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Sequence Number: 06-22-13
 Notice ID(s): 2032-2035
 File Date: 6/21/13

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee State Board of Architectural and Engineering Examiners
Division:	Division of Regulatory Boards, Department of Commerce and Insurance
Contact Person:	Robert Herndon, Assistant General Counsel
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	Department of Commerce and Insurance 500 James Robertson Parkway Nashville, Tennessee 37243
Phone:	(615) 741-0481
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Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Davy Crockett Tower, Conference Room 1-A 500 James Robertson Parkway		
Address 2:			
City:	Nashville		
Zip:	37243		
Hearing Date :	08/14/13		
Hearing Time:	1:00 p.m.	<input checked="" type="checkbox"/> X CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
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0120-01	Registration Requirements and Procedures
Rule Number	Rule Title
0120-01-.03	Residency Requirements
0120-01-.04	Applications – General
0120-01-.05	Applications – Engineer
0120-01-.06	Applications – Engineer Intern
0120-01-.08	Applications – Landscape Architect
0120-01-.09	References
0120-01-.10	Education and Experience Requirements – Engineer
0120-01-.11	Education and Experience Requirements – Architect
0120-01-.14	Examinations – Engineer, Engineer Intern
0120-01-.17	Postponement of Examinations – General
0120-01-.19	Postponement of Examinations – Engineer Intern
0120-01-.20	Reexamination – Engineer
0120-01-.21	Reexamination – Engineer Intern
0120-01-.26	Fee for Transfer of Examination Grades
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Chapter Number	Chapter Title
0120-02	Rules of Professional Conduct
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0120-02-.02	Proper Conduct of Practice
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Chapter Number	Chapter Title
0120-04	Interior Designers
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0120-04-.05	Experience Requirements
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0120-04-.12	Notification to the Board

Chapter Number	Chapter Title
0120-05	Continuing Education
Rule Number	Rule Title
0120-05-.14	Alternative Continuing Professional Development Option for Architects and Registered Interior Designers

Chapter 0120-01
Registration Requirements and Procedures

Repeal

Rule 0120-01-.03 Residency Requirements is repealed.

Authority: T.C.A. § 62-2-203(c).

Rule 0120-01-.17 Postponement of Examinations – General is repealed.

Authority: T.C.A. § 62-2-203(c).

Rule 0120-01-.19 Postponement of Examinations – Engineer Intern is repealed.

Authority: T.C.A. § 62-2-203(c).

Rule 0120-01-.26 Fee for Transfer of Examination Grades is repealed.

Authority: T.C.A. §§62-2-203(c).

Amendments

Rule 0120-01-.04 Applications – General is amended by deleting the text of paragraph (1) in its entirety and substituting instead the following language so that, as amended, the rule in its entirety shall read:

- (1) Applications for registration and certification are available on the Board website and upon request from the office of the Board.
- (2) Any application submitted which lacks required information or reflects a failure to meet any requirement will be held in "pending" status until satisfactorily completed within a reasonable period of time, not to exceed five (5) years from the date of application.
- (3) Any application submitted may be withdrawn; provided, however, that the application fee will not be refunded.

Authority: T.C.A. §62-2-203(c).

Rule 0120-01-.05 Applications – Engineer is amended by deleting the text of paragraph (1) in its entirety and substituting instead the following language so that, as amended, the rule in its entirety shall read:

- (1) An applicant for registration as an engineer shall submit with the application a nonrefundable application fee of thirty dollars (\$30.00). An applicant who has passed the required examination(s) shall also pay a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.
- (2) An applicant for registration as an engineer by comity shall pay a nonrefundable application fee of fifty-five dollars (\$55.00) and, if approved, a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.
- (3) The deadline for receipt of applications from candidates who must be examined prior to registration as an engineer shall be determined annually by the Board after the Board receives notification from the NCEES of the dates of the examinations.

Authority: T.C.A. §§ 62-2-203(c), 62-2-301(a) and 62-2-404(b).

