

**Chapter 18.08 RCW
ARCHITECTS**

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Public contracts for architectural services: Chapter 39.80 RCW.

*Safety requirements as to doors, public buildings, and places of
entertainment: RCW 70.54.070.*

RCW 18.08.235 Legislative findings—1985 c 37. The legislature finds that in order to safeguard life, health, and property and to promote the public welfare, it is necessary to regulate the practice of architecture. [1985 c 37 § 1.]

RCW 18.08.240 Architects' license account. There is established in the state treasury the architects' license account, into which all fees paid pursuant to this chapter shall be paid, except as provided in RCW 18.08.510. [2018 c 207 § 9; 1991 sp.s. c 13 § 2; 1985 c 57 § 4; 1959 c 323 § 15.]

Effective date—2018 c 207 §§ 9 and 10: See note following RCW 18.08.510.

Effective dates—1991 sp.s. c 13: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions.

(1) On or before June 30, 1991, the balances remaining in the local jail improvement and construction account, the 1979 handicapped facilities construction account, the salmon enhancement construction account, the community college capital improvements accounts, and the fisheries capital projects account shall be transferred to the state building construction account and the balance remaining in the Washington State University construction account shall be transferred to the Washington State University building account.

(2) Except for subsection (1) of this section, sections 1 through 47, 49 through 64, 66 through 108, and 110 through 122 of this act shall take effect July 1, 1991, but shall not be effective for earnings on balances prior to July 1, 1991, regardless of when a distribution is made.

(3) Sections 48 and 109 of this act shall take effect September 1, 1991.

(4) Section 65 of this act shall take effect January 1, 1992.

(5) *Sections 123 through 139 of this act shall take effect July 1, 1993, and shall be effective for earnings on balances beginning July 1, 1993, regardless of when a distribution is made." [1991 sp.s. c 13 § 141.]

***Reviser's note:** "Sections 123 through 139 of this act" [1991 sp.s. c 13] were vetoed by the governor.

Severability—1991 sp.s. c 13: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1991 sp.s. c 13 § 140.]

Effective date—1985 c 57: See note following RCW 18.04.105.

RCW 18.08.310 Authorization to practice required—Out-of-state firms—Associates. (1) It is unlawful for any person to practice or offer to practice architecture in this state, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description including the word "architect," "architecture," "architectural," or language tending to imply that he or she is an architect, unless the person is registered or authorized to practice in the state of Washington under this chapter.

(2) An architect or architectural firm registered in any other jurisdiction recognized by the board may offer to practice architecture in this state if:

(a) It is clearly and prominently stated in such an offer that the architect or firm is not registered to practice architecture in the state of Washington; and

(b) Prior to practicing architecture or signing a contract to provide architectural services, the architect or firm must be registered to practice architecture in this state.

(3) A person who has an accredited architectural degree may use the title "architectural associate" when enrolled in a structured training program recognized by the board and working under the direct supervision of an architect.

(4) The provisions of this section shall not affect the use of the words "architect," "architecture," or "architectural" where a person does not practice or offer to practice architecture. [2019 c 67 § 1; 2010 c 129 § 1; 1985 c 37 § 2.]

RCW 18.08.320 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Accredited architectural degree" means a professional degree from an institution of higher education accredited by the national architectural accreditation board or an equivalent degree in architecture as determined by the board.

(2) "Administration of the construction contract" means the periodic observation of materials and work to observe the general compliance with the construction contract documents, and does not include responsibility for supervising construction methods and processes, site conditions, equipment operations, personnel, or safety on the work site.

(3) "Architect" means an individual who is registered under this chapter to practice architecture.

(4) "Board" means the state board for architects.

(5) "Certificate of authorization" means a certificate issued by the director to a business entity that authorizes the entity to practice architecture.

(6) "Certificate of registration" means the certificate issued by the director to newly registered architects.

(7) "Department" means the department of licensing.

(8) "Director" means the director of licensing.

(9) "Engineer" means an individual who is registered as an engineer under chapter 18.43 RCW.

(10) "Managers" means the members of a limited liability company in which management of its business is vested in the members, and the managers of a limited liability company in which management of its business is vested in one or more managers.

(11) "Person" means any individual, partnership, professional service corporation, corporation, joint stock association, joint venture, or any other entity authorized to do business in the state.

(12) "Practice of architecture" means the rendering of any service or related work requiring architectural education, training, and experience, in connection with the art and science of building design for construction of any structure or grouping of structures and the use of space within and surrounding the structures or the design for construction of alterations or additions to the structures, including but not specifically limited to predesign services, schematic design, design development, preparation of construction contract documents, and administration of the construction contract.

