

SENATE BILL REPORT

SB 6757

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 04, 2008

Title: An act relating to architects.

Brief Description: Concerning the practice of architecture.

Sponsors: Senators Murray and Kohl-Welles.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 1/29/08, 2/04/08 [DPS, w/oRec].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6757 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Murray and Prentice.

Minority Report: That it be referred without recommendation.

Signed by Senators Holmquist, Ranking Minority Member; King.

Staff: Ingrid Mungia (786-7423)

Background: A person must be registered or authorized to practice as an architect in the state of Washington. The State Board of Registration for Architects (Board) is comprised of seven members appointed by the Governor. Six members of the Board must be registered architects who are residents of the state and have at least eight years of experience in the practice of architecture as registered architects.

To obtain a certificate of registration as an architect, an applicant must pass an examination and have: (1) a degree in architecture and three years' work experience and completed the requirements of a structured intern program approved by the Board; or (2) eight years' experience which may include designing buildings as a principal activity, and completed requirements of a structured intern training program approved by the Board. Each year spent in an accredited architectural education program approved by the Board must be considered one year of practical experience. At least four years' work experience must be under the direct supervision of an architect.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The examination for an architect's certificate of registration is held annually as determined by the Board. Applicants who fail to pass any section of the examination are permitted to retake those particular sections. If the entire examination is not successfully completed within five years, a person is required to retake the entire exam.

The Director of the Department of Licensing (Director) is required to issue a certificate of registration to any applicant who has met the requirements of the Board and paid all registration fees. A certificate of registration must show a registrant's full name, registration number, and be signed by the chairman of the Board and the Director. Applicants must 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 the state. Drawings prepared by the registrant must be sealed and signed by the registrant when filed with public authorities. It is unlawful to seal and sign a document after a registrant's certificate of registration or authorization has expired or been revoked or suspended.

The renewal date for a certificate of registration is set by the Director. Registrants who fail to renew their registration within 30 days of the due date must pay all delinquent fees plus a penalty fee equal to one-third of the renewal fee. A registrant in good standing may withdraw from the practice of architecture by giving written notice to the Director.

The architecture registration requirement does not apply to many occupations, including the practice of naval architecture, landscape architecture, engineering, drafters, clerks, contractors, any person doing design work, and design-build construction by registered general contractors.

An architect or architects may organize and file with the Board under the state's uniform regulation of business and professions act.

Summary of Bill (Recommended Substitute): An architect or architectural firm registered in other jurisdictions recognized by the Board may practice in Washington if: (1) they are not registered to practice in Washington; and (2) prior to practicing architecture or signing a contract to provide architectural services, the architect or firm must be registered to practice in Washington. A person with an accredited architectural degree may use the title "intern architect" when enrolled in an intern program recognized by the Board and working under the supervision of an architect.

The name of the Board is changed to the State Board for Architects. References to the Board "Chairman" and "Vice Chairman" are changed to "Chair" and "Vice Chair."

The qualifications to obtain a certificate of registration as an architect are broadened to include a baccalaureate degree from a college or university, a high school diploma or equivalent, with 15 years of practical work experience, which may include designing buildings. However, at least eight years of the 15 must be under a registered architect and complete an intern training program approved by the Board.

It is clarified that applicants taking the examination for an architect's certificate 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. The requirement to retake the entire examination if the entire examination is not successfully completed within five years is

removed. 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.

Applicants for registration who have an accredited architectural degree may begin taking the licensing examination upon enrollment in a structured intern training program as approved by the Board. Applicants who do not have an accredited architectural degree may only take the examination after completing the experience and intern requirements.

The reference to drawings being sealed and signed by the registrant when filed with public authorities is removed. Language is added that an architect may only seal and sign technical submissions that are: prepared by the architect; prepared by the architect's regularly employed subordinates; or prepared in part by an individual or firm under a direct subcontract with the architects. An architect may seal and sign technical submissions based on prototypical documents under certain circumstances.

A certificate of registration does not apply to: naval architectures; registered contractors; or registered landscape architectures; or design-build construction in which a registered contractor and a registered architect provide joint service.

Any business offering architecture services in Washington must register with the Board, regardless of its business structure. A business entity must file with the Board a list of individuals registered as responsible for the practice of architecture by the business entity in the state. The business entity must furnish the Board with information about its organization and activities as the Board establishes by rule. Any business entity practicing or offering to practice architecture is jointly and severally responsible to the same degree as an individual registered architect.

To renew a certificate of registration, a registered architect must demonstrate professional development since the last renewal or initial registration. The Board must develop rules, procedures, and exemptions for acceptable professional development activities. The rules must be consistent with the continuing professional education requirements and systems in use by national professional organizations representing architects in other states.

EFFECT OF CHANGES MADE BY LABOR, COMMERCE, RESEARCH & DEVELOPMENT COMMITTEE (Recommended Substitute): Includes a definition of prototypical documents. Adds language clarifying how collaborative work and the review and approval of prototypical documents are treated. Removes reference to "any legally recognized profession or trade by persons not registered as architects" as a profession exempt to the registered architecture requirement. Adds language to: clarifying there is no size limit on the design of residential or farm buildings; clarifying the 4,000 square foot exemption applies to the total size of the building; and allowing for remodels up to 4,000 square feet in certain buildings that are larger in size. Remodels are limited to a maximum of 4,000 square feet, in a single story, wood frame building; and the remodel cannot affect the life safety of the occupants or the structural systems of the building. Adds effective dates for the act.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill has been a three year effort. It has been 23 years since the architecture statute has been updated. The bill does three main things: update qualification standards; streamline the corporate registration requirements; and clean up the exemptions. A lot has changed since the original architecture statute was enacted. This bill tries to bring a more realistic approach to licensing and architecture to reflect how architecture is practiced today. Suggest four changes to the bill so American Institute of Building Design (AIBD) could agree to the bill. AIBD is looking to make sure the historical ambiguity in the law is resolved, specifically in the exemptions.

Persons Testifying: PRO: Stan Bowman, American Institute of Architects Washington Council; Peter Rasmussen, Architects Rasmussen Triebelhorn; Timothy Buckley, Greenstave Architecture; Henry Souza, AIBD, Washington County; Jon Simpson, American Institute of Building Design/Washington Society.