

CHAPTER 27

NEW JERSEY STATE BOARD OF ARCHITECTS

Authority

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

Source and Effective Date

R.2000 d.103, effective February 18, 2000.
See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

Executive Order No. 66(1978) Expiration Date

Chapter 27, New Jersey State Board of Architects, expires on February 18, 2005.

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Chapter 27, New Jersey State Board of Architects, was repealed and Chapter 27, New Jersey State Board of Architects, was adopted as new rules by R.1995 d.101, effective February 21, 1995.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: Source and Effective Date. See, also, section annotations.

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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; nominal penalty assessed due to good faith belief in status as "engineering project" absent statutory definition of the term. *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.

13:27-2.4 Election of officers; term; vacancies

(a) At its annual meeting, the Board shall elect from its members a President and a Vice President. These officers shall be elected by a quorum of the Board.

(b) The term of each officer so elected shall be for one year, but shall continue until a successor has been elected and qualified, unless such officer is removed for cause by vote of a quorum of the Board. In the event of a vacancy in an office, an officer shall be elected by a quorum of the Board to fill the unexpired term.

13:27-2.5 Duties of officers; committee appointments

(a) The President of the Board shall preside at all meetings, appoint all committees and chairpersons and shall perform all other duties ordinarily pertaining to the Office of the President or as may be directed by the Board.

(b) The Vice President shall perform the duties of the President during the absence or incapacity of the President. In the absence of both the President and Vice President, the Board member with seniority shall preside.

13:27-2.6 Executive Director; duties

(a) An Executive Director shall serve as chief administrative officer and official custodian of the records of the Board.

(b) The Executive Director shall, in a thorough and efficient manner, fulfill administrative duties, including, but not limited to, duties in connection with the keeping of minutes of meetings, examinations, correspondence, staff and records.

13:27-2.7 Roster; dissemination of statutes, rules and code data

A roster of architects and landscape architects registered in the State of New Jersey shall be issued every two years.

The roster shall also include the statutes and regulations pertaining to the practice of architecture and landscape architecture and shall list other appropriate codes relating to the practice of architecture and landscape architecture in 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).

In (a), inserted "for applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998,".

13:27-4.4 Training requirements prior to January 1, 1998

(a) In accordance with N.J.A.C. 13:27-4.1(c)2, applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998 may acquire training credits in the following ways:

<u>Item</u>	<u>Description of Training</u>	<u>Percent Credit Allowed</u>	<u>Maximum Credit Allowed</u>
A	Diversified experience in architecture as an employee in the office of a registered architect in private practice under the direct supervision of a registered architect.	100%	No Limit
B	Diversified experience in architecture as an employee of an organization, other than offices of a registered architect in private practice, when the experience is under the direct supervision of a registered architect. Three years of credit will be granted if the Board has pre-approved an organization's intern development program that is comparable to NCARB/IDP.	100%	2 years
<u>C</u>	<u>Description of Training</u> Experience directly related to architecture, under the direct supervision of a licensed professional engineer (practicing as a structural, civil, mechanical or electrical engineer in the field of building construction); certified landscape architect; or licensed professional planner.	<u>Percent Credit Allowed</u> 50%	<u>Maximum Credit Allowed</u> 1 year
D	Experience directly related to on-site building construction operations or experience involving physical analyses of existing buildings.	50%	6 mos.
E	A post-professional degree in architecture or teaching or research in a NAAB-accredited architectural program obtained subsequent to a professional degree as defined in N.J.A.C. 13:27-4.1(b)2	100%	1 year

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), rewrote the introductory paragraph.

13:27-4.5 Training prior to January 1, 1998; public or private nonprofit institutions

In accordance with N.J.A.C. 13:27-4.1(c)2, applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998 may acquire training credits in a public or private non-profit institution, under the direct supervision of a registered architect, provided that the documentation submitted by that agency or institution demonstrates that it provides diversity of experience comparable in scope to that offered by a private architectural office. In deciding if training represents "diversified experience in architecture," the Board will compare the training provided by the agency or institution with the training requirements mandated by the Board. Such entities shall submit documentation of these training programs to the Board prior to the implementation of the training program.

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

Substituted "In accordance with N.J.A.C. 13:27-4.1(c)2, applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998 may acquire training credits" for "Training credits may be earned" at the beginning.

13:27-4.6 Training prior to January 1, 1998; non-traditional settings

(a) In accordance with N.J.A.C. 13:27-4.1(c)2, applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998 may receive a maximum of two years of IDP training credits while working under the supervision of a registered architect when both the architect and the intern are employees of a firm or corporation that is not an architectural firm in private practice but which meets all of the following criteria:

1. The firm or corporation does not engage in construction other than for its own use and occupancy; and
2. The proposed IDP program of the firm or corporation has been examined and approved by the New Jersey State Board of Architects prior to such time as the IDP training program can commence in that firm or corporation.

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), substituted "In accordance with N.J.A.C. 13:27-4.1(c)2, applicants who submitted applications for the Architect Registration Examination prior to January 1, 1998" for "A candidate" at the beginning.

13:27-4.7 (Reserved)

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

Section was "Training requirements subsequent to January 1, 1998".

