

Title 17. Professions, Occupations, and Businesses

Chapter XLI. Arkansas State Board of Architects, Landscape Architects, and Interior Designers, Department of Labor and Licensing

Subchapter A. Generally

Part 230. Arkansas State Board of Architects, Landscape Architects, and Interior Designers Rules

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Rules

The Arkansas Architectural Act, Arkansas Landscape Architectural Practice Act, and Arkansas Registered Interior Designers Title Registration Act and its rules are being provided as a reference to licensees, candidates, and members of the public in this up-to-date format. All licensees and candidates for licensure should understand the board's statutes and rules and should be familiar with their provisions. While every effort has been made to ensure the accuracy of this document, it does not have legal effect. Should any difference or error occur, the law will take precedence.

If you have a question regarding the interpretation of these statutes and rules, please contact the Arkansas State Board of Architects, Landscape Architects, and Interior Designers at 101 East Capitol Avenue, Suite 110, Little Rock, AR, 72201-2822. The board can be reached by telephone at 501-682-3171, by fax 501-682-3172, or by email at asbalaid@arkansas.gov."

Subpart 1. Scope and Definitions

17 CAR § 230-101. Purpose.

(a) These rules of the Arkansas State Board of Architects, Landscape Architects, and Interior Designers are set forth for the purpose of interpreting and implementing the:

(1) Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq.;

(2) Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq.;

and

(3) Arkansas Interior Designers Title Registration Act, Arkansas Code §§ 17-35-101 – 17-35-106 and 17-35-301 – 14-35-304.

(b)(1) These acts establish the board and grant it full responsibility for registration of architects, landscape architects, and registered interior designers.

(2) They also provide for the regulation of the:

(A) Practice of architecture;

(B) Practice of landscape architecture; and

(C) Use of the title “registered interior designer”.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-102. Definitions.

(a) **Terms defined by statute.** The terms defined in the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., the Arkansas Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq., and the Arkansas Interior Designers Title Registration Act, Arkansas Code §§ 17-35-101 – 17-35-106 and 17-35-301 – 14-35-304, shall have the same meanings when used in this part, unless the context or subject matter clearly requires a different interpretation.

(b) **Terms defined herein.** As used in this part, the following terms shall have the following meanings, unless the context or subject matter clearly requires a different interpretation:

(1) “Applicant” means any individual who has submitted an application for registration to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers;

(2)(A) "Appropriate design professional" means the individual who is most responsible for the portion of the work that reflects that individual's discipline or area of expertise.

(B) Examples of design professionals include:

- (i) Architects;
- (ii) Civil engineers;
- (iii) Structural engineers;
- (iv) Mechanical engineers;
- (v) Electrical engineers;
- (vi) Landscape architects; and
- (vii) Registered interior designers;

(3) "Architect" means any person who is technically and legally qualified to practice architecture;

(4) "Architect examination" means the current Architect Registration Examination (ARE®), prepared and administered through NCARB;

(5) "Architect Registration Examination (ARE®)" means the current Architect Registration Examination prepared by NCARB;

(6) "Broadly experienced architect (BEA)" means a broadly experienced architect, as currently defined by NCARB;

(7) "Broadly experienced foreign architect (BEFA)" means a broadly experienced foreign architect, as currently defined by NCARB;

(8) "Continuing education (CE)" means learning that enables a registered architect, landscape architect, or registered interior designer to regularly increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture, landscape architecture, or interior design to safeguard the public's:

- (A) Health;
- (B) Safety; and
- (C) Welfare;

(9)(A) "Continuing education hour (CEH)" means one (1) continuous hour (fifty (50) to sixty (60) minutes of contact) spent in structured educational activities intended to increase or update the architect's, landscape architect's, or registered interior designer's knowledge and competence in health, safety, and welfare subjects.

(B) If the provider of the structured educational activities prescribes a customary time for completion of such an activity, then such prescribed time shall, unless the Arkansas State Board of Architects, Landscape Architects, and Interior Designers finds the prescribed time to be unreasonable, be accepted as the architect's, landscape architect's, or registered interior designer's time for continuing education purposes, irrespective of actual time spent on the activity;

(10) "Council for Interior Design Accreditation (CIDA)" means the Council for Interior Design Accreditation;

(11) "Council for Interior Design Qualification (CIDQ)" means the Council for Interior Design Qualification;

(12) "Council of Landscape Architectural Registration Boards (CLARB)" means the Council of Landscape Architectural Registration Boards;

(13)(A) "Construction contract administration" means the portion of the architect's services that takes place during the construction of a building.

(B) Construction contract administration services must include periodic observation of the construction site to determine whether the building is being built in accordance with the construction documents.

(C) The appropriate design professional must observe the portion of the work for which he or she is directly responsible;

(14) "Education Evaluation Services for Architects (EESA)" means a program administered by Educational Credential Evaluators, Inc., a private organization not affiliated with NCARB or any of its members;

(15)(A) "Emeritus architect" means a registrant who has retired from the active practice of architecture and who is sixty-five (65) years of age or older.

(B) An emeritus architect may use the title "architect," but may not practice architecture as defined in Arkansas Code Annotated §17-15-102;

(16)(A) "Emeritus landscape architect" means a registrant who has retired from the active practice of architecture and who is sixty-five (65) years of age or older.

(B) An emeritus landscape architect may use the title "landscape architect," but may not practice landscape architecture as defined in Arkansas Code § 17-36-102;

(17) "Health, safety, and welfare subjects" means subjects related to technical and professional courses that the Arkansas State Board of Architects, Landscape Architects, and Interior Designers deems appropriate to safeguard the public and that are within the following enumerated areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment:

(A) Legal:

- (i) Laws;
- (ii) Codes;
- (iii) Zoning;
- (iv) Regulations;
- (v) Standards;
- (vi) Life safety measures;
- (vii) Accessibility;
- (viii) Ethics; and
- (ix) Insurance protecting the owner or the public;

(B) Technical:

- (i) Surveying;
- (ii) Structural;
- (iii) Mechanical;
- (iv) Electrical;
- (v) Communication;
- (vi) Fire protection;
- (vii) Controls;
- (viii) Site grading; and
- (ix) Irrigation systems;

- (C) Environmental:
 - (i) Energy efficiency;
 - (ii) Sustainability;
 - (iii) Natural resources;
 - (iv) Natural hazards;
 - (v) Hazardous materials;
 - (vi) Waterproofing;
 - (vii) Insulation; and
 - (viii) Storm water management;
- (D) Occupant comfort:
 - (i) Air quality;
 - (ii) Lighting;
 - (iii) Acoustics; and
 - (iv) Ergonomics;
- (E) Materials and methods:
 - (i) Building systems;
 - (ii) Products;
 - (iii) Finishes;
 - (iv) Furnishings; and
 - (v) Equipment;
- (F) Preservation:
 - (i) Historic;
 - (ii) Reuse; and
 - (iii) Adaptation;
- (G) Predesign:
 - (i) Land use analysis;
 - (ii) Programming;
 - (iii) Site selection; and
 - (iv) Site and soils analysis;
- (H) Design:

