

13:27-2.7 (Reserved)

Repealed by R.2005 d.303, effective September 6, 2005.
See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Section was "Roster; dissemination of statutes, rules and code data".

SUBCHAPTER 3. ARCHITECTURAL PRACTICE AND RESPONSIBILITY
13:27-3.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Advertisement" means any communication to the public including, but not limited to, newspaper, periodical, journal, flyer, professional stationery, brochure, telephone directory, billboard, sign (other than a sign used only for identification purposes at the business premises), radio, telephone for the purpose of solicitation, television, Internet, or any other print or electronic media in which architectural services are offered or by which the availability of architectural services is made known.

"Aesthetic principles" means the concepts of order, balance, proportion, scale, rhythm, color, texture, mass and form as used in the design process.

"Architect" means an individual who through education, training, and experience is skilled in the art and science of building design and has been licensed or registered by the New Jersey State Board of Architects to practice architecture in the State of New Jersey.

"Architectural business association" or "architectural business entity" means a sole proprietorship of a licensed architect; a partnership, including a limited liability partnership, of licensed architects; a partnership, including a limited liability partnership, of closely allied professionals as defined by N.J.S.A. 45:3-1.1(f), including at least one licensed architect; a professional service corporation of persons providing closely allied professional services as defined by N.J.S.A. 14A:17-3, including at least one licensed architect, established pursuant to the "Professional Service Corporation Act" (N.J.S.A. 14A:17-1 et seq.); or a limited liability company established pursuant to the "Limited Liability Company Act" (N.J.S.A. 42:2B-1 et seq.) or a corporation either of which is required to hold a Certificate of Authorization from the New Jersey State Board of Architects pursuant to N.J.A.C. 13:27-4.8.

"Architectural services" or "practice of architecture" means the rendering of services in connection with the design, construction, enlargement, or alteration of a building or a group of buildings and the space within or surrounding those buildings, which have as their principal purpose human use or habitation. These services include site planning, providing preliminary studies, architectural designs, drawings, speci-

fications, other technical documentation, and administration of construction for the purpose of determining compliance with drawings and specifications.

"Architecture" means the art and science of building design and particularly the design of any structure for human use or habitation. Architecture, further, is the art of applying human values and aesthetic principals to the science and technology of building methods, materials and engineering systems as required to comprise a total building project with a coherent and comprehensive unit of structure and site.

"Board" means the New Jersey State Board of Architects.

"Certificate of Authorization" means a certificate issued by the Board to a general business corporation or a limited liability company to permit the practice of architecture pursuant to N.J.S.A. 45:3-18.

"Certificate of Registration" or "license" means official documents attesting to the fact that the individual has met the minimum requirements to practice architecture in the State of New Jersey. For the purposes of this chapter, the terms "licensed" and "registered" are used interchangeably.

"Closely allied professional" means, and is limited to, licensed architects, professional engineers, land surveyors, professional planners, certified landscape architects, and persons that provide space planning services, interior design services, or the substantial equivalent thereof.

"Construction documents" means all of the written, graphic, and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a construction project.

"Continuing education" means professional development activities whose purpose is academic and professional instruction in order to advance an architect's professional knowledge and skill.

"Continuing education ('CE') hour" means one 60-minute clock hour of an educational activity with no less than 50 minutes of instructional content within the hour.

"Design services," as provided by a builder or home improvement contractor, means conceptual drawings or sketches of floor plans or elevations and the rendering of price quotations or estimates all of which may be necessary to develop the scope, character and potential cost of a one or two-family, detached home or improvement thereto.

"Diversified experience in architecture" means a wide spectrum of professional experience consistent with the elements defined by the National Council of Architecture Registration Boards (NCARB) through its Intern Development Program (IDP).

"Health, safety and welfare programs or courses" means relevant technical and professional architectural continuing education subjects related to safeguarding life, health, and

property and promoting the public welfare. The term includes the application of human values and aesthetic principles to the science and technology of structural design or evaluation; building methods, materials, and engineering systems; construction codes; construction-related standards; fire protection; means of egress; and barrier-free accessibility.