(13) "Prototypical documents" means drawings or specifications, prepared by a person registered as an architect in any state or as otherwise approved by the board, that are not intended as final and complete technical submissions for a building project, but rather are to serve as a prototype for a building or buildings to be adapted by an architect for construction in more than one location.

(14) "Registered" means holding a currently valid certificate of registration or certificate of authorization issued by the director authorizing the practice of architecture.

(15) "Registered professional design firm" means a business entity registered in Washington to offer and provide architectural services under RCW 18.08.420.

(16) "Review" means a process of examination and evaluation, of the documents, for compliance with applicable laws, codes, and regulations affecting the built environment that includes the ability to control the final product.

(17) "Structure" means any construction consisting of load-bearing members such as the foundation, roof, floors, walls, columns, girders, and beams or a combination of any number of these parts, with or without other parts or appurtenances. [2019 c 67 § 2. Prior: 2010 c 129 § 2; 1985 c 37 § 3.]

RCW 18.08.330 Board for architects—Membership. There is created a state board for architects consisting of seven members who shall be appointed by the governor. Six members shall be registered architects who are residents of the state and have at least eight years' experience in the practice of architecture as registered architects in responsible charge of architectural work or responsible charge of architectural teaching. One member shall be a public member, who is not and has never been a registered architect and who does not employ and is not employed by or professionally or financially associated with an architect.

The terms of each newly appointed member shall be six years.

Every member of the board shall receive a certificate of appointment from the governor. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of six years or until the next successor has been appointed.

The governor may remove any member of the board for cause. Vacancies in the board for any reason shall be filled by appointment for the unexpired term.

The board shall elect a chair, a vice chair, and a secretary. The secretary may delegate his or her authority to the executive director.

Members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060. [2010 c 129 § 3; 1985 c 37 § 4.]

RCW 18.08.340 Board—Rules—Executive director. (1) The board may adopt such rules under chapter 34.05 RCW as are necessary for the proper performance of its duties under this chapter.

(2) The director shall employ an executive director subject to approval by the board. [2010 c 129 § 4; 2002 c 86 § 201; 1985 c 37 § 5.]

Effective dates—2002 c 86: "(1) Sections 201 through 240 and 242 through 401 of this act take effect January 1, 2003.

(2) Section 241 of this act takes effect July 1, 2003." [2002 c 86 § 403.]

Part headings not law—Severability—2002 c 86: See RCW 18.235.902 and 18.235.903.

RCW 18.08.350 Certificate of registration—Application—

Qualifications. (1) A certificate of registration shall be granted by the director to all qualified applicants who are certified by the board as having passed the required examination and as having given satisfactory proof of completion of the required experience.

(2) Applications for examination shall be filed as the board prescribes by rule. The application and examination fees shall be determined by the director under RCW 43.24.086.

(3) An applicant for registration as an architect shall be of a good moral character, at least eighteen years of age, and shall possess one of the following qualifications:

(a) Have an accredited architectural degree and complete a structured training program approved by the board; or

(b) Have a high school diploma or equivalent and at least eight years of practical architectural work experience, including the completion of a structured training program under the direct supervision of an architect as determined by the board. At least three of the years of required experience outside of the structured training program must be under the direct supervision of an architect. This work experience may include designing buildings as a principal activity and postsecondary education as determined by the board. The board may approve up to four years of practical architectural work experience for postsecondary education courses in architecture, architectural technology, or a related field, as determined by the board, including courses completed in a community or technical college if the courses are equivalent to courses in an accredited architectural degree program. [2019 c 67 § 3; 2010 c 129 § 5; 1997 c 169 § 1; 1993 c 475 § 2; 1993 c 475 § 1; 1985 c 37 § 6.]

Effective date—Intern training program enrollment—2010 c 129 § 5: "Section 5 of this act takes effect July 1, 2012, and all persons enrolled in an intern training program as approved by the board before July 1, 2012, shall be governed by the statute in effect at the time of enrollment in the program." [2010 c 129 § 12.]

Effective date—1997 c 169 § 1: "Section 1 of this act takes effect July 29, 2001." [1997 c 169 § 2.]

Effective date—1993 c 475 § 2: "Section 2 of this act shall take effect July 29, 2001." [1993 c 475 § 3.]

RCW 18.08.360 Examinations. (1) The examination for an architect's certificate of registration shall be held at least annually at such time and place as the board determines.

(2) The board shall determine the content, scope, and grading process of the examination. The board may adopt an appropriate national examination and grading procedure.