- (i) Urban planning;
 - (ii) Master planning;
 - (iii) Building design;
 - (iv) Site design;
 - (v) Interiors; and
 - (vi) Safety and security measures;
- (I) Construction documents:
- (i) Drawings;
 - (ii) Specifications; and
 - (iii) Delivery methods; and
- (J) Construction contract administration:
- (i) Contracts;
 - (ii) Bidding; and
 - (iii) Contract negotiations;

(18) "Interior Design Continuing Education Council (IDCEC)" means the Interior Design Continuing Education Council;

(19) "Interior design examination" means the current registration examination, prepared and administered through CIDQ;

(20)(A) "Intern architect" means any person who possesses a professional degree in architecture from an NAAB-accredited school and is enrolled in the Intern Development Program (IDP).

(B) Use of the title "intern architect" shall not be construed to allow practice of architecture by unregistered individuals;

(21) "Intern Development Program (IDP)" means training requirements for certification are established, from time to time, by NCARB;

(22) "Landscape architect" means any person who is technically and legally qualified to practice landscape architecture;

(23) "Landscape Architectural Accreditation Board (LAAB)" means the Landscape Architectural Accreditation Board;

(24) "Landscape Architect Examination" means the current Landscape Architect Registration Examination (LARE®), prepared and administered through CLARB;

(25) "Landscape Architect Registration Examination (LARE®)" means the current Landscape Architect Registration Examination prepared by CLARB;

(26) "National Architectural Accrediting Board (NAAB)" means the National Architectural Accrediting Board;

(27) "National Council of Architectural Registration Boards (NCARB)" means the National Council of Architectural Registration Boards;

(28) "Original documents" means the version of drawings and/or sets of specifications from which all lawful copies are made;

(29)(A) "Practice of architecture" means the provision of, or the offering to provide, the services defined in the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., in connection with the design, construction, enlargement, or alteration of a building or group of buildings and/or the space within and surrounding buildings designed for human occupancy or habitation.

(B) These services include planning, providing preliminary studies, designs, drawings, specifications, and other technical submissions.

(C) The practice of architecture also includes administrative services during construction;

(30) "Principal" means any registered architect in charge of an organization's architectural practice, either alone or in partnership with other registered architects;

(31) "Prototype building" means any commercial building or space within a commercial building that:

(A) Is intended to be constructed in multiple locations;

(B) Has been constructed in multiple locations; or

(C) Conveys an owner's intended uniform business:

(i) Program;

(ii) Plan; or

(iii) Image;

(32)(A) "Prototypical building documents" means technical submissions for prototypical buildings that are prepared by, or under the responsible control of, an architect who is registered in any United States jurisdiction and who holds certification issued by NCARB.

(B) These documents must identify the:

- (i) Architect;
- (ii) Architect's registration number, jurisdiction, or registration; and
- (iii) Architect's NCARB certification number.

(C) They also must be marked "Prototypical Design Documents: Not for Construction".

(D) Prototypical building documents do not make up a final comprehensive set of design and construction documents because a prototypical building requires adaptation for local building site conditions, which may require additional design;

(33) "Registered interior designer" means any person who is technically and legally qualified to utilize the title "registered interior designer";

(34)(A) "Responsible control" means the amount of control over and detailed knowledge of the content of technical submissions during their preparation, which is ordinarily exercised by registered architects who are applying the required professional standard of care.

(B) Reviewing or correcting technical submissions after they have been prepared by others does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed professional knowledge of the content of such submissions throughout their preparation;

(35)(A) "Structured educational activities" means those in which at least seventy-five percent (75%) of an activity's content and instructional time is devoted to acceptable health, safety, and welfare subjects related to the practice of:

- (i) Architecture;
- (ii) Landscape architecture; and
- (iii) Interior design.

(B) Activities may include courses of study, monographs, or other activities under the areas identified as health, safety, and welfare subjects.

(C) The activities must be provided by qualified individuals or organizations, whether delivered by direct contact or distance-learning methods; and

(36)(A) "Technical submissions" means designs, drawings, specifications, studies, and other technical reports prepared in the course of practicing architecture and landscape architecture.

(B) All technical submissions shall be identified by the name and address of the:

- (i) Architect;
- (ii) Landscape architect; or
- (iii) Architect's firm.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-103. Citation.

This part shall be known and may be cited as the Arkansas State Board of Architects, Landscape Architects, and Interior Designers Rules.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-104. Severability.

(a) If any provision of this part or the application thereof to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications of this part.

(b) This part can be given effect without the invalid provision or application.

(c) To this end, the provisions of this part are declared to be severable.

Authority. Arkansas Code § 17-15-203.

Subpart 2. General Provisions

17 CAR § 230-201. Board operation.

(a) Arkansas State Board of Architects, Landscape Architects, Interior Designers headquarters shall be located in Little Rock, at a location designated by the board.

(b)(1) Board officers shall be a President, Vice President, and Secretary-Treasurer.

(2) Terms of office for officers shall last one (1) year.

(c) Board employees shall be the Executive Director, Administrative Assistant/Office Manager, Administrative Analyst, and/or other employees, as deemed necessary by the board.

(d) The fiscal year shall be July 1 through June 30.

(e)(1)(A) Board meetings shall be held at the discretion of the board, but not less than twice annually.

(B) Exact dates shall be determined by the President.

(2) Special meetings may be called by the President or by any two (2) board members.

(3) All board meetings shall take place in the State of Arkansas, as directed by the President or by two (2) board members who call a special meeting.

(f) Notice of any meeting shall be sent to each board member by the Executive Director or Administrative Assistant/Office Manager at least five (5) days prior to the meeting, unless such notice is waived by all members.

(g) All of the following records and reports shall be the responsibility of the Secretary-Treasurer, who may delegate actual preparation to staff:

(1) Minutes and official reports;

(2) Registration of:

(A) Applicants;

(B) Examinations;

(C) Certifications; and

(D) Renewals;

(3) Correspondence; and

(4) Receipts and disbursements.

(h) All funds collected shall be deposited into the account of the board by the Secretary-Treasurer, who may delegate these duties to staff.

(i) Fiduciary bonds covering the Secretary-Treasurer, Executive Director, and staff shall be secured as required by the board or by the State of Arkansas.

(j) All board funds shall be deposited into the Arkansas State Treasury or savings account in a financial institution chartered in the State of Arkansas.

(k) Disbursements shall be made only with the signatures of any two (2) of the following, in accordance with the adopted financial oversight procedures:

- (1) President;
- (2) Executive Director;
- (3) Administrative Assistant/Office Manager; or
- (4) Secretary-Treasurer.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-202. Board seal.

