

DEPARTMENT OF CONSUMER AFFAIRS

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

CALIFORNIA ARCHITECTS BOARD

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Examination Eligibility

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 by Monday, March 3, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 5526 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section 5550, the Board is considering amending section 116 of title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Currently, Board regulations 16 CCR section 116 describes the method by which candidates obtain eligibility for the National Council of Architectural Registration Boards (NCARB) Architect Registration Examination (ARE) and the Board’s California Supplemental Examination (CSE). The existing regulation states that candidates must document five years of experience to become eligible for the ARE, and candidates must document eight years of experience and complete the ARE before becoming eligible to take the CSE. 16 CCR 116 was last amended in 2014, when the requirement was

added to possess an NCARB Record to obtain ARE eligibility. The current regulation conflicts with NCARB's standard for ARE eligibility that only requires a high school diploma or equivalent.

This proposal will require an application be submitted to the Board to remove the experience requirement in order for a candidate to become eligible to take the ARE. Additionally, the proposal will remove the eight-year experience and ARE completion requirements to be eligible for the CSE. In addition to meeting the NCARB standard for ARE eligibility, this proposal will potentially reduce unnecessary delays in licensure for candidates by allowing them to test when they are ready, rather than by way of an arbitrary linear progression.

This regulatory proposal will amend 16 CCR section 116. The amendments to the regulations through this proposed rulemaking are as follows:

Amend 16 CCR section 116(a) to remove the reference to multiple possible requirements for ARE eligibility and clarify that an application with a fee needs to be submitted to become eligible for the examination. Allowing candidates to be eligible for an examination by submitting an application without the requirements of needing additional years of experience may reduce delays in licensure.

Remove 16 CCR section 116(a)(1-3) as they describe methods required to meet the experience requirement for ARE eligibility, which are now obsolete.

Amend 16 CCR section 116(b)(1) to remove numeric paragraph structure, remove the experience and ARE examination requirement to take the CSE, and clarify that candidates must submit applications with fees to the Board.

Remove 16 CCR section 116(b)(2) as it describes the method required to meet CSE eligibility, which are now obsolete.

Anticipated Benefits of Proposal

This proposal would align with national standards to facilitate examination eligibility and therefore, licensure. The proposed amendments would also reduce unnecessary delays while simultaneously simplifying the process.

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 obtain examination eligibility. 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 individuals 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 aligning the scheduling of examinations and reporting results in California with established national standards will streamline the licensure process. This alignment is expected to significantly benefit the health and welfare of California residents by allowing qualified professionals to enter the workforce more efficiently and meet the high standards of care required in our communities.

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.rodde@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/resrcs/laws_regs/prop_reg.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/resrcs/laws_regs/prop_reg.shtml.