

CHAPTER 27

NEW JERSEY STATE BOARD OF ARCHITECTS

Authority

N.J.S.A. 45:3-1 et seq.,
specifically 45:3-3; 45:3-31 et seq.

Source and Effective Date

R.2005 d.303, effective August 11, 2005.
Sec: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Chapter Expiration Date

Chapter 27, New Jersey State Board of Architects, expires on August 11, 2010.

Chapter Historical Note

Chapter 27, New Jersey State Board of Architects, was adopted and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 27, New Jersey State Board of Architects, was readopted as R.1990 d.165, effective February 20, 1990. See: 22 N.J.R. 18(a), 22 N.J.R. 974(a).

Subchapter 3, Scope of Architectural Services, was adopted as R.1994 d.169, effective April 4, 1994. See: 25 N.J.R. 5439(a), 26 N.J.R. 1517(a).

Chapter 27, New Jersey State Board of Architects, was repealed and Chapter 27, New Jersey State Board of Architects, was adopted as new rules by R.1995 d.101, effective February 21, 1995. See: 26 N.J.R. 4952(a), 27 N.J.R. 716(a).

Pursuant to Executive Order No. 66(1978), Chapter 27, New Jersey State Board of Architects, was readopted as R.2000 d.103, effective February 18, 2000. See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

Subchapter 4A, Continuing Education, was adopted as new rules by R.2000 d.135, effective April 3, 2000. See: 31 N.J.R. 1893(a), 32 N.J.R. 1217(a).

Subchapter 7A, Design Build Contracts, was adopted as new rules by R.2001 d.305, effective August 20, 2001. See: 33 N.J.R. 1858(a), 33 N.J.R. 2815(a).

Chapter 27, New Jersey State Board of Architects, was readopted by R.2005 d.303, effective August 11, 2005. See: Source and Effective Date. See, also, section annotations.

Subchapter 9, Interior Design Examination and Evaluation Committee; Certification of Interior Designers; Certified Interior Designer Standards of Practice, was adopted as new rules by R.2006 d.172, effective May 15, 2006. See: 37 N.J.R. 3548(a), 38 N.J.R. 2167(a).

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SUBCHAPTER 1. PURPOSE AND SCOPE

13:27-1.1 Purpose

The purpose of this chapter is to regulate the practice of architecture in the State of New Jersey pursuant to N.J.S.A. 45:3-1.

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

13:27-1.2 Scope

This chapter shall apply to all applicants seeking licensure as an architect and all licensees practicing architecture in the State of New Jersey.

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

SUBCHAPTER 2. ADMINISTRATION

13:27-2.1 Establishing Board name

In accordance with P.L. 1902, c.29, p. 54 as amended and supplemented (N.J.S.A. 45:3-1 et seq.) the name of this Board shall be the New Jersey State Board of Architects.

13:27-2.2 Office location

The offices of the Board are located at 124 Halsey Street, PO Box 45001, Newark, New Jersey 07101.

Case Notes

Engineer's designing of duplex held not an "engineering project" within exception to architect's licensing statute. State Bd. of Architects v. North, 197 N.J.Super 349, 484 A.2d 1297 (Ch.Div.1984).

13:27-2.3 Meetings of Board; quorum

(a) The Board shall hold an annual meeting at the Board office in July of each year.

(b) The meetings of the Board shall be held as scheduled and notice thereof shall be filed in accordance with the Open Public Meetings Act (P.L. 1975, c.231).

(c) A majority of the appointed membership of the Board shall constitute a quorum (N.J.S.A. 45:1-2.2(d)).

(d) Chronic absence and/or lack of participation by a member in Board activities, as documented by Board records, may be the basis for the submission of a request for replacement to the appropriate authority, as determined by a majority vote of the Board.

In rule heading, deleted "foreign" preceding "college" and added "not accredited by NAAB" following "university"; in (a), rewrote introductory paragraph.

13:27-4.3 Architect Registration Examination: subjects covered

(a) The subjects covered in the examination divisions shall be based on the examinations recommended by the National Council of Architectural Registration Boards and reviewed and approved by the Board.

(b) Each division of the examination successfully passed shall be credited to the record of the candidate and may be carried over for five years after September 6, 2005 or the date that the division was passed successfully, whichever is later.

Amended by R.1999 d.142, effective May 3, 1999.

See: 31 N.J.R. 111(a), 31 N.J.R. 1200(b).

Rewrote (a).

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

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

In (a), deleted "written" following "covered in the".

Recodified from N.J.A.C. 13:27-4.8 and amended by R.2005 d.303, effective September 6, 2005.

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

Former N.J.A.C. 13:27-4.3, Training requirements; prerequisites for applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998, repealed.

13:27-4.4 Eligibility of licensed professional engineer for licensure as an architect by limited examination

A professional engineer licensed in the State of New Jersey in good standing, holding an accredited degree in engineering, and without restriction of complaint or charge of illegal practice of architecture, shall be eligible for licensure upon successful completion of the following Divisions of the Architect Registration Examination (ARE): Pre-Design; Site Planning—Written and Graphic; Building Planning; and Building Technology.

Administrative correction.

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

Amended by R.1999 d.142, effective May 3, 1999.

See: 31 N.J.R. 111(a), 31 N.J.R. 1200(b).

Changed Division references at the end.

Recodified from N.J.A.C. 13:27-4.9 and amended by R.2005 d.303, effective September 6, 2005.

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

Former N.J.A.C. 13:27-4.4, Training requirements prior to January 1, 1998, repealed.