(a) The seal of the Arkansas State Board of Architects, Landscape Architects, and Interior Designers was designated in 2009.

(b) This seal shall be applied to all registrations issued by the board.



Authority. Arkansas Code § 17-15-203.

17 CAR § 230-203. Public information.

(a)(1) At its office, the Arkansas State Board of Architects, Landscape Architects, and Interior Designers shall maintain a roster of duly registered architects and business entities showing each registered architect's or entity's:

- (A) Business name;
- (B) Registration;
- (C) Certificate or authorization number; and
- (D) Last known mailing address.

(2) This roster shall be open to public inspection.

(b) Furthermore, a roster of all licensed architects shall be published on the board's website.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-204. Prohibition or improper contracts.

(a)(1)(A) Prior to the filing of an application, and after the final Arkansas State Board of Architects, Landscape Architects, and Interior Designers action on an application, verbal and written communication with individual board members or any individual members of the board's staff shall be freely permitted.

(B) However, no member of the board or its staff is authorized to give any indication of what specific actions the board may take upon the merits of an application that may be filed.

(C) Board members and staff may give general advice about:

- (i) The manner of completing or submitting applications;
- (ii) The procedures to be followed when processing applications; and
- (iii) The nature of the standards applied by the board in evaluating

applications.

(2)(A) When an application for registration is pending before the board, no one shall initiate any written or oral communication with individual board members concerning the matter.

(B) However, inquiries may be made, either orally or in writing, to the Executive Director or the board staff, or, in writing, to the board office.

(b)(1) Once a complaint has been filed or an enforcement action has been initiated against any individual or corporation, no person shall contact any board member to discuss the circumstances of the case.

(2)(A) No one shall initiate any written or oral communication with individual board members concerning the matter.

(B) However, inquiries may be made, orally or in writing, to the Executive Director or board staff, or, in writing, to the board office.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-205. NCARB.

(a) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers shall maintain membership in NCARB and shall pay the necessary costs thereof.

(b) The board shall maintain up-to-date information on the recommended polices adopted from time to time by NCARB.

(c) The board shall cooperate with NCARB in establishing uniform standards of architectural registration throughout the United States and abroad.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-206. CLARB.

(a) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers shall maintain membership in CLARB and pay the necessary costs thereof.

(b) The board shall maintain up-to-date information of the recommended polices adopted from time to time by CLARB.

(c) The board shall cooperate with CLARB in established uniform standards of landscape architectural registration throughout the United States and abroad.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CLARB" means Council of Landscape Architectural Registration Boards.

17 CAR § 230-207. CIDQ.

(a) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers shall maintain membership in CIDQ and pay the necessary costs thereof.

(b) The board shall maintain up-to-date information of the recommended polices adopted from time to time by CIDQ.

(c) The board shall cooperate with CIDQ in established uniform standards of interior design registration throughout the United States and abroad.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CIDQ" means Council for Interior Design Qualification.

Subpart 3. Application for Registration

17 CAR § 230-301. Submission of registration.

Every individual seeking registration shall submit an application to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers, accompanied by a photograph and the filing fee established in the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., the Arkansas Interior Designers Title Registration

Act, Arkansas Code § 17-35-101 et seq., and the Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-302. Supplemental materials.

Material submitted to supplement any previously filed application must include copies of the originally submitted application and all materials filed with that application.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-303. Prelicensure criminal background check.

(a) Pursuant to Arkansas Code § 17-3-103, an individual may petition for a prelicensure determination of whether the individual's criminal record will disqualify the individual from licensure and whether a waiver may be obtained.

(b) The individual must obtain the prelicensure criminal background check petition form from the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

(c) The board will respond with a decision in writing to a completed petition within a reasonable time.

(d) The board response will state the reason or reasons for the decision.

(e) All decisions of the board in response to the petition will be determined by the information provided by the individual.

(f) Any decision made by the board in response to a prelicensure criminal background check petition is not subject to appeal.

(g) The board will retain a copy of the petition and response and it will be reviewed during the formal application process.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-304. Criminal background check waiver request.

(a) If an individual has been convicted of an offense listed in Arkansas Code § 17-3-102(a) or (e), the Arkansas State Board of Architects, Landscape Architects, and Interior Designers may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

- (1) An affected applicant for a license; or
- (2) An individual holding a license subject to revocation.

(b) The board may grant a waiver upon consideration of the following, without limitation:

- (1) The age at which the offense was committed;
- (2) The circumstances surrounding the offense;
- (3) The length of time since the offense was committed;
- (4) Subsequent work history since the offense was committed;
- (5) Employment references since the offense was committed;
- (6) Character references since the offense was committed;
- (7) Relevance of the offense to the license; and
- (8) Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.

(c) A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.

(d) The board will respond with a decision in writing and will state the reasons for the decision.

(e) An appeal of a determination under this section will be subject to the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-305. Automatic licensure for uniformed service members, veterans, and spouses.

(a) As used in this section, "uniformed service veteran" means a former member of the United States Armed Forces discharged under circumstances other than dishonorable.

(b) As used in this subsection, "automatic licensure" means the granting of a license without an individual's having met licensure requirements provided under Title 17 of the Arkansas Code or by this part.

(c) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers shall grant automatic licensure to an individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the United States and is:

(1) A uniformed service member stationed in the State of Arkansas;

(2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or

(3) The spouse of:

(A) A person under subdivisions (c)(1) or (c)(2) of this section;

(B) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or

(C) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

(d) The board shall grant such automatic licensure upon receipt of all the below:

(1) Payment of the initial licensure fee;

(2) Evidence that the individual holds a license with a similar scope of practice in another state; and

(3) Evidence that the applicant is a qualified applicant under subsection (c) of this section.

(e) The expiration date of a license for a deployed uniform service member or spouse will be extended for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(f) A full exemption from continuing education requirements will be allowed for a deployed uniform service member or spouse until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-306. Application fees.

Every applicant shall include with his or her application a nonrefundable filing fee, determined in accordance with this schedule:

| | |
|---|----------|
| Application for registration by examination (ARE®) | \$250.00 |
| Application for registration by examination (LARE®) | \$250.00 |
| Application for registration by examination (CIDQ) | \$250.00 |
| Application for individual reciprocal registration | \$250.00 |
| Application for certification of authorization | \$250.00 |
| Application for emeritus-status registration | \$20.00 |

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

Codification Notes. "ARE®" means Architect Registration Examination.

"LARE®" means Landscape Architect Registration Examination.