“Human use or habitation” means the activities of living, including, but not limited to, fulfilling domestic, religious, education, recreational, employment, assembly, health care, institutional, memorial, financial, commercial, industrial and governmental needs.

“Human values” means the social, cultural, historical, economic and environmental influences that have an impact on the quality of life.

“Interior design services” means rendering or offering to render services, for a fee or other valuable consideration, in the preparation and administration of interior design documents, including, but not limited to, drawings, schedules and specifications which pertain to the design intent and planning of interior spaces, including furnishings, layouts, non-load bearing partitions, fixtures, cabinetry, lighting location and type, outlet location and type, switch location and type, finishes, materials and interior construction not materially related to or materially affecting the building systems, in accordance with applicable laws, codes, regulations and standards.

“Licensee” means a person who has been granted licensure by the New Jersey State Board of Architects.

“Limited liability company (LLC)” means a business corporation organized in compliance with the Limited Liability Company Act, N.J.S.A. 42:2B-1 et seq., to engage in and carry on any lawful business, purpose or activity which combines the attributes of both corporation and partnership, and provides the limited liability generally associated with a corporation and the Federal tax treatment of a partnership.

“Limited liability partnership (LLP)” means an association of two or more persons to carry on as owners of a business for profit, which partnership is formed pursuant to an agreement governed by the laws of this State, registered pursuant to N.J.S.A. 42:1-44 and in compliance with N.J.S.A. 42:1-45.

“Office of a registered architect in private practice” means an organization which offers architectural service, is in the responsible charge of a registered architect(s) who is/are the principal owner or owners of the organization, and has no affiliate engaged in construction activities.

“Organization or affiliate engaged in construction” means one which undertakes to provide labor and/or material for all or any portion of a construction project, whether on lump sum, cost plus or other basis of compensation; and agrees to guarantee to a property owner the maximum construction cost for all or any significant portion of a construction project.

“Person” means any individual, partnership, corporation or any other business entity.

“Principal” means a registered architect who is an owner in whole or in part of any business entity authorized by law to offer or render architectural services.

“Responsible charge” means the rendering of regular and effective supervision by a competent licensed architect to those individuals performing services which directly and materially affect the quality and competence of architectural services rendered by the licensee.

Administrative Correction.

See: 27 N.J.R. 2009(a).

Amended by R.1998 d.417, effective August 17, 1998.

See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In “Certificate of Authorization”, added “or a limited liability company” preceding “to permit”; and added new “Limited liability company (LLC)” and “Limited liability partnership (LLP)” definitions.

Amended by R.2000 d.103, effective March 20, 2000.

See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

In “Advertisement” substituted “telephone, television, Internet, or other electronic media” for “telephonic or communication” following “radio,”; and in “Limited liability company (LLC)”, substituted “which” for “. The LLC is considered a hybrid entity that” following “activity”.

Amended by R.2000 d.135, effective April 3, 2000.

See: 31 N.J.R. 1893(a), 32 N.J.R. 1217(a).

Inserted “Continuing education”, “Continuing education (‘CE’) hour”, “Health, safety and welfare programs or courses” and “Licensee”.

Amended by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Rewrote definitions “Advertisement”, “Architectural services”, “Closely allied professional” and “Person”; deleted definition “Advertiser”; added definitions “Architectural business association” and “Interior design services”.

Petition for Rulemaking.

See: 39 N.J.R. 4454(a).

13:27-3.2 Scope of architectural service; advertising

(a) No person, except an architect licensed in the State of New Jersey, shall use the title “architect” or its substantial equivalent or otherwise represent to the public that the person is licensed to practice architecture in this State.