Rule 0120-01-.06 Applications – Engineer Intern is amended by deleting the text of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

An application for certification as an engineer intern shall be accompanied by a nonrefundable fee of fifteen dollars (\$15.00). The application and fee must be submitted each time an applicant sits for the required examination. An applicant shall receive a certificate upon passing the required examination and meeting the other legal requirements.

Authority: T.C.A. §§ 62-2-203(c), 62-2-402(b), and 62-2-404(c)(2).

Rule 0120-01-.08 Applications – Landscape Architect is amended by deleting paragraph (3) in its entirety so that, as amended, the rule in its entirety shall read:

- (1) An applicant for registration as a landscape architect shall submit with the application a nonrefundable application fee of thirty dollars (\$30.00). An applicant who has passed the required examination(s) shall also pay a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.
- (2) An applicant for registration as a landscape architect by comity shall pay a nonrefundable application fee of fifty-five dollars (\$55.00) and, if approved, a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.

Authority: T.C.A. §§ 56-1-302(b), 56-1-302(h), 62-2-203(c), 62-2-307, 62-2-301(a), and 62-2-804(d) and (e).

Rule 0120-01-.09 References is amended by deleting the text of paragraph (1) in its entirety and substituting instead the following language, so that, as amended, the rule in its entirety shall read:

- (1) References named in applications for registration must be acquainted with the technical ability of the applicant, but need not be residents of the State of Tennessee. A minimum of five (5) references for architect, engineer, and landscape architect applicants shall be submitted. References from relatives will not be considered. No reference will be considered if prepared more than two (2) years prior to the date of application.
- (2) Three (3) such references must be registered architects or engineers with registration and experience in the applicant's field(s) of experience; except, however, that applicants for registration as a landscape architect may use references who are registered engineers, architects or landscape architects.
- (3) A maximum of three (3) references shall be obtained from the employer listed by the applicant. References are required from both the applicant's current employer/supervisor and a past employer/supervisor (if applicable).
- (4) If a reference reply is uncomplimentary, derogatory, or unfavorable of the applicant, the applicant may be required to furnish additional references. If subsequent replies are unfavorable, the applicant will be scheduled for an interview with the Board for further consideration.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-301(a).

Rule 0120-01-.10 Education and Experience Requirements – Engineer is amended by deleting the text of subparagraphs (1)(f) and (1)(g) in their entirety substituting instead the following language, so that, as amended, the rule in its entirety shall read:

- (1) (a) Accredited engineering programs. An engineering curriculum of four (4) years or more which was accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET) (or its predecessor) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation, may be approved by the Board as being satisfactory.
- (b) Nonaccredited engineering programs. An engineering curriculum of four (4) years or more which is a non-ABET accredited program shall be referred at the applicant's expense to a person or entity approved by the Board and qualified to evaluate equivalency to an ABET accredited engineering program for evaluation and recommendation. If the curriculum for the degree at the time of the applicant's graduation is substantially equivalent to ABET

accreditation requirements, the application shall be reviewed in accordance with the requirements for applicants holding engineering degrees from institutions which do not have ABET accredited engineering programs in consideration of the factors outlined below.