17 CAR § 230-307. Annual renewal fees.

Every applicant for registration renewal shall include with his or her application a nonrefundable renewal fee, determined in accordance with the schedule set forth as follows:

| | |
|--|----------|
| Annual renewal of individual registration | \$100.00 |
| Annual renewal of certificate of authorized registration | \$250.00 |

Annual renewal of emeritus-status registration \$20.00

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

17 CAR § 230-308. Late fees.

(a) Registrations for individuals and corporations that have expired or have been revoked due to nonpayment of the annual renewal fee may be reinstated through the payment of the renewal fee, in effect at the time, plus a penalty of fifty dollars (\$50.00) per month for the first three (3) months in which the registration has been expired or revoked.

(b) Thereafter, an additional penalty of one hundred dollars (\$100) for the balance of one (1) year, for a maximum penalty of two hundred fifty dollars (\$250) per year, for a maximum of three (3) years, shall be levied in accordance with the schedule set forth below:

| | |
|--|----------|
| Individual Registration/Certificate of Authorization (1 Month) Late | \$50.00 |
| Individual Registration/Certificate of Authorization (2 Months) Late | \$100.00 |
| Individual Registration/Certificate of Authorization (3 Months) Late | \$150.00 |
| Individual Registration/Certificate of Authorization (4–12 Months) Late | \$250.00 |
| Individual Registration/Certificate of Authorization (13 Months) Late | \$300.00 |
| Individual Registration/Certificate of Authorization (14 Months) Late | \$350.00 |
| Individual Registration/Certificate of Authorization (15 Months) Late | \$400.00 |
| Individual Registration/Certificate of Authorization (16–24 Months) Late | \$500.00 |
| Individual Registration/Certificate of Authorization (25 Months) Late | \$550.00 |
| Individual Registration/Certificate of Authorization (26 Months) Late | \$600.00 |
| Individual Registration/Certificate of Authorization (27 Months) Late | \$650.00 |
| Individual Registration/Certificate of Authorization (28–36 Months) Late | \$750.00 |

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

17 CAR § 230-309. Miscellaneous fees.

Miscellaneous fees include:

| | |
|--|----------|
| Replacement or Duplicate Wall Certificate | \$30.00 |
| Architect Electronic File of Roster | \$125.00 |
| Landscape Architect Electronic File of Roster | \$125.00 |
| Registered Interior Designer Electronic File of Roster | \$50.00 |
| Returned Check Fee | \$25.00 |

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

17 CAR § 230-310. Work force expansion act fee waiver.

(a)(1) An applicant shall receive a waiver of the initial licensure fee, if eligible.

(2) Eligible applicants are applicants who:

(A) Are receiving assistance through the Arkansas Medicaid program, the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Program for Women, Infants, and Children (SSNP), the Temporary Assistance for Needy Families Program (TEA), or the Lifeline Assistance Program (LAP);

(B) Were approved for unemployment within the last twelve (12) months;

or

(C) Have an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

(b) Applicants shall provide documentation showing their receipt of benefits from the appropriate state agency:

(1) For Medicaid, SNAP, SSNP, TEA, or LAP, documentation from the Department of Human Services;

(2) For unemployment benefits approval in the last twelve (12) months, the Division of Workforce Services; or

(3) For proof of income, copies of all United States Internal Revenue Service forms indicating applicant's total personal income for the most recent tax year, e.g., "W2", "1099", etc.

(c)(1) Applicants shall attest that the documentation provided under subsection (b) of this section is a true and correct copy.

(2) Fraudulent or fraudulently obtained documentation shall be grounds for denial or revocation of license.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-311. Eligibility for work permit holders.

The Arkansas State Board of Architects, Landscape Architects, and Interior Designers shall grant a license to an applicant who fulfills the Arkansas requirements for licensure and is a person who holds a Federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a "work permit".

Authority. Arkansas Code § 17-15-203.

Subpart 4. Architect Registration Standards

17 CAR § 230-401. Initial registration standards.

(a) To be granted initial registration, an applicant must meet the following requirements:

(1) An applicant must be of good moral character, as verified by employers and other references;

(2) An applicant must hold a professional degree in architecture from a degree program accredited by the NAAB or otherwise satisfy the education requirements established from time to time by NCARB for certification by NCARB;

(3) An applicant must have completed the IDP requirements in accordance with current NCARB standards;

(4) An applicant must have passed the ARE® in accordance with current NCARB standards;

(5) An applicant must complete an affidavit supplied by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers attesting that he or she has read and understood the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., and rules.

(b) When evaluating qualifications, the board may require that the applicant substantiate his or her qualifications.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "ARE®" means Architect Registration Examination.

"IDP" means Intern Development Program.

"NAAB" means National Architectural Accrediting Board.

"NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-402. Reciprocal registration standards.

An applicant who holds a current and valid certification issued by NCARB and who submits satisfactory evidence of such certification to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers can be registered, provided the applicant meets the following requirements:

(1) The applicant holds a valid registration as an architect issued by a registration authority recognized by NCARB and submits satisfactory evidence of such registration to the board;

(2) An applicant files his or her application in a form prescribed by the board and pays the applicable fees established by the board; and

(3) Before registration, the board may, at its discretion, require individual applicants to appear before the board when an NCARB record does not clearly indicate that the applicant is qualified for registration in Arkansas.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-403. Registration prohibited.

One (1) or more of the following acts shall be sufficient to prevent the applicant from being considered for registration and license:

(1) Practicing architecture without registration in Arkansas or any other state, territory, district, or zone of the United States in violation of a law governing such a practice;

(2) Conviction of a felony listed under Arkansas Code § 17-3-102, unless waived by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers;

(3) Submitting a misstatement or misrepresentation of fact in connection with an application for examination, registration, application for reciprocal registration, or any other official communication with the board; and

(4) Committing an act prohibited by a provision of the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., or the rules of this board in effect at that time.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-404. Practice permitted without certificate of registration.

(a) A nonresident architect who holds an NCARB certificate may offer to practice architecture in Arkansas for an individual project, provided he or she notifies the Arkansas State Board of Architects, Landscape Architects, and Interior Designers in writing of the following:

(1) That he or she holds an NCARB certificate and is not currently registered in Arkansas but will be present in Arkansas for the purpose of offering to render architectural services for a single project; and

(2) That he or she will deliver a copy of the notice referred to above to every person conducting an architectural design competition and promise to apply to the board within thirty (30) days for registration if selected for the project.

(b) A nonresident architect who holds an NCARB certificate may offer to seek an architectural commission in Arkansas by participating in a single architectural design competition, provided that he or she notifies the board in writing of the following:

(1) That he or she holds an NCARB certificate and is not currently registered in Arkansas but will be present in Arkansas for the purpose of offering to render architectural services for a single project;

(2) That he or she will deliver a copy of the notice referred to above to every potential client to whom he or she offers to render services; and

(3) That he or she promises to apply to the board for registration within thirty (30) days if selected for the project.