(b) Architects shall meet the following requirements concerning advertisements:

1. An advertisement shall include a term which is descriptive of the professional services to be rendered, such as “architect,” “architectural,” “architectural services,” or the substantial equivalent thereof and may be made only by an architectural business entity authorized to render architectural services pursuant to N.J.S.A. 45:3-17 or 45:3-18.
2. An advertisement shall include the name and license number of an architect and, if applicable, the name of the architect’s architectural business entity.
3. Each architect, who is a principal, partner, or officer of an architectural business entity, shall be responsible for

Registered Landscape Architect
 Professional Landscape Architect
 DESCRIPTIONS OF SERVICES

Landscape Architecture
 Landscape Architectural Design
 Landscape Architectural Construction
 Landscape Architectural Planting Design
 Landscape Architectural Service

(b) The titles and descriptions listed in (a) above are not meant to be all-inclusive.

Amended by R.2005 d.303, effective September 6, 2005.
 See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Deleted former (a); recodified former (b) as (a) and rewrote section; recodified former (c) as (b) and rewrote section.

13:27-8.21 Fees

(a) The following fees shall be charged by the New Jersey State Board of Architects for Landscape Architect Certification matters. Unless otherwise provided herein, all fees are non-refundable.

1.	Application Fee	\$ 125.00
2.	Examination fee for the New Jersey Examination when Board administered	100.00
3.	Initial Certification Fee (including seal press)	
	i. If paid during the first year of a biennial renewal period	160.00
	ii. If paid during the second year of a biennial renewal period	80.00
4.	Biennial Renewal Fee—Active Status	160.00
5.	Biennial Renewal Fee—Inactive Status	(To be determined by the Director by rule)
6.	Late Fee	50.00
7.	Reinstatement Fee	100.00
8.	Replacement or duplicate certificate fee	25.00
9.	Replacement seal press	40.00
10.	Verification of Certification	25.00

Amended by R.2005 d.303, effective September 6, 2005.
 See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Increased the examination fee in 2, increased biennial renewal fee in 4 and made it “active status”, added 5, redesignated former 5 and 6 as 6 and 7, deleted former 7 relating to reciprocity fee, and added “Replacement or” in 8.

13:27-8.22 Notification of change of address; service of process

(a) Certified landscape architects shall notify the Board in writing of any change from the address currently registered with the Board and shown on the most recently issued certificate. Such notice shall be sent to the Board by certified mail, return receipt requested, no later than 30 days following the change of address. Failure to notify the Board of any change of address may result in disciplinary action.

(b) Service of an administrative complaint or other Board-initiated action at a certificate holder’s address on file with the Board shall be deemed adequate notice when service by certified or regular mail is acceptable and shall allow the commencement of any disciplinary proceedings.

Amended by R.2000 d.103, effective March 20, 2000.
 See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

In (b), substituted “certificate holder’s” for “licensee’s” following “action at a”.

Amended by R.2005 d.303, effective September 6, 2005.
 See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

In (a), substituted “Certified landscape” for “Landscape” preceding “architects” and deleted “in accordance with N.J.S.A. 45:1-21(h)” at the end of paragraph; rewrote (b).

SUBCHAPTER 9. INTERIOR DESIGN EXAMINATION AND EVALUATION COMMITTEE; CERTIFICATION OF INTERIOR DESIGNERS; CERTIFIED INTERIOR DESIGNER STANDARDS OF PRACTICE

13:27-9.1 Purpose and scope

(a) The rules in this subchapter are intended to protect the health and safety of the public through certification of interior designers pursuant to N.J.S.A. 45:3-31 et seq.

(b) This subchapter prescribes standards for interior designer certification and for the renewal, suspension or revocation of that certification.

13:27-9.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Board” means the New Jersey State Board of Architects.

“Certified interior designer” means an individual who through education, training, and experience is skilled in interior design services for commercial and residential spaces and is certified by the Board and holds a current, valid certificate.

“Committee” means the Interior Design Examination and Evaluation Committee.