13:27-4.5 Licensure by credentials

(a) Any person registered or licensed to practice architecture in another jurisdiction of the United States or one of its territories or possessions may be granted registration if:

1. The applicant is 18 or more years of age and of good moral character, as established by references from individuals, schools and other sources acceptable to the Board which attest to the applicant's good moral character;

2. The applicant is not charged by the New Jersey State Board of Architects or any other jurisdiction with a violation of any statute or regulation relating to the practice of architecture or any violation which would indicate a lack of good moral character as required by statute or regulation; or having been found guilty of a violation, has not satisfied the penalty imposed;

3. The education, training and examination requirements in such other jurisdiction are substantially equal to those required in this State, under current law; and

4. The applicant has provided satisfactory evidence of competency as the Board, in its discretion, may require, including, but not limited to:

i. Exhibits of three architectural projects illustrated in construction documents and photographs;

ii. Oral examination by the Board; and/or

iii. Satisfactory completion of such portions(s) of the Architect Registration Examination as the Board may deem necessary.

(b) In cases where the applicant has been granted a registration or a license in another United States jurisdiction on the basis of education, training and examination requirements that are not substantially equal to those required in this State, the applicant may be granted a license if the applicant can demonstrate that he or she possesses the education, training and examination requirements as set forth in N.J.A.C. 13:27-4.1, or their substantial equivalents.

Repealed and adopted as new rule by R.2005 d.303, effective September 6, 2005. Section was "Training prior to January 1, 1998; public or private nonprofit institutions."

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

13:27-4.6 Biennial license renewal; license suspension; reinstatement of suspended license; inactive status

(a) All licenses issued by the Board shall be issued for a biennial license period. A licensee who seeks renewal of the license shall submit a completed renewal application, a statement that the licensee has successfully completed the continuing education requirement pursuant to N.J.A.C. 13:27-4A.2 and the renewal fee as set forth in N.J.A.C. 13:27-4.11 prior to the expiration date of the license.

(b) The Board shall send a notice of renewal to each licensee at the address registered with the Board at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the licensee for failure to renew.

(c) If a licensee does not renew the license prior to its expiration date, the licensee may renew the certificate within 30 days of its expiration by submitting a completed renewal application, a statement that the licensee has successfully

completed the continuing education requirement pursuant to N.J.A.C. 13:27-4A.2, the renewal fee and late fee as set forth in N.J.A.C. 13:27-4.11. During this 30-day period, the license shall be valid, and the licensee shall not be deemed to be engaged in unauthorized practice.

(d) A license that is not renewed within 30 days of its expiration shall be automatically suspended. An individual with a suspended license who holds himself or herself out as an architect shall be in violation of N.J.S.A. 45:3-10.

(e) A licensee whose license has been automatically suspended for five years or less for failure to renew pursuant to (d) above may be reinstated by the Board upon completion of the following:

1. Payment of the reinstatement fee and all past delinquent biennial renewal fees as set forth in N.J.A.C. 13:27-4.11;

2. Submission of proof of completion of the continuing education credits required for each biennial licensure period for which the license was suspended; and

3. Submission of an affidavit of employment listing each job held during the period of suspended license which includes the name, address, and telephone number of each employer.

(f) In addition to fulfilling the requirements set forth in (e) above, a licensee whose license has been automatically suspended for more than five years who wishes to return to practice shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while suspended may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

(g) Renewal applications shall provide the licensee with the option of either active or inactive status. A licensee electing inactive status shall pay the inactive license fee set forth in N.J.A.C. 13:27-4.11 and shall not hold himself or herself out as an architect.

(h) A licensee who elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon completion of the following:

1. Payment of the biennial license fee and reinstatement fee pursuant to N.J.A.C. 13:27-4.11;

2. Submission of proof of completion of the continuing education credits required for each biennial licensure period for which the license was on inactive status; and

3. Submission of an affidavit of employment listing each job held during the period the license was on inactive status which includes the name, address, and telephone number of each employer.

(i) In addition to fulfilling the requirements set forth in (h) above, a licensee whose license has been on inactive status for more than five years who wishes to return to active status shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while on inactive status may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

Repealed and adopted as New Rule by R.2005 d.303, effective September 6, 2005. Section was "Training prior to January 1, 1998; non-traditional settings."
See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

13:27-4.7 Issuance of certificates and seal presses

(a) Upon approval by the Board and payment of all fees, an architect shall be issued a certificate of licensure and seal press as proof of licensure and authorization to practice. The seal shall contain the name of the architect, the architect's license number and the legend "State of New Jersey Registered Architect."

(b) Each license number, certificate and seal press containing such license number issued by the Board to an architect shall remain the property of the State of New Jersey. If the Board suspends, fails to renew, or revokes a license, the licensee shall immediately return all certificates and seal presses to the Board and shall remove the license number from all advertising and anything else on which the license number is displayed or otherwise communicated.

(c) The Board shall issue a replacement certificate or replacement seal press to an architect upon payment of the replacement certificate fee or replacement seal press fee, whichever is appropriate, as set forth in N.J.A.C. 13:27-4.11 and receipt by the Board of an affidavit or certified statement attesting that the original was either lost, destroyed, mutilated or is otherwise no longer in the custody of and cannot be recovered by the licensee. The Board shall replace a damaged seal press upon a licensee's request and submission of the damaged seal press along with the replacement seal press fee set forth in N.J.A.C. 13:27-4.11.

(d) The Board shall issue a duplicate seal press to an architect upon an architect's request for a duplicate seal press and payment of the duplicate seal press fee as set forth in N.J.A.C. 13:27-4.11.

(e) Failure to return a certificate of licensure or a seal press which has been rendered invalid shall subject the individual to such penalties as provided by law and may be grounds for the Board to refuse to reinstate a license.

(f) The family of a deceased architect may retain an architect's seal press as a memento. The family shall be responsible for the safekeeping of the seal press to prevent its use in the illegal practice of architecture.