(c) A nonresident architect may provide uncompensated professional services at the scene of an emergency at the request of a public officer, public safety officer, or municipal or county building inspector acting in an official capacity.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-405. Renewal.

(a) The certificate of registration for individual architects shall expire on July 31 of each year and shall become invalid on August 1, unless renewed.

(b) All renewals must be either received in the Arkansas State Board Architects, Landscape Architects, and Interior Designers office by the close of business on the last day of the renewal period or postmarked by the last day of the renewal period.

(c) Only renewal forms that contain the completed renewal application, annual continuing education affidavit attesting to compliance with continuing education requirements, and the required renewal fees will be processed.

(d)(1) A registrant who does not properly renew his or her license may not practice after the expiration of the license.

(2) A registrant who continues to practice using an expired license will be subject to such disciplinary action as the board deems appropriate.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-406. Emeritus status registration.

(a) Registrants who are retired from the active practice of architecture who are sixty-five (65) years of age or older may request emeritus status by filling out the proper application.

(b) Emeritus-status licensees are exempt from continuing education requirements unless the architect reactivates his or her license to active status.

(c)(1) Registrants who have been on emeritus status for more than one (1) year may be readmitted to active practice upon proper application and completion of twenty-four (24) hours of continuing education.

(2) Registrants who have been on emeritus status for one (1) year or less may be readmitted to active practice upon proper application and completion of twelve (12) hours of continuing education.

(d) An emeritus architect seeking readmission to active practice shall pay all applicable fees, not to exceed the current license fees.

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

17 CAR § 230-407. Reinstatement of lapsed license.

(a)(1) An individual whose license has lapsed for any reason may be reinstated at any time within three (3) years from the date of cancellation of the registration.

(2) Prior to reinstatement, the individual must demonstrate compliance with the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., and the current rules.

(3) The applicant must pay all fees that have accrued since the time of cancellation as well as the amount of penalties due.

(b) Registrants who hold an NCARB certification and have allowed their registrations to lapse for a period of three (3) or more years must reapply through reciprocity.

(c) Registrants without NCARB certification and who were initially registered in Arkansas may reapply without retaking the ARE®.

(d) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers may reissue a certificate of registration to any person whose certificate has lapsed or has been suspended or revoked, provided there are no pending charges of violations of the act.

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

Codification Notes. "ARE®" means Architect Registration Examination.

"NCARB" means National Council of Architectural Registration Boards.

Subpart 5. Landscape Architect Registration Standards

17 CAR § 230-501. Initial registration standards.

(a) To be granted initial registration, an applicant must meet the following requirements:

(1) An applicant must be of good moral character, as verified by employers and other references;

(2) An applicant must hold a professional degree in landscape architecture from a degree program that has been accredited by LAAB;

(3) An applicant must have passed the LARE® in accordance with current CLARB standards; and

(4) An applicant must complete an affidavit supplied by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers attesting that he or she has read and understood the Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq., and this part.

(b) When evaluating qualifications, the board may require that the applicant substantiate his or her qualifications.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CLARB" means Council of Landscape Architectural Registration Boards.

"LAAB" means Landscape Architectural Accreditation Board.

"LARE®" means Landscape Architect Registration Examination.

17 CAR § 230-502. Reciprocal registration standards.

An applicant who holds a current and valid record issued by CLARB and who submits satisfactory evidence of such record to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers can be registered, provided the applicant meets the following requirements:

(1) An applicant must be of good moral character, as verified by employers and other references;

(2) An applicant must hold a professional degree in landscape architecture from a degree program that has been accredited by LAAB;

(3) An applicant must have passed the LARE® in accordance with current CLARB standards;

(4) An applicant must complete an affidavit supplied by the board attesting that he or she has read and understood the Landscape Architectural Practice Act, Arkansas Code § 17-15-101 et seq., and this part;

(5) The applicant holds a valid registration as a landscape architect issued by a registration authority of the United States and submits satisfactory evidence of such registration to the board;

(6) An applicant files his or her application in a form prescribed by the board and pays the applicable fees established by the board; and

(7) Before registration, the board may, at its discretion, require individual applicants to appear before the board when a CLARB record does not clearly indicate that the applicant is qualified for registration in Arkansas.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CLARB" means Council of Landscape Architectural Registration Boards.

"LAAB" means Landscape Architectural Accreditation Board.

"LARE®" means Landscape Architect Registration Examination.

17 CAR § 230-503. Registration prohibited.

One (1) or more of the following acts shall be sufficient to prevent the applicant from being considered for registration and license:

(1) Practicing landscape architecture without registration in Arkansas or any other state, territory, district, or zone of the United States in violation of a law governing such a practice;

(2) Conviction of a felony listed under Arkansas Code § 17-3-102, unless waived by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers;

(3) Submitting a misstatement or misrepresentation of fact in connection with an application for examination, registration, application for reciprocal registration, or any other official communication with the Arkansas State Board of Architects, Landscape Architects, and Interior Designers; and

(4) Committing an act prohibited by a provision of the Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq., or the rules of this board in effect at that time.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-504. Renewal.

(a) A certification of registration shall expire on January 31 of each year and shall become invalid on February 1, unless renewed.

(b) All renewals must be either received in the Arkansas State Board of Architects, Landscape Architects, and Interior Designers office by the close of business on January 31 or postmarked by January 31.

(c) Only renewal forms that contain the completed renewal application, annual continuing education affidavit attesting to compliance with continuing education requirements, and the required renewal fees will be processed.

(d)(1) A registrant who does not properly renew his or her license may not practice landscape architecture after the expiration of the license.

(2) A registrant who continues to practice using an expired license will be subject to such disciplinary action as the board deems appropriate.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-505. Emeritus status registration.

(a) Registrants who are retired from the active practice of landscape architecture who are sixty-five (65) years of age or older may request emeritus status by filling out the proper application.

(b) Emeritus status licensees are exempt from continuing education requirements unless the landscape architect reactivates his or her license to active status.

(c)(1) Registrants who have been on emeritus status for more than one (1) year may be readmitted to active practice upon proper application and completion of twenty-four (24) hours of continuing education.

(2) Registrants who have been on emeritus status for one (1) year or less may be readmitted to active practice upon proper application and completion of twelve (12) hours of continuing education.

(d) An emeritus landscape architect seeking readmission to active practice shall pay all applicable fees, not to exceed the current license fees.

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

17 CAR § 230-506. Reinstatement of lapsed license.

(a)(1) An individual whose license has lapsed for any reason may be reinstated at any time within three (3) years from the date of cancellation of the registration.

(2) Prior to reinstatement, the individual must demonstrate compliance with the Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq., and this part.

(3) The applicant must pay all fees that have accrued since the time of cancellation as well as the amount of penalties due.

(b) Registrants who hold a CLARB certification and have allowed their registrations to lapse for a period of three (3) or more years must reapply through reciprocity.