(3) Applicants who fail to pass any section of the examination shall be permitted to retake the parts failed as prescribed by the board. Applicants have five years from the date of the first passed examination section to pass all remaining sections. If the entire examination is not successfully completed within five years, any sections that were passed more than five years prior must be retaken. If a candidate fails to pass all remaining sections within the initial five-year period, the candidate is given a new five-year period from

the date of the second oldest passed section. All sections of the examination must be passed within a single five-year period for the applicant to be deemed to have passed the complete examination.

(4) Applicants for registration may begin taking the examination upon enrollment in a structured training program as approved by the board. [2019 c 67 § 4; 2010 c 129 § 6; 1985 c 37 § 7.]

RCW 18.08.370 Issuance of certificates of registration—Seal, use. (1) The director shall issue a certificate of registration to any applicant who has, to the satisfaction of the board, met all the requirements for registration upon payment of the registration fee as provided in this chapter. All certificates of registration shall show the full name of the registrant, have the registration number, and shall be signed by the chair of the board and by the director. The issuance of a certificate of registration by the director is prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered architect.

(2) Each registrant shall obtain a seal of the design authorized by the board bearing the architect's name, registration number, the legend "Registered Architect," and the name of this state. All technical submissions prepared by an architect and filed with public authorities must be sealed and signed by the architect. It is unlawful to seal and sign a document after a registrant's certificate of registration or authorization has expired, been revoked, or is suspended.

(3) An architect may seal and sign technical submissions under the following conditions:

(a) An architect may seal and sign technical submissions that are: Prepared by the architect; prepared by the architect's regularly employed subordinates; prepared in part by an individual or firm under a direct subcontract with the architect; or prepared in collaboration with an architect who is licensed in a jurisdiction recognized by the board, provided there is a contractual agreement between the architects.

(b) An architect may seal and sign technical submissions based on prototypical documents provided: The architect obtains written permission from the architect who prepared or sealed the prototypical documents, and from the legal owner to adapt the prototypical documents; the architect thoroughly analyzes the prototypical documents, makes necessary revisions, and adds all required elements and design information, including the design services of engineering consultants, if warranted, so that the prototypical documents become suitable complete technical submissions, in compliance with applicable codes, regulations, and site-specific requirements.

(c) An architect who seals and signs the technical submissions under this subsection (3) is responsible to the same extent as if the technical submissions were prepared by the architect. [2010 c 129 § 7; 1985 c 37 § 8.]

Effective date—2010 c 129 §§ 7-10: "Sections 7 through 10 of this act take effect July 1, 2011." [2010 c 129 § 11.]

RCW 18.08.380 Certificates of registration, authorization—Replacement of lost, destroyed, or mutilated certificates. A new

certificate of registration or certificate of authorization to replace any certificate lost, destroyed, or mutilated may be issued by the director. A charge, determined as provided in RCW 43.24.086, shall be made for such issuance. [2002 c 86 § 202; 1985 c 37 § 9.]

Effective dates—2002 c 86: See note following RCW 18.08.340.

Part headings not law—Severability—2002 c 86: See RCW 18.235.902 and 18.235.903.

RCW 18.08.390 Registration of prior registrants. All persons registered as architects under chapter 205, Laws of 1919, or registered as architects under chapter 323, Laws of 1959, as amended, before July 28, 1985, shall be registered as architects without examination. [1985 c 37 § 10.]

RCW 18.08.400 Registration of out-of-state registrants. The director may, upon receipt of the current registration fee, grant a certificate of registration to an applicant who is a registered architect in another state or territory of the United States, the District of Columbia, or another country, if that individual's qualifications and experience are determined by the board to be equivalent to the qualifications and experience required of a person registered under RCW 18.08.350. [1985 c 37 § 11.]

RCW 18.08.410 Application of chapter. This chapter shall not affect or prevent:

(1) The practice of naval architecture, landscape architecture as authorized in chapter 18.96 RCW, engineering as authorized in chapter 18.43 RCW, or the provision of space planning or interior design services not affecting public health or safety;

(2) Drafters, clerks, project managers, superintendents, and other employees of architects from acting under the instructions, control, or supervision of an architect;

(3) The construction, alteration, or supervision of construction of buildings or structures by contractors registered under chapter 18.27 RCW or superintendents employed by contractors or the preparation of shop drawings in connection therewith;

(4) Owners or contractors registered under chapter 18.27 RCW from engaging persons who are not architects to observe and supervise construction of a project;

(5) Any person from doing design work including preparing construction contract documents and administration of the construction contract for the erection, enlargement, repair, or alteration of a structure or any appurtenance to a structure regardless of size, if the structure is to be used for a residential building of up to and including four dwelling units or a farm building or is a structure used in connection with or auxiliary to such residential building or farm building such as a garage, barn, shed, or shelter for animals or machinery;