- (c) In reviewing applicants holding degrees from nonaccredited engineering programs, whether obtained in the United States or otherwise, which are substantially equivalent to degrees from ABET accredited programs, the Board may consider the following factors:
 - 1. Evidence of having obtained the statutory minimum acceptable progressive professional experience of a grade and character which indicates to the Board that the applicant may be competent to practice engineering; and
 - 2. At least five (5) references from individuals having knowledge of the applicant's technical competence as an engineer on projects of a grade and character which indicates to the Board that the applicant may be competent to practice engineering.
 - (d) Applicants meeting the above requirements shall be reviewed by the Board for determination of eligibility for either the Fundamentals of Engineering examination or the Principles and Practice of Engineering examination or for registration by comity.
 - (e) An engineering technology program, whether four (4) or two (2) years in length, is not considered by the Board to be an acceptable curriculum.
 - (f) Programs that allow credit for work experience and experiential learning (with the exception of cooperative education programs), or which are not part of an institution that is accredited or recognized as a degree-granting institution of higher learning within a national territory or in the United States, are not considered by the Board to be acceptable curricula.
 - (g) Engineering degrees from programs accredited by the Canadian Engineering Accreditation Board (CEAB) that were awarded in or after 1980 are considered substantially equivalent and do not require evaluation.
- (2) In general, "progressive experience in the practice of engineering" consists of engineering experience which is supervised by a registered professional engineer. The Board may grant toward experience requirements for registration as an engineer one (1) year of credit for graduation with a Master's degree (or higher) in engineering from an approved curriculum or up to one (1) year of qualified experience obtained in an established cooperative education program, which is carried out within the framework of an approved engineering curriculum, and which has been approved by the Board. At least one (1) year of engineering experience must be completed in the United States. Unless otherwise noted above, an applicant's engineering experience must be obtained after graduation with the qualifying degree and completed by the date of the examination.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-401.

Rule 0120-01-.11 Education and Experience Requirements – Architect is amended by adding the following language as a new subparagraph (3)(d), so that, as amended, the rule in its entirety shall read:

- (1) For purposes of evaluating the education and experience of applicants for examination and registration as an architect, the Board will utilize the "Table of Equivalents" contained in Appendix "A" to Circular of Information No. 1, published in July 1983 by the National Council of Architectural Registration Boards (NCARB), except to the extent that such document conflicts with any applicable statute.
- (2) Accredited architecture programs. An architecture program which was accredited by the National Architectural Accrediting Board (NAAB) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation, may be approved by the Board as being satisfactory. For purposes of this paragraph, a state-supported school of architecture approved by the Tennessee Higher Education Commission is deemed to have an accredited degree curriculum.

- (3)
 - (a) Nonaccredited architecture programs. For purposes of T.C.A. §§62-2-501(2) and 62-2-502(b), an architectural curriculum of four (4) years or more which is a non-NAAB accredited program shall be referred at the applicant's expense to a person or entity approved by the Board and qualified to evaluate equivalency to an NAAB accredited program for evaluation and recommendation. If the curriculum for the degree at the time of the applicant's graduation is equivalent to NAAB accreditation requirements, the application shall be reviewed in accordance with the requirements for applicants holding architecture degrees from institutions which do not have NAAB accredited architecture programs in consideration of the factors outlined below.
 - (b) In reviewing a non-accredited architectural curriculum, the Board may approve either an architectural curriculum of not less than four (4) years offered by a school of architecture as part of an architectural curriculum toward a NAAB accredited degree or its equivalent.
 - (c) In reviewing applicants holding degrees from non-accredited architecture programs, whether obtained in the United States or otherwise, which are substantially equivalent to degrees from NAAB accredited programs, the Board may consider the following factors:
 1. Evidence of having obtained the statutory minimum acceptable practical experience in architectural work, and
 2. At least five (5) references from individuals having knowledge of the applicant's technical competence as an architect.
 - (d) For purposes of this paragraph, an architectural degree from a program accredited by the Canadian Architectural Certification Board (CACB), or from a program deemed substantially equivalent by the NAAB, is deemed to be equivalent to a degree from a NAAB-accredited program.
- (4) For purposes of Tenn. Code Ann. §62-2-501(3), an approved "architecture-related curriculum" is an architectural engineering or architectural engineering technology curriculum accredited by the Accreditation Board for Engineering and Technology (ABET).
- (5) Effective December 1, 1984, an applicant for the required examination for registration as an architect must have completed the Intern-Architect Development Program (IDP) of the NCARB prior to registration.
- (6) An applicant for registration by comity shall submit proof acceptable to the board of having obtained the practical experience in architectural work required by Tenn. Code Ann. §§ 62-2-501 and 62-2-502.
- (7) In general, "practical experience in architectural work" consists of architectural experience which is supervised by a registered architect and meets the requirements of Tenn. Code Ann. § 62-2-503.
- (8) Applicants meeting the above requirements shall be reviewed by the Board for determination of eligibility for either the Architect Registration Examination prepared by the National Council of Architectural Registration Boards or for registration by comity.