(c) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers may reissue a certificate of registration to any person whose certificate has lapsed or has been suspended or revoked, provided there are no pending charges of violations of this act.

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

Codification Notes. "CLARB" means Council of Landscape Architectural Registration Boards.

Subpart 6. Interior Designer Registration Standards

17 CAR § 230-601. Initial registration standards.

(a) To be granted initial registration, an applicant must meet the following requirements:

(1) An applicant must be of good moral character, as verified by employers and other references;

(2) An applicant must hold a professional degree in interior design from a degree program that has been accredited by the Council for Interior Design Accreditation (CIDA) or degree program with proof of equivalency to the CIDA program;

(3) An applicant must have completed the minimum experience requirements as determined by the completed degree program;

(4) An applicant must have passed the CIDQ examination in accordance with current CIDQ standards; and

(5) An applicant must complete an affidavit supplied by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers attesting that he or she has read and understood the Arkansas Interior Designers Title Registration Act, Arkansas Code §§ 17-35-101 – 17-35-106 and 17-35-301 – 17-35-304 and this part.

(b) When evaluating qualifications, the board may require that the applicant substantiate his or her qualifications.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CIDQ" means Council for Interior Design Qualification.

17 CAR § 230-602. Reciprocal registration standards.

An applicant who holds a current and valid certification issued by CIDQ and who submits satisfactory evidence of such certification to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers can be registered, provided the applicant meets the following requirements:

(1) The applicant holds a valid registration as a registered interior designer issued by a registration authority of the United States and submits satisfactory evidence of such registration to the board;

(2) An applicant files his or her application in a form prescribed by the board and pays the applicable fees established by the board; and

(3) Before registration, the board may, at its discretion, require individual applicants to appear before the board when a CIDQ record or application does not clearly indicate that the applicant is qualified for registration in Arkansas.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CIDQ" means Council for Interior Design Qualification.

17 CAR § 230-603. Registration prohibited.

One (1) or more of the following acts shall be sufficient to prevent the applicant from being considered for registration and license:

(1) Utilizing the title "registered interior designer" without registration in Arkansas or any other state, territory, district, or zone of the United States in violation of a law governing such a practice;

(2) Conviction of a felony listed under Arkansas Code § 17-3-102, unless waived by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers;

(3) Submitting a misstatement or misrepresentation of fact in connection with an application for examination, registration, application for reciprocal registration, or any other official communication with the Arkansas State Board of Architects, Landscape Architects, Interior Designers; or

(4) Committing an act prohibited by a provision of the Arkansas Interior Designers Title Registration Act, Arkansas Code §§ 17-35-101 – 17-35-106 and 17-35-301 – 17-35-304, or the rules of this board in effect at that time.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-604. Renewal.

(a) A certificate of registration shall expire on January 31 of each year and shall become invalid on February 1, unless renewed.

(b) All renewals must be either received in the Arkansas State Board of Architects, Landscape Architects, and Interior Designers office by the close of business on January 31 or postmarked by January 31.

(c) Only renewal forms that contain the completed renewal application, annual continuing education affidavit attesting to compliance with continuing education requirements, and the required renewal fees will be processed.

(d)(1) A registrant who does not properly renew his or her license may not utilize the title "registered interior designer" after the expiration of the license.

(2) A registrant who continues to utilize the title using an expired license will be subject to such disciplinary action as the board deems appropriate.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-605. Reinstatement of lapsed license.

(a)(1) An individual whose license has lapsed for any reason may be reinstated at any time within three (3) years from the date of cancellation of the registration.

(2) Prior to reinstatement, the individual must demonstrate compliance with the Arkansas Interior Designers Title Registration Act, Arkansas Code §§ 17-35-101 – 17-35-106 and 17-35-301 – 17-35-304, and the current rules.

(3) The applicant must pay all fees that have accrued since the time of cancellation as well as the amount of penalties due.

(b) Registrants who hold a CIDQ certification and have allowed their registrations to lapse for a period of three (3) or more years must reapply through reciprocity.

(c) Registrants without CIDQ certification and who were initially registered in Arkansas may reapply without retaking the CIDQ examination.

(d) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers may reissue a certificate of registration to any person whose certificate has lapsed or has been suspended or revoked, provided there are no pending charges of violations of the Arkansas Interior Designers Title Registration Act.

Authority. Arkansas Code § 17-15-203.

Codification Notes. “CIDQ” means Council for Interior Design Qualification.

Subpart 7. Architect Examination

17 CAR § 230-701. General.

(a) Applicants for registration by examination must pass the Architect Registration Examination (ARE®).

(b) Any such applicant for registration by examination must have been approved as a candidate for examination by NCARB.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-702. Application.

The applicant has full, complete, and sole responsibility for furnishing to NCARB all necessary information and paying to NCARB all required fees.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-703. Conditions for examination.

(a) NCARB will determine the eligibility of each applicant and will forward eligibility information to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

(b) NCARB will allow the applicant to take the ARE® at any NCARB-approved test center, whether or not it is located in the State of Arkansas.

(c) The board will accept the ARE® results determined by NCARB.

(d)(1) If there is any alleged misbehavior on the part of an applicant in connection with taking the examination, NCARB will investigate the allegation and take appropriate action.

(2) Without limitation, misbehavior may include violation of NCARB guidelines or polices or of an applicant's confidentiality agreements with respect to the examination.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "ARE®" means the Architect Registration Examination.

"NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-704. Fees.

The examination fees for each division of the ARE® will be established by NCARB and will be paid directly to the test vendor by the candidate.

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

Codification Notes. "ARE®" means the Architect Registration Examination.

"NCARB" means National Council of Architectural Registration Boards.

17 CAR § 230-705. Examinees with disabilities.

(a) Requests for modifications to the examination procedure to accommodate physical or other disabilities must be made to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers in writing.

(b) A physician's report must accompany the request in order to confirm the nature and extent of the disability.

(c)(1) The board shall send its recommendations for modifications to NCARB for a final determination.

(2) NCARB has the final authority with regard to any modifications to the examination.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "NCARB" means National Council of Architectural Registration Boards.

Subpart 8. Landscape Architect Examination

17 CAR § 230-801. General.

(a) Applicants for registration by examination must pass the Landscape Architect Registration Examination (LARE®).

(b) Any such applicant for registration by examination must be twenty-one (21) years of age and must have been approved as a candidate for examination by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

(c) All applicants for registration by examination must establish a CLARB Council record and meet the established qualifications outlined in the Landscape Architectural Practice Act, Arkansas Code § 17-36-101 et seq.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CLARB" means Council of Landscape Architectural Registration Boards.