13:27-4.8 Architect Registration Examination: subjects covered

(a) The subjects covered in the examination are based on the examinations recommended by the National Council of Architectural Registration Boards and reviewed and approved by the Board as follows:

Divisions:

Pre-Design
 Site Planning
 Building Planning
 Building Technology
 General Structures
 Lateral Forces
 Mechanical and Electrical Systems
 Materials and Methods
 Construction Documents and Services

(b) Each division successfully passed will be credited to the record of the candidate and may be carried over without limitation.

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".

13:27-4.9 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.

13:27-4.10 Registration by reciprocity

(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 provided that:

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 portion(s) of the Architect Registration Examination (ARE) as the Board may deem necessary.

(b) In cases where the applicant has been granted registration in another United States jurisdiction on the basis of less experience than the three years required for registration in this State, the Board in its discretion may accept, in lieu of the deficiency, periods of experience in the "practice of architecture," as defined in N.J.A.C. 13:27-3.1, gained subsequent to registration as an architect in that jurisdiction.

(c) In cases where the applicant has been granted registration in another United States jurisdiction on the basis of education or examination qualifications that are not equal to the requirements of this State, the Board may grant registration upon presentation by the applicant of evidence satisfactory to the Board of at least five years of responsible "practice of architecture," as defined under N.J.A.C. 13:27-3.1, while holding a valid license as an architect.

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)1, substituted "sources" for "records" and added "which attest to the applicant's good moral character;"; and in (a)2, substituted "statute" for "law" following "violation of any".

13:27-4.11 Fees

(a) The following fees shall be charged by the Board:

1. Application Fee	\$ 50.00
2. Initial License Fee	
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
3. Biennial Renewal Fee	160.00
4. Reciprocity Application Fee (plus initial license fee)	75.00
5. Replacement or Duplicate Seal Press	40.00
6. Duplicate wall certificate	25.00
7. Late Fee	50.00
8. Verification of Licensure	30.00
9. Reinstatement Fee	100.00
10. Roster	15.00

(b) The "Roster of Architects" shall be issued without charge to State, county and municipal government agencies and to all architects and landscape architects listed therein.

(c) Certificate of Authorization fees shall be as follows:

1. Application fee	\$100.00
2. Initial registration	

i. If paid in the first year of a biennial renewal period	500.00
ii. If paid in the second year of a biennial renewal period	250.00
3. Biennial Renewal	500.00

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

carried over shall have been earned in the last six months of the biennial renewal period.

Administrative correction.
See: 32 N.J.R. 1773(b).

SUBCHAPTER 4A. CONTINUING EDUCATION

Authority

N.J.S.A. 45:1-21 through 45:1-25 and 45:3-1 et seq., specifically 45:3-24 et seq. (P.L. 1997, c.95).

Source and Effective Date

R.2000 d.135, effective April 3, 2000.
See: 31 N.J.R. 1893(a), 32 N.J.R. 1217(a).

13:27-4A.1 License renewal; continuing education requirements

Each applicant for biennial license renewal shall complete, during the preceding biennial period, continuing education in the continuing education ("CE") hours specified in N.J.A.C. 13:27-4A.2. Each applicant shall confirm on the biennial renewal application form that he or she has complied with the Board's continuing education requirements.

13:27-4A.2 Continuing education hour requirements; carry over of excess CE hours

(a) Except as set forth in (b) below, a licensee applying for renewal on or after August 1, 2001 shall complete, during the preceding biennial period, a minimum of 24 CE hours of continuing education consistent with the definition of "continuing education hour" in N.J.A.C. 13:27-3.1. At least eight CE hours per year or 16 CE hours per biennial renewal period shall be obtained from courses or programs within the definition of health, safety, and welfare programs or courses as set forth in N.J.A.C. 13:27-3.1. The remaining CE hours shall be in educational activities that are directly related to the practice of architecture.

(b) A licensee shall not be required to obtain CE hours during the first biennial renewal period in which the licensee obtained initial licensure but shall be subject to the requirements of (a) above for all subsequent biennial renewal periods.

(c) For continuing education license renewal credit, continuing education activities shall be a minimum of one CE hour as defined in N.J.A.C. 13:27-3.1. A maximum of six CE hours shall be credited for any one calendar-day period.

(d) An architect who exceeds CE requirements in a biennial renewal period may carry up to 12 CE hours, including eight CE hours of health, safety, and welfare programs or courses, into the next renewal period. Any CE hours to be

13:27-4A.3 Sources of CE hours; limitations of CE hours on particular activities

(a) An architect may obtain unlimited CE hours, including those fulfilling the health, safety and welfare programs or courses requirements, from educational programs offered by the following recognized providers listed in (a)1 through 6 below. Continuing education hours shall be granted on an hour-for-hour basis of class attendance, pursuant to N.J.S.A. 45:3-26(c).