Authority: T.C.A. §§ 62-2-203(c), 62-2-501, 62-2-502 and 62-2-503.

Rule 0120-01-.14 Examinations – Engineer, Engineer Intern is amended by deleting paragraph (4) in its entirety so that, as amended, the rule in its entirety shall read:

- (1) The NCEES prepares the examinations administered to candidates for registration as an engineer or certification as an engineer intern. The use of materials, reference books, notes, calculators and equipment in such examinations shall be in accordance with instructions by the NCEES.

- (2) The passing score on both the "Fundamentals of Engineering" and "Principles and Practice of Engineering" examinations shall be determined by the NCEES and shall be reported as "pass" or "fail."
- (3) A candidate who passes either the "Fundamentals of Engineering" examination or the "Principles and Practice of Engineering" examination may retain credit for passing such examination indefinitely.

Authority: T.C.A. §§ 62-2-203(c), 62-2-401(a) and 62-2-405.

Rule 0120-01-.20 Reexamination – Engineer is amended by deleting paragraph (2) in its entirety so that, as amended, the rule in its entirety shall read:

The "Principles and Practice of Engineering" examination is graded as a whole. A candidate for registration as an engineer who fails the examination must retake the examination in its entirety.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-405(c).

Rule 0120-01-.21 Reexamination – Engineer Intern is amended by deleting paragraph (2) in its entirety so that, as amended, the rule in its entirety shall read:

The "Fundamentals of Engineering" examination is graded as a whole. A candidate for certification as an engineer intern who fails the examination must retake the examination in its entirety.

Authority: T.C.A §§ 62-2-203(c), 62-2-404, and 62-2-405(c).

Rule 0120-01-.27 Mailing Addresses is amended by changing the title to Notification to the Board and deleting the text of the rule in its entirety and substituting instead the following language so that, as amended, the rule in its entirety shall read:

- (1) A registrant or applicant for registration shall notify the Board in writing within thirty (30) calendar days of any change of name, mailing address, e-mail address, phone number, or change of employment.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-207.

Chapter 0120-02
Rules of Professional Conduct

Amendments

Rule 0120-02-.02 Proper Conduct of Practice is amended by deleting the text of paragraph (5) in its entirety and substituting instead the following language, so that, as amended, the rule in its entirety shall read:

- (1) The registrant shall at all times recognize the primary obligation to protect the safety, health and welfare of the public in the performance of the registrant's professional duties.
- (2) If the registrant becomes aware of a decision taken by an employer, client, or contractor, against the registrant's advice, which violates applicable Federal, State or Local building Laws and Regulations or which may affect adversely the safety to the public, the registrant shall:
 - (a) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable Federal, State or Local building Laws and Regulations;
 - (b) Refuse to consent to the decision; and
 - (c) In circumstances where the registrant reasonably believes that other such decisions will be taken notwithstanding the registrant's objections, terminate services with reference to the project.

- (3) A registrant possessing knowledge of a violation of T.C.A. Title 62, chapter 2, or this chapter, shall report such knowledge to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as it may require.
- (4) The registrant shall maintain the continuing education records required by rule 0120-05-.10 RECORDS for a period of four (4) years and shall furnish such records to the Board for audit verification purposes within thirty (30) days of the Board's request.
- (5) A registrant possessing knowledge of an applicant's qualifications for registration shall cooperate with the applicant and/or the Board by responding appropriately regarding those qualifications when requested to do so. A registrant shall provide timely verification of employment and/or experience earned by an applicant under his or her supervision if there is reasonable assurance that the facts to be verified are accurate. A registrant shall not knowingly sign any verification document that contains false or misleading information.
- (6) A registrant may not enter into a contract for professional services on any basis other than direct negotiation with any governmental entity that is prohibited by T.C.A. § 12-4-106(a)(2)(A) from making a selection or awarding a contract on the basis of competitive bids, thereby precluding participation in any system requiring a comparison of compensation. Upon selection, a registrant may state compensation to a prospective client in direct negotiation where architectural, engineering, or landscape architectural services necessary to protect the public health, safety, and welfare have been defined.