(6) Except as otherwise provided in this section, any person from doing design work including preparing construction contract documents and administering the contract for construction, erection,

enlargement, alteration, or repairs of or to a building of any occupancy up to a total building size of four thousand square feet; or

(7) Any person from doing design work, including preparing construction contract documents and administration of the contract, for alteration of or repairs to a building where the project size is not more than four thousand square feet in a building greater than four thousand square feet and when the work contemplated by the design does not affect the life safety or structural systems of the building. The combined square footage of simultaneous projects allowed under this subsection (7) may not exceed four thousand square feet. [2010 c 129 § 8; 1985 c 37 § 12.]

Effective date—2010 c 129 §§ 7-10: See note following RCW 18.08.370.

RCW 18.08.420 Business entities—Authorization to practice required. (1) Any business entity, including a sole proprietorship, offering architecture services in Washington state must register with the board, regardless of its business structure. A business entity shall file with the board a list of individuals registered under this chapter as responsible for the practice of architecture by the business entity in this state and provides that full authority to make all final architectural decisions on behalf of the business entity with respect to work performed by the business entity in this state. Further, the person having the practice of architecture in his/her charge is himself/herself a general partner (if a partnership or limited liability partnership), or a manager (if a limited liability company), or a director (if a business corporation or professional service corporation) and is registered to practice architecture in this state.

(2) The business entity shall furnish the board with such information about its organization and activities as the board shall require by rule.

(3) Upon the filing with the board of the application for certificate of authorization, the certified copy of the resolution, and the information specified in subsection (1) of this section, the board shall authorize the director to issue to the business entity a certificate of authorization to practice architecture in this state.

(4) Any business entity practicing or offering to practice architecture, whether or not it is authorized to practice architecture under this chapter, shall be jointly and severally responsible to the same degree as an individual registered architect and shall conduct their business without misconduct or malpractice in the practice of architecture as defined in this chapter.

(5) Any business entity that has been certified under this chapter and has engaged in the practice of architecture may have its certificate of authorization either suspended or revoked by the board if, after a proper hearing, the board finds that the business entity has committed misconduct or malpractice under RCW 18.08.440 or 18.235.130. In such a case, any individual architect registered under this chapter who is involved in such misconduct or malpractice is also subject to disciplinary measures provided in this chapter and RCW 18.235.110.

(6) For each certificate of authorization issued under this section there shall be paid a certification fee and an annual

certification renewal fee as prescribed by the director under RCW 43.24.086. [2010 c 129 § 9; 2002 c 86 § 203; 1991 c 72 § 2; 1985 c 37 § 13.]

Effective date—2010 c 129 §§ 7-10: See note following RCW 18.08.370.

Effective dates—2002 c 86: See note following RCW 18.08.340.

Part headings not law—Severability—2002 c 86: See RCW 18.235.902 and 18.235.903.

RCW 18.08.430 Renewal of certificates of registration—Withdrawal—Continuing professional development. (1) The renewal date for certificates of registration shall be set by the director in accordance with RCW 43.24.086. Registrants who fail to pay the renewal fee within thirty days of the due date shall pay all delinquent fees plus a penalty fee equal to one-third of the renewal fee. A registrant who fails to pay a renewal fee for a period of five years may be reinstated under such circumstances as the board determines. The renewal and penalty fees and the frequency of renewal assessment shall be authorized under this chapter. Renewal date for certificates of authorization shall be the anniversary of the date of authorization.

(2) Any registrant in good standing may withdraw from the practice of architecture by giving written notice to the director, and may within five years thereafter resume active practice upon payment of the then-current renewal fee. A registrant may be reinstated after a withdrawal of more than five years under such circumstances as the board determines.

(3) A registered architect must demonstrate professional development since the architect's last renewal or initial registration, as the case may be. The board shall by rule describe professional development activities acceptable to the board and the form of documentation of the activities required by the board. The board may decline to renew a registration if the architect's professional development activities do not meet the standards set by the board by rule. When adopting rules under the authority of this subsection, the board shall strive to ensure that the rules are consistent with the continuing professional education requirements and systems in use by national professional organizations representing architects and in use by other states.

(a) A registered architect shall, as part of his or her license renewal, certify that he or she has completed the required continuing professional development required by this section.

(b) The board may adopt reasonable exemptions from the requirements of this section. [2010 c 129 § 10; 1985 c 37 § 14.]

Effective date—2010 c 129 §§ 7-10: See note following RCW 18.08.370.