17 CAR § 230-802. Application.

The application packet for the examination must contain the following:

- (1) The completed Arkansas application form documenting the following:
 - (A) A professional degree in landscape architecture from a school or college of landscape architecture accredited by the Landscape Architecture Accrediting Board (LAAB) and proof of satisfactory experience in landscape architecture of a minimum of two (2) years; and
 - (B) Documentation of seven (7) years of experience in landscape architecture satisfactory to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers; and

(2)(A) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers reserves the right to require an applicant to produce substantiation for any part of his or her record.

(B) The Arkansas State Board of Architects, Landscape Architects, and Interior Designers may require substantiation of the quality and character of the training prior to admission to the examination.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-803. Conditions for examination.

(a) The applicant will apply for examination directly with CLARB.

(b) The board will allow the applicant to take the LARE® at any CLARB-approved test center, whether or not it is located in the State of Arkansas.

(c) The board will accept the LARE® results determined by CLARB.

(d)(1) If there is any alleged misbehavior on the part of an applicant in connection with taking the examination, the board will investigate the allegation and take appropriate action.

(2) Without limitation, misbehavior may include violation of CLARB guidelines or polices, or of an applicant's confidentiality agreements with respect to the examination.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CLARB" means Council of Landscape Architectural Registration Boards.

"LARE®" means Landscape Architect Registration Examination.

Subpart 9. Interior Designer Examination

17 CAR § 230-901. General.

(a) Applicants for registration by examination must pass the examination prepared and administered by CIDQ.

(b) Any such applicant for registration by examination must be twenty-one (21) years of age.

(c) All applicants for registration by examination must obtain a CIDQ certificate and meet the established qualifications outlined in the Arkansas Interior Designers Title Registration Act, Arkansas Code §§ 17-35-101 – 17-35-106 and 17-35-301 – 17-35-304.

Authority. Arkansas Code § 17-15-203.

Codification Notes. “CIDQ” means Council for Interior Design Qualification.

17 CAR § 230-902. Conditions for examination.

(a) CIDQ will determine the eligibility of each applicant and will forward eligibility information to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

(b) The board will allow the applicant to take the CIDQ examination at any CIDQ-approved test center, whether or not it is located in the State of Arkansas.

(c) The board will accept the exam results determined by CIDQ.

(d)(1) If there is any alleged misbehavior on the part of an applicant in connection with taking the examination, the board will investigate the allegation and take appropriate action.

(2) Without limitation, misbehavior may include violation of CIDQ guidelines or polices, or of an applicant’s confidentiality agreements with respect to the examination.

Authority. Arkansas Code § 17-15-203.

Codification Notes. “CIDQ” means Council for Interior Design Qualification.

17 CAR § 230-903. Fees.

The examination fees for each division of the CIDQ examination will be established by CIDQ and will be paid directly to the test vendor by the candidate.

Authority. Arkansas Code § 17-15-203.

Codification Notes. "CIDQ" means Council for Interior Design Qualification.

Subpart 10. Continuing Education

17 CAR § 230-1001. Scope.

This part shall apply to every architect, landscape architect, and registered interior designer registered in the State of Arkansas as a condition for renewal on an annual basis.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1002. Exemptions.

An architect, landscape architect, or registered interior designer registered in the State of Arkansas may not be subject to participating in the continuing education requirements set forth by this part for one (1) of the following reasons:

(1) A first-time new registrant by examination or first-time reciprocal registrant shall be exempt for his or her first renewal period;

(2) The registrant is an emeritus status architect or landscape architect;

(3) The registrant is a civilian who has served on active duty in the United States Armed Forces for a period of time exceeding ninety (90) consecutive days during the annual reporting period; or

(4)(A) A registrant experiencing physical disability, illness, or other extenuating circumstances may request exemption from the continuing education requirements.

(B) The registrant shall provide supporting documentation for the Arkansas State Board of Architects, Landscape Architects, and Interior Designers' review.

(C) The board will consider such hardship cases on an individual basis.

(D) The request for a hardship must be received in the board office one (1) month in advance of the renewal period.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1003. Requirements.

(a) In addition to all other requirements for registration renewal, each Arkansas registered architect and landscape architect must complete a minimum of twelve (12) continuing education hours each calendar year.

(b) In addition to all other requirements for registration renewal, each Arkansas registered interior designer must complete a minimum of six (6) continuing education hours each calendar year.

(c)(1) A continuing education hour (CEH) shall represent one (1) continuous instructional hour (fifty (50) to sixty (60) minutes of contact) spent in structured education activities intended to increase or update the architect's, landscape architect's, or interior designer's knowledge and competence in health, safety, and welfare subjects.

(2) If the provider of the structured educational activities prescribes a customary time for completion of such an activity, then such prescribed time shall, unless the Arkansas State Board of Architects, Landscape Architects, and Interior Designers finds the prescribed time to be unreasonable, be accepted as the architect's, landscape architect's, or registered interior designer's time for continuing education purposes irrespective of the actual time spent on the activity.

(d) All CEHs must be completed in health, safety, and welfare subjects acquired in structured educational activities.

(e)(1) Structured educational activities are courses of study in which at least seventy-five percent (75%) of the activities' content and instructional time is devoted to acceptable health, safety, and welfare subjects.

(2) These subjects must be related to the practice of architecture, landscape architecture, or interior design including courses of study, monographs, or other activities under the areas identified as health, safety, and welfare subjects, and they must be provided by qualified individuals or organizations, whether delivered by direct contact or distance learning methods.

(f) Health, safety, and welfare subjects are technical and professional courses that the board deems appropriate to safeguard the public and that are within the following enumerated areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment:

(1) Legal:

- (A) Laws;
- (B) Codes;
- (C) Zoning;
- (D) Regulations;
- (E) Standards;
- (F) Life safety measures;
- (G) Accessibility;
- (H) Ethics; and
- (I) Insurance to protect the owner or the public;

(2) Technical:

- (A) Surveying;
- (B) Structural;
- (C) Mechanical;
- (D) Electrical;
- (E) Communication;
- (F) Fire protection;
- (G) Controls;

- (H) Site grading; and
- (I) Irrigation systems;
- (3) Environmental:
 - (A) Energy efficiency;
 - (B) Sustainability;
 - (C) Natural resources;
 - (D) Natural hazards;
 - (E) Hazardous materials waterproofing;
 - (F) Insulation; and
 - (G) Storm water management;
- (4) Occupant comfort:
 - (A) Air quality;
 - (B) Lighting;
 - (C) Acoustics; and
 - (D) Ergonomics;
- (5) Materials and methods:
 - (A) Building systems;
 - (B) Products;
 - (C) Finishes;
 - (D) Furnishings; and
 - (E) Equipment;
- (6) Preservation:
 - (A) Historic;
 - (B) Reuse; and
 - (C) Adaptation;
- (7) Predesign:
 - (A) Land use analysis;
 - (B) Programming;
 - (C) Site selection;
 - (D) Site; and

- (E) Soils analysis;
- (8) Design:
 - (A) Urban planning;
 - (B) Master planning;
 - (C) Building design;
 - (D) Site design;
 - (E) Interiors; and
 - (F) Safety and security measures;
- (9) Construction documents:
 - (A) Drawings;
 - (B) Specifications; and
 - (C) Delivery methods; and
- (10) Construction administration:
 - (A) Contracts;
 - (B) Bidding; and
 - (C) Contract negotiations.