Authority: T.C.A. §§ 62-2-203(c) and (d) and 62-204.

Rule 0120-02-.05 Conflicts of Interest is amended by deleting paragraph (5) in its entirety and renumbering the subsequent paragraphs so that, as amended, the rule in its entirety shall read:

- (1) The registrant shall conscientiously strive to avoid conflicts of interest with his employer or his client; but, when such conflict is unavoidable, the registrant shall forthwith disclose the circumstances to his employer or client in writing.
- (2) The registrant shall avoid all known conflicts of interest with his employer or client, and shall promptly inform his employer or client in writing of any business association, interests or circumstances which could influence his judgment or the quality of his services.
- (3) The registrant shall not accept compensation (financial or otherwise) from more than one (1) party for services on or pertaining to the same project unless the circumstances are agreed to in writing by all interested parties prior to the acceptance of any such compensation.
- (4) The registrant shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.
- (5) When in public service as a member, advisor or employee of a governmental body or department, the registrant shall not participate in considerations or actions with respect to services provided by him or his organization in private professional practices.
- (6) The registrant shall not solicit or accept any contract from a governmental body on which he, or a principal or officer of his organization, serves as a member.
- (7) When acting as the interpreter of construction contract documents and the judge of construction contract performance, the registrant shall render decisions impartially, favoring neither party to the construction contract.

Authority: T.C.A. §§ 62-2-203(c), and 62-2-308.

Rule 0120-02-.07 Misconduct is amended by deleting subparagraph (5)(c) in its entirety and renumbering the subsequent subparagraphs so that, as amended, the rule in its entirety shall read:

- (1) The registrant shall not knowingly associate with, or permit the use of his name or firm name in, a business venture by any person or firm which he knows, or has reason to believe, is engaging in business or professional practice of a fraudulent or dishonest nature.
- (2) The registrant shall not furnish limited services in such a manner as to enable unregistered persons to evade:
 - (a) Federal, State and Local building laws and regulations, including building permit requirements; or
 - (b) Registration requirements of *T.C.A.* Title 62, chapter 2.
- (3) The registrant may not take over, review, revise, or sign or seal drawings or revisions thereof when such plans are begun by persons not properly registered and qualified; or do any other act to enable either such persons or the project owners, directly or indirectly, to evade the registration requirements of *T.C.A.* Title 62, Chapter 2.
- (4) The registrant may not make or promise to make contributions of money for the purpose of securing a commission or influencing the engagement or employment of the registrant for a project.
- (5) A registrant may be deemed by the Board to be guilty of misconduct in his professional practice if:
 - (a) He has pleaded guilty or nolo contendere to or is convicted in a court of competent jurisdiction of a felony or fails to report such action to the Board in writing within sixty (60) days of the action;
 - (b) His license or certificate of registration to practice architecture, engineering or landscape architecture in another jurisdiction is revoked, suspended or voluntarily surrendered as a result of disciplinary proceedings or he fails to report such action to the Board in writing within sixty (60) days of the action;
 - (c) He has been delinquent in the payment of the professional privilege tax pursuant to *T.C.A.* §§ 67-4-1702 – 67-4-1704;
 - (d) He fails to respond to Board requests and investigations within thirty (30) days of the mailing of communications, unless an earlier response is specified; or
 - (e) He fails to comply with a lawful order of the Board.

Authority: *T.C.A.* §§ 62-2-203(c), 62-204, 62-212, and 62-2-308.