“Interior design services” means the rendering or offering to render services, for a fee or other valuable consideration, in the preparation and administration of interior design documents, including, but not limited to, drawings, schedules and specifications which pertain to the design intent and planning of interior spaces, including furnishings, layouts, non-load bearing partitions, fixtures, cabinetry, lighting location and type, outlet location and type, switch location and type, finishes, materials and interior construction not materially related to or materially affecting the building systems, in accordance with applicable laws, codes, regulations and standards.

Petition for Rulemaking.
 See: 39 N.J.R. 4454(a).

13:27-9.3 Office of the Committee

The office of the Committee shall be that which is maintained by the Board pursuant to N.J.A.C. 13:27-2.2, Administration, under the supervision of the person selected to serve as executive director.

13:27-9.4 Application for initial certification by examination

(a) An applicant for initial certification as a certified interior designer shall:

1. Submit a completed application provided by the Board;
2. Successfully complete the National Council on Interior Design Qualification (NCIDQ) examination which may have been passed at any time prior to application. An applicant may apply to the Committee prior to taking the examination;
3. Pay the initial certification fee as set forth in N.J.A.C. 13:27-9.17;
4. Demonstrate good moral character by furnishing three personal references, two from individuals who have known the applicant for at least five years and one from a State certified or licensed design professional, such as an interior designer, architect or professional engineer, who has first hand experience of the applicant's work. No individual providing a reference shall be related to the applicant. The applicant shall be responsible for ensuring that the Board receives these references; and
5. Provide proof of one of the following combinations of education and experience demonstrating that the applicant:
 - i. Is a graduate of a five-year interior design program accredited by the Council for Interior Design Accreditation (CIDA) or a substantially equivalent program approved by the Committee pursuant to (e) below and has completed at least one year of diversified interior design services experience;
 - ii. Is a graduate of a four-year interior design program accredited by CIDA or a substantially equivalent program approved by the Committee pursuant to (e) below and has completed at least two years of diversified interior design services experience;
 - iii. Has completed at least three years of an interior design program accredited by CIDA or a substantially equivalent program approved by the Committee pursuant to (e) below which shall be demonstrated by the successful completion of at least 90 semester credits or their equivalent of which at least 60 semester credits or their equivalent shall be in interior design related course work and has completed at least three years of diversified interior design services experience; or

iv. Is a graduate of a two-year interior design program accredited by CIDA or a substantially equivalent program approved by the Committee pursuant to (e) below and has completed four years of diversified interior design services experience.

(b) If the applicant applies to the Committee prior to taking the examination and meets all the other requirements for certification under this section, the Board shall submit the applicant's name to take the NCIDQ examination.

(c) For the purposes of this section, the Committee shall only consider experience that the applicant achieved after the successful completion of at least 40 semester credits or their equivalent in interior design related course work in the applicant's respective educational program.

(d) For the purposes of this section, any educational program accredited by CIDA shall be deemed an approved program.

(e) An applicant for certification as an interior designer who is a graduate of a school or program not accredited by CIDA shall provide to the Committee an official transcript of his or her courses, a true and accurate course description for each of the interior design courses for which the candidate is seeking credit toward certification and/or other such documentation that is requested by the Committee. The Committee, in its consideration of the academic program, shall compare the degree to the standards promulgated by CIDA. Thereafter, the Committee may require the candidate to appear before the Committee for a personal interview and to present representative samples of his or her interior design work.

(f) On receipt of the completed application form, fee and all required documentation, the Board shall refer the application to the Committee for evaluation and approval.

(g) The Committee shall refer to the Board for approval or denial, as it may be appropriate, all applications with the Committee's recommendations after the Committee has completed its evaluation of the application.

(h) The Committee shall keep a record of its proceedings and a record of all applicants for certification, showing for each the date of application, name, age, education, and other qualifications, place of practice and place of residence, and whether the applicant was rejected or a certificate granted, and the date of that action.

Petition for Rulemaking.
See: 39 N.J.R. 4454(a).

13:27-9.5 Certification without written examination (grandfathering)

(a) Upon submission of a completed application provided by the Board for certification as a certified interior designer and payment of the application fee set forth in N.J.A.C.