RCW 18.08.440 Powers under RCW 18.235.110—Grounds. The board shall have the power to impose any action listed under RCW 18.235.110 upon the following grounds:

(1) Offering to pay, paying, or accepting, either directly or indirectly, any substantial gift, bribe, or other consideration to influence the award of professional work;

(2) Being willfully untruthful or deceptive in any professional report, statement, or testimony;

(3) Having a financial interest in the bidding for or the performance of a contract to supply labor or materials for or to construct a project for which employed or retained as an architect except with the consent of the client or employer after disclosure of such facts; or allowing an interest in any business to affect a decision regarding architectural work for which retained, employed, or called upon to perform;

(4) Signing or permitting a seal to be affixed to any drawings or specifications that were not prepared or reviewed by the architect or under the architect's personal supervision by persons subject to the architect's direction and control; or

(5) Willfully evading or trying to evade any law, ordinance, code, or regulation governing construction of buildings. [2002 c 86 § 204; 1985 c 37 § 15.]

Effective dates—2002 c 86: See note following RCW 18.08.340.

Part headings not law—Severability—2002 c 86: See RCW 18.235.902 and 18.235.903.

RCW 18.08.460 Violation of chapter—Penalties—Enforcement—Injunctions—Persons who may initiate proceedings. (1) Any person who violates any provision of this chapter or any rule promulgated under it is guilty of a misdemeanor and may also be subject to a civil penalty in an amount not to exceed one thousand dollars for each offense.

(2) It shall be the duty of all officers in the state or any political subdivision thereof to enforce this chapter. Any public officer may initiate an action before the board to enforce the provisions of this chapter.

(3) The board may apply for relief by injunction without bond to restrain a person from committing any act that is prohibited by this chapter. In such proceedings, it is not necessary to allege or prove either that an adequate remedy at law does not exist or that substantial irreparable damage would result from the continued violation thereof. The members of the board shall not be personally liable for their actions in any such proceeding or in any other proceeding instituted by the board under this chapter. The board in any proper case shall cause prosecution to be instituted in any county or counties where any violation of this chapter occurs, and shall aid the prosecution of the violator.

(4) No person practicing architecture is entitled to maintain a proceeding in any court of this state relating to services in the practice of architecture unless it is alleged and proved that the person was registered or authorized under this chapter to practice or offer to practice architecture at the time the architecture services were offered or provided. [2003 c 53 § 123; 1985 c 37 § 17.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 18.08.480 Certificate of registration or authorization suspension—Noncompliance with support order—Reissuance. The board shall immediately suspend the certificate of registration or certificate of authorization to practice architecture of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order or a *residential or visitation order. If the person has continued to meet other requirements for reinstatement during the suspension, reissuance of the certificate shall be automatic upon the board's receipt of a release issued by the department of social and health services stating that the individual is in compliance with the order. [1997 c 58 § 813.]

***Reviser's note:** 1997 c 58 § 886 requiring a court to order certification of noncompliance with residential provisions of a court-ordered parenting plan was vetoed. Provisions ordering the department of social and health services to certify a responsible parent based on a court order to certify for noncompliance with residential provisions of a parenting plan were vetoed. See RCW 74.20A.320.

Short title—Part headings, captions, table of contents not law—Exemptions and waivers from federal law—Conflict with federal requirements—Severability—1997 c 58: See RCW 74.08A.900 through 74.08A.904.

Effective dates—Intent—1997 c 58: See notes following RCW 74.20A.320.

RCW 18.08.490 Uniform regulation of business and professions act. The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter. [2002 c 86 § 205.]

Effective dates—2002 c 86: See note following RCW 18.08.340.

Part headings not law—Severability—2002 c 86: See RCW 18.235.902 and 18.235.903.

RCW 18.08.500 Military training or experience. An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the board determines that the military training or experience is not substantially equivalent to the standards of this state. [2011 c 351 § 1.]

RCW 18.08.510 Registration and authorization fee—Building code council account. (1) There is imposed a fee of six dollars and fifty cents on each certificate of registration, renewal of a certificate of registration, certificate of authorization, and renewal of a certificate of authorization, issued by the director. The director must collect this fee and must quarterly remit moneys collected under this subsection to the state treasury.

(2) The fee established by subsection (1) of this section is in addition to other fees authorized by this chapter and prescribed by the director under RCW 43.24.086.

(3) All moneys collected under subsection (1) of this section must be deposited into the building code council account in the state treasury. [2018 c 207 § 10.]

Effective date—2018 c 207 §§ 9 and 10: "Sections 9 and 10 of this act take effect October 1, 2018." [2018 c 207 § 12.]