1. Courses, programs or seminars offered or approved by the American Institute of Architects ("AIA");

2. Courses, programs or seminars offered or approved by the National Council of Architectural Registration Boards ("NCARB");

3. Courses, programs or seminars offered or approved by the School of Architecture at the New Jersey Institute of Technology ("NJIT");

4. Courses, programs or seminars offered or approved by schools of architecture approved by the National Architectural Accrediting Board ("NAAB");

5. Courses, programs or seminars offered or approved by the New Jersey Department of Community Affairs that are directly related to the practice of architecture; and

6. Attendance of educational programs conducted during meetings and conferences of architect professional associations recognized by the Board to the extent that CE hours are credited only to that portion of the meeting or conference that comprised the educational program.

(b) An architect may obtain limited CE hours, including health, safety, and welfare program or course CE hours, in any one-year period, for participation in the following professional activities:

1. Passing the examination for licensure or certification as a landscape architect, land surveyor, professional engineer or professional planner in New Jersey: two CE hours per examination;

2. Preparation of papers, publications, and scientific presentations published or presented within the preceding biennial renewal period provided the subject matter of the paper, publication, or scientific presentation is directly related to the practice of architecture: three CE hours per paper, publication, or scientific presentation with a maximum of one paper, publication or scientific presentation per year;

3. Presentation of table clinics or scientific exhibits that are directly related to the practice of architecture:

one hour per hour of presentation, up to a maximum of two CE hours per year;

4. Teaching and research appointments for each new program or course taught or subject matter researched by a licensee that is directly related to the practice of architecture to be performed at or approved by any of the organizations in (a)1 through 5, above: eight CE hours. "New," in this paragraph, means a program, course or subject matter which the licensee has never taught or researched before in any educational or institutional setting.

13:27-4A.4 Reporting and documentation of continuing education hours

(a) An architect shall maintain, for five years following license renewal, a record of all continuing education activity completed and shall submit evidence of completion of the CE hour requirements to the Board upon request. An architect shall obtain from the continuing education course sponsor or organization a record of attendance which shall include, at a minimum, the following:

1. The participant's name and Board-issued license number, which shall appear on every page of every item submitted to the Board;
2. The title or subject matter of the course;
3. The name of the instructor;
4. The course provider/sponsor;
5. The date and location of the course;
6. The number of CE hours earned from the course; and
7. Verification of successful completion.

(b) In addition to the requirements of (a) above, each architect shall verify specific continuing education activities applicable as follows:

1. Completion of academic course work by submitting an official transcript;
2. Publication of a paper by submitting a copy of the published paper;
3. Teaching or research appointment by submitting written verification from the appropriate school authority on official letterhead or bearing other official mark, attesting to the appointment; and
4. Presentation of a continuing education lecture course or a scientific presentation by submitting written verification from the sponsoring organization of said presentation.

(c) If official correspondence, a transcript, or formal verification of continuing education hours is not available, the architect shall substitute such evidence of completion of the CE hours claimed as may substantiate completion of those hours. The Board may require supplemental documentation or other evidence, including a personal interview with the architect, to establish verification of CE hours claimed for continuing education credit.

(d) Falsification of any information submitted with the renewal application may result in an appearance before the Board, penalties, and/or suspension of license pursuant to N.J.S.A. 45:1-21 through 45:1-25.

13:27-4A.5 Audit of continuing education

(a) All architects shall be subject to audit by the Board and shall, upon written request of the Board, submit documentation to support continuing education credit claimed for license renewal. Documentation may include, but is not limited to, proof of attendance, course syllabi, course descriptions, copies of courses, publications and papers published or presented, the verifications enumerated in N.J.A.C. 13:27-4A.4 and other documentation as the Board may require.

(b) The Board may reject any continuing education hours claimed for continuing education credit that are not relevant to the practice of architecture in the State of New Jersey.

(c) The Board may take any appropriate disciplinary measures, including suspension of license, pursuant to N.J.S.A. 45:1-21, if an architect fails to meet continuing education requirements as set forth in this subchapter. An architect shall have an opportunity to be heard pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, before any disciplinary measure is imposed.

13:27-4A.6 Waiver of continuing education requirements

(a) The Board may waive all or part of the continuing education requirements on an individual basis for reasons of hardship, such as severe illness, disability, active service in the military, or other good cause.

(b) Any architect seeking a waiver of all or part of the continuing education requirements shall apply to the Board in writing prior to renewal of licensure and set forth with specificity the reasons for requesting the waiver. The architect shall also provide such additional information as the Board may reasonably request in support of the request for waiver.

SUBCHAPTER 5. RULES OF PROFESSIONAL CONDUCT

13:27-5.1 Competence

(a) An architect shall at all times recognize the primary obligation to protect the health, safety and welfare of the public in the performance of professional duties, shall act with reasonable care and competence, and shall apply the technical knowledge and skill which are ordinarily applied by architects of good standing, practicing in the same locality.

(b) An architect shall take into account all of the applicable Federal, State, county and municipal statutes, regulations and ordinances including, but not limited to, New Jersey Uniform Construction Code Regulations (N.J.A.C. 5:23); zoning ordinances; master plans and site plan regulations. While an architect may rely on the advice of other

professionals (for example: attorneys, other architects, engineers, landscape architects and other qualified persons) as to the intent and meaning of such statutes and regulations, once having obtained such advice, an architect shall not knowingly proceed in violation of such statutes and regulations.