Rule 0120-02-.08 Seals is amended by deleting the text of paragraphs (5) and (6) in their entirety and substituting instead the following language so that, as amended, the paragraphs shall read:

- (5) (a) No registrant shall affix his seal or signature to sketches, working drawings, specifications or other documents developed by others not under his responsible charge and not subject to the authority of that registrant in critical professional judgments.
- (b) In circumstances where a registrant can no longer provide services on a project (such as death, retirement, disability, contract termination, etc.), a successor registrant may perform work on a set of plans originally prepared by another registrant. If the plans are incomplete (are at a stage prior to submittal to a reviewing official), the successor registrant may not seal the set of drawings prepared by the original registrant; rather, the successor registrant must take all steps necessary to ensure that the drawings were prepared under his or her responsible charge before sealing them. If the plans are complete and have been submitted to a reviewing official, the successor registrant may prepare and seal addenda sheets or document and seal changes to the original sheets if revisions are necessary.

- (6) (a) Responsible Charge. Plans, specifications, drawings, reports or other documents will be deemed to have been prepared under the responsible charge of a registrant only when:
1. The client requesting preparation of such plans, specifications, drawings, reports or other documents makes the request directly to the registrant, or to the registrant's employee at the time initial client contact is made, so long as the registrant has the right to control and direct the employee in the material details of how the work is to be performed;
 2. The registrant supervises and is involved in the preparation of the plans, specifications, drawings, reports or other documents and has input into and full knowledge of their preparation prior to their completion;
 3. The registrant reviews the final plans, specifications, drawings, reports or other documents; and
 4. The registrant has the authority to, and does, make any necessary and appropriate changes to the final plans, specifications, drawings, reports or other documents; and
 5. Contributions of information or predrawn detail items or detail units that are incidental to and intended to be integrated into a registrant's technical submissions are from trusted sources (including, but not limited to, manufacturers, installers, consultants, owners, or contractors), are subject to appropriate review, and are then coordinated and integrated into the design by the registrant.
- (b) Except as provided by Rule 0120-02-.08(5)(b), any changes made to the final plans, specifications, drawings, reports or other documents after final revision and sealing by the registrant are prohibited by any person other than the registrant, including but not limited to owners/clients, contractors, subcontractors, other design professionals, or any of their agents, employees or assigns.
- (c) Mere review of work prepared by another person, even if that person is the registrant's employee, does not constitute responsible charge unless the registrant has met the criteria set out above.
- (d) The intent of the definition of responsible charge may be met if all provisions of the definition are met using remote electronic or other communication means.

Authority: T.C.A. §§ 62-2-203(c), 62-2-306, and 62-2-306(d).

Chapter 0120-04
Interior Designers

Amendments

Rule 0120-04-.05 Experience Requirements is amended by deleting the text of paragraph (4) in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

- (4) Diversified interior design experience shall be demonstrated to the Board by the applicant who shall furnish the following:
- (a) An affidavit by the applicant attesting that the applicant has engaged in the practice of interior design for the number of years for which the applicant is claiming experience; and
 - (b) A minimum of five (5) references, on forms supplied by the Board, certifying that the applicant has provided interior design services for the period of experience claimed by the applicant. References from relatives will not be considered. No reference will be considered if prepared more than two (2) years prior to the date of application.

- (c) Three (3) such references must be registered interior designers and/or registered architects. In addition, one (1) client reference and one (1) employer reference are required. A client reference may be substituted for the employer reference if an applicant is self-employed.
- (d) If a reference reply is uncomplimentary, derogatory, or unfavorable of the applicant, the applicant may be required to furnish additional references. If subsequent replies are unfavorable, the applicant will be scheduled for an interview with the Board for further consideration.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-904(a).

Rule 0120-04-.10 Professional Conduct is amended by deleting the text of paragraph (17) in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

- (17) A registrant possessing knowledge of an applicant's qualifications for registration shall cooperate with the applicant and/or the Board by responding appropriately regarding those qualifications when requested to do so. A registrant shall provide timely verification of employment and/or experience earned by an applicant under his or her supervision if there is reasonable assurance that the facts to be verified are accurate. A registrant shall not knowingly sign any verification document that contains false or misleading information.

Authority: T.C.A. § 62-2-203(c).

New Rule

Rule 0120-04-.13 Notification to the Board is added to Chapter 0120-04, and shall read as follows:

0120-04-.13 Notification to the Board.

- (1) A registrant or applicant for registration shall notify the Board in writing within thirty (30) calendar days of any change of name, mailing address, e-mail address, phone number, or change of employment.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-207.

Chapter 0120-05 Continuing Education

New Rule

Rule 0120-05-.14 Alternative Continuing Professional Development Option for Architects and Registered Interior Designers is added to Chapter 0120-05, and shall read as follows:

0120-05-.14 Alternative Continuing Professional Development Option for Architects and Registered Interior Designers.

- (1) As an alternative to the requirements of Rule 0120-05-.04 Basic Requirements, a registered architect or registered interior designer may meet the continuing education requirement for renewal by obtaining 12 Continuing Education Hours (CEH) per calendar year. All twelve (12) Continuing Education Hours must be completed in Health, Safety, and Welfare subjects acquired in structured educational activities. Continuing Education Hours may be acquired at any location. Excess Continuing Education Hours may not be credited to a future calendar year.
- (2) For the purposes of this rule, CEH means one continuous instructional hour (50 to 60 minutes of contact) spent in structured educational activities intended to increase or update the architect's knowledge and competence in Health, Safety, and Welfare subjects. If the provider of the structured educational activities prescribes a customary time for completion of such an activity, then such prescribed time shall, unless the Board finds the prescribed time to be unreasonable, be accepted as the architect's time for Continuing Education Hour purposes irrespective of actual

time spent on the activity. Registrants will not receive credit for activities less than one (1) CEH in duration.

- (3) For purposes of this rule, a structured educational activity is one in which at least 75 percent of an activity's content and instructional time must be devoted to Health, Safety, and Welfare subjects related to the practice of architecture, including courses of study or other activities under the areas identified as Health, Safety and Welfare subjects and provided by qualified individuals or organizations, whether delivered by direct contact or distance learning methods.
- (4) For purposes of this rule, health, safety, and welfare subjects are technical and professional subjects that the Board deems appropriate to safeguard the public and that are within the following enumerated areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment.

BUILDING SYSTEMS: Structural, Mechanical, Electrical, Plumbing, Communications, Security, Fire Protection

CONSTRUCTION CONTRACT ADMINISTRATION: Contracts, Bidding, Contract Negotiations

CONSTRUCTION DOCUMENTS: Drawings, Specifications, Delivery Methods

DESIGN: Urban Planning, Master Planning, Building Design, Site Design, Interiors, Safety and Security Measures

ENVIRONMENTAL: Energy Efficiency, Sustainability, Natural Resources, Natural Hazards, Hazardous Materials, Weatherproofing, Insulation

LEGAL: Laws, Codes, Zoning, Regulations, Standards, Life Safety, Accessibility, Ethics, Insurance to Protect Owners and Public

MATERIALS and METHODS: Construction Systems, Products, Finishes, Furnishings, Equipment

PRE-DESIGN: Land Use Analysis, Programming, Site Selection, Site and Soils Analysis, Surveying

PRESERVATION: Historic, Reuse, Adaptation

Authority: T.C.A. § 62-2-203(d).

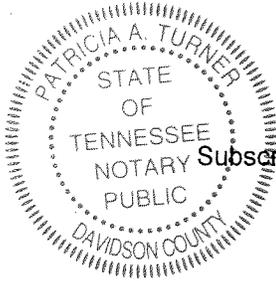
I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 6-21-2013

Signature: *Robert E. Herndon*

Name of Officer: ROBERT E. HERNDON

Title of Officer: ASSISTANT GENERAL COUNSEL



Subscribed and sworn to before me on: 6-21-13

Notary Public Signature: *Patricia A. Turner*

My commission expires on: 5-15-15

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Filed with the Department of State on: 6/21/13

Tre Hargett

Tre Hargett
Secretary of State

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