumber for consistency and remove obsolete language to provide more concise and clear information for candidates.

Amend 16 CCR section 117(a)(7) to renumber for consistency, remove unnecessary language, update the language so candidates can clearly locate additional information about relevant degrees, increase the maximum amount of credit gained for the degree, and update the table with relevant credit.

Amend 16 CCR section 117(a)(8) to relocate former subsection (a)(14) for clarity and relevance.

Amend 16 CCR section 117(a)(9) to renumber for consistency, update language so candidates can clearly locate additional information about work experience, increase the maximum amount of credit that can be gained, and update the table with relevant credit.

Amend 16 CCR section 117(a)(10) to renumber for consistency, clarify documentation sources so the Board receives complete information regarding candidates, update language so candidates can clearly locate additional information about work experience, and remove extraneous and obsolete language.

Remove 16 CCR section 117(a) former paragraph (10), subparagraphs (A) – (E) to facilitate licensure and align the Board with the national standard, providing consistency to candidates.

Amend 16 CCR section 117(a)(11) to clarify documentation sources so the Board receives complete information regarding candidates, update language so candidates can clearly locate additional information about work experience, increase the maximum amount of credit that can be obtained, and remove extraneous and obsolete language.

Amend 16 CCR section 117(a)(12) to renumber for consistency, update language so candidates can clearly locate additional information about work experience, and remove extraneous and obsolete language.

Amend 16 CCR section 117(a)(13) to renumber for consistency and remove obsolete language.

Amend 16 CCR section 117(a)(14) to renumber for consistency, update language so candidates can clearly locate additional information about work experience, and remove obsolete language.

Amend 16 CCR section 117(a)(15) to renumber for consistency, update language so candidates can clearly locate additional information about work experience, update additional language for clarity, and remove obsolete language.

Amend 16 CCR section 117(a)(16) to renumber for consistency and remove obsolete language.

Amend 16 CCR section 117(a)(17) to renumber for consistency, update language so candidates can clearly locate additional information about work experience, update additional language for clarity, and remove obsolete language.

Amend 16 CCR section 117(a)(18) to renumber for consistency, update language so candidates can clearly locate additional information about work experience, increase maximum credit allowed, update additional language for clarity, and remove obsolete language.

Amend 16 CCR section 117(b) to remove obsolete language that relates to prior method of evaluating candidates.

Remove 16 CCR section 117(b), former paragraph (1) as it is unnecessary language.

Amend 16 CCR section 117(b)(1) to renumber for consistency and remove unnecessary language.

Amend 16 CCR section 117(b)(2) to renumber for consistency and update language to gender neutral pronouns.

Amend 16 CCR section 117(b)(3) to renumber for consistency and update language to correct references.

Amend 16 CCR section 117(b)(4) to renumber for consistency, update language to correct references, simplify and clarify language, and remove unnecessary language.

Amend 16 CCR section 117(b)(5) to renumber for consistency, update language to correct references, simplify and clarify language, and remove unnecessary language. Additionally, specific degrees are replaced with National Center for Education Statistics Classification of Instructional Programs codes for degree programs.

Remove 16 CCR section 117(b), former paragraph (6), subparagraphs (A) – (C) as this refers to prior language that is being removed to align the Board with national standards and facilitate licensure.

Amend 16 CCR section 117(b)(6) to renumber for consistency and update language to ensure submitted degrees are from legitimate educational institutions.

Amend 16 CCR section 117(b)(7) to renumber for consistency and update language to gender neutral pronouns.

Amend 16 CCR section 117(b)(8) to renumber for consistency and update language to correct references.

Amend 16 CCR section 117(b)(9) to renumber for consistency.

Amend 16 CCR section 117(b)(10) to renumber for consistency and update language for clarity.

Amend 16 CCR section 117(c) to remove obsolete and unnecessary language.

Amend 16 CCR section 117(c)(1) to update language to cover the possibility of a candidate obtaining a high school alternative degree.

Amend 16 CCR section 117(c)(2)(A) to include registered professionals for jurisdictions that register instead of license.

Amend 16 CCR section 117(c)(2)(B) to update references, clarify language and include registered architects for jurisdictions that register instead of license.

Amend 16 CCR section 117(c)(3) to clarify the definition of primary source documentation.

Amend 16 CCR section 117(c)(4) to include registered professionals for jurisdictions that register instead of license.

Remove 16 CCR section 117(c), former paragraph (5) as this refers to prior language that is being removed to align the Board with national standards and facilitate licensure and thus provides uniformity of the process and requirements.

Amend 16 CCR section 117(c)(5) to renumber for consistency and update language to comply and remain consistent with the language in BPC section 7068.

Amend 16 CCR section 117(c)(6) to renumber for consistency.

Remove 16 CCR section 117(c), former paragraph (8) as this refers to a program that no longer exists.

Remove 16 CCR section 117(d) to remove obsolete language and reduce confusion.

Remove 16 CCR section 117(d), former paragraph (1) to align the Board with national standards for candidates who gained work experience outside of architecture, which will provide uniformity and clarity.

Amend 16 CCR section 117(c)(7) to renumber for consistency, update language to gender neutral pronouns, remove redundant wording, and clarify when candidates can accumulate experience.

Add 16 CCR section 117(c)(7)(A) to renumber for clarity, update the location of an incorporated document, and clarify candidate requirements.

Add 16 CCR section 117(c)(7)(B) to renumber for clarity, clarify required documentation, and remove unnecessary documentation.

Remove 16 CCR section 117(e) and paragraphs (1) – (2) as it was inconsistent with national standards, contains unnecessary language, and created confusion.

Anticipated Benefits of Proposal

This proposal would provide clarifying and simplified language specific to meeting the experience requirement for an architect license in California. The Board would align with national standards to facilitate licensure, expand methods of gaining experience, clarify how candidates can gain experience, make requirements consistent for all applicants, and remove outdated language.

This regulatory proposal does not affect worker safety, or the state's environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The proposed regulations do not result in a fiscal impact to the state. This proposal clarifies how candidates document the experience required for architectural licensure. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

The proposed regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None

Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement: None

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The rulemaking file includes the facts, evidence, documents, testimony, and/or other evidence that supports this determination. The Board has not considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit such proposals.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS:

Impact on Jobs / Businesses

The Board has determined that this regulatory proposal will not impact on the following:

- 1) Creation or elimination of jobs within California,
- 2) Creation of new businesses or elimination of existing businesses within California, or
- 3) Expansion of businesses currently doing business within the State.

Benefits of Regulation:

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by aligning licensure requirements with the national standards.

This regulatory proposal does not affect worker safety because it does not involve worker safety.

This regulatory proposal does not affect the state's environment because it does not involve the environment.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that the proposed regulations will not affect small

businesses. Although small businesses owned by candidates of the Board may be impacted, any costs of compliance are a result of current law.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit written comments relevant to the above determinations at the Board's office at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 2420 Del Paso Road, Suite 105, Sacramento, California 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the

rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Timothy Rodda
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: 279.895.1246
E-Mail Address: timothy.rodga@dca.ca.gov

The backup contact person is:

Name: Laura Zuniga
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: 916.471.0760
E-Mail Address: laura.zuniga@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET:

Materials regarding this proposal can be found at https://www.cab.ca.gov/news/laws/proposed_regulation.shtml.

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at https://www.cab.ca.gov/news/laws/proposed_regulation.shtml.