(g) Attending seminars, lectures, presentations, workshops, or courses shall constitute one (1) CEH for each hour of attendance.

(h) Successfully completing tutorials, short courses, correspondence courses, web-based courses, monographs, and other self-study courses shall constitute the CEH recommended by the program sponsor.

(i) CEH credit will not be granted to faculty members at a:

- (1) College;
- (2) University; or
- (3) Other educational institution.

(j) Successfully completing one (1) or more college or university semester or quarter hours in architectural, landscape architectural, or interior design subjects shall satisfy the continuing education requirement for the calendar year in which the course was completed.

(k) Any structured program in health, safety, and welfare contained in the record of an approved professional registry will be accepted by the board as fulfilling the continuing education requirements of this part.

(l)(1) The board approves the American Institute of Architects (AIA), the American Society of Landscape Architects (ASLA), and the Interior Design Continuing Education Council (IDCEC) as professional registries.

(2) The board will accept contact hours listed by the American Institute of Architects Continuing Education Services (AIA/CES), the Landscape Architect Continuing Education System (LA/CES), and the Interior Design Continuing Education Council (IDCEC) transcript of continuing education activities for both resident and nonresident:

- (A) Architects;
- (B) Landscape architects; and
- (C) Registered interior designers.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1004. Reporting and recordkeeping.

(a) At registration time, each architect, landscape architect, or registered interior designer registered in the State of Arkansas shall complete and submit an affidavit prescribed by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers attesting to his or her fulfillment of the required continuing education hours in this subpart during the preceding calendar year.

(b) No carryover of continuing education hours from the previous calendar year is permitted.

(c)(1) Any untrue, false, or misleading statements with respect to course attendance or any other aspect of continuing education activity is considered fraud and/or misrepresentation.

(2) Such activity will subject the architect and/or program sponsor to license revocation or other disciplinary action.

(d)(1) Documentation of health, safety, and welfare (HSW) credit must be indicated by the course provider.

(2) The provider must clearly indicate that the course is HSW.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1005. Audit.

(a) Each affidavit in 17 CAR § 230-1004 may be reviewed by the Arkansas State Board of Architecture, Landscape Architecture, and Interior Design and may be subject to audit for verification of compliance with requirements.

(b) Documentation of reported continuing education hours shall be maintained by the architect for six (6) years from the date of award.

(c) The board may, upon audit for verification of compliance, disallow claimed credit for continuing education hours.

(d) If the board disallows any continuing education hours, the architect, landscape architect, or registered interior designer shall have forty-five (45) days from notice of such disallowance to provide further evidence of having completed the continuing education disallowed or to remedy the disallowance by completing the required number of continuing education hours.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1006. Noncompliance and sanctions.

(a)(1) Failure to fulfill the continuing education requirements shall result in nonrenewal of individual registration.

(2) After proper notice, if the Arkansas State Board of Architects, Landscape Architects, and Interior Designers finds that the architect, landscape architect, or registered interior designer willfully disregarded these requirements or falsified documentation of the required continuing education hours, the architect may be subject to disciplinary action in accordance with board rules.

(b)(1) At the discretion of the board, a temporary renewal of license may be issued for up to forty-five (45) days.

(2) If the continuing education deficiency has not been cleared to the satisfaction of the board within forty-five (45) calendar days, the registrant may no longer practice architecture or landscape architecture or utilize the title "registered interior designer" in the State of Arkansas without incurring disciplinary action.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1007. Reinstatement.

(a)(1) To reinstate a registration an applicant shall submit proof of completion of twelve (12) continuing education hours.

(2) Said hours may be earned either in the calendar year of reinstatement or in the immediately prior calendar year.

(b) Such hours may be applied to satisfy a continuing education requirement applicable to the first registration renewal following reinstatement but shall not be used to satisfy any continuing education requirement applicable to the second registration renewal following reinstatement.

Authority. Arkansas Code § 17-15-203.

Subpart 11. Practice of Architecture in Arkansas

17 CAR § 230-1101. Practice of architecture as a corporation or partnership.

(a)(1) Any corporation, professional corporation, and/or any partnership, whether organized under the laws of this or any other jurisdiction, may not offer to engage in the practice of architecture in the State of Arkansas until such corporation or partnership has obtained a certificate of authorization issued by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

(2) The certificate shall be valid until January 31 of the year in which it is obtained.

(b) The board shall issue a certificate of authorization to a corporation, partnership, or limited liability association upon receipt of the materials listed below, and upon ascertaining that the conditions set forth in Arkansas Code § 17-15-101 et seq. have been met:

(1)(A) An application of a form approved by the board.

(B) In the case of a corporation, the application shall be signed by the corporation's president and secretary, and shall include the:

- (i) Jurisdiction under which the corporation is organized;
- (ii) Name, resident address, and states of registration and registration numbers of each director; and
- (iii) Identity of each director engaging in the practice of architecture in Arkansas.

(C) In the case of a partnership, the application shall be signed by a general partner who is a registered architect, and shall include the:

- (i) Jurisdiction under which the partnership is organized;
- (ii) Name and resident address and states of registration and registration numbers of each general partner; and
- (iii) Identity of each general partner engaging in the practice of architecture in Arkansas;

(2)(A) In the case of a corporation, a copy of the corporation's articles of incorporation or similar charter document certified by the secretary of state of the jurisdiction in which the corporation is organized.

(B) However, subject to Subpart 7 of this part, articles of organization need not be resubmitted if the corporation is seeking renewal of a certificate of authorization; and

(3) Payment of a fee of two hundred fifty dollars (\$250).

Authority. Arkansas Code §§ 17-15-203, 17-15-311.

17 CAR § 230-1102. Unlawful practice of architecture.

(a) It shall be unlawful to practice architecture in an office not under the day-to-day supervision of a registered architect.

(b) It shall be unlawful for an architect to falsely represent himself or herself as being in responsible control of architectural work, or to permit his or her seal, or facsimile thereof, to be used by another for any purpose.

(c)(1) A firm engaged in the practice of architecture in Arkansas must employ one (1) or more persons registered to practice architecture in Arkansas who are in full authority and responsible control of the firm's architectural practice.

(2) Persons in full authority and responsible control shall mean regularly employed persons in that office who are in unrestricted, unchecked, and qualified control of, and are legally accountable for, the actions of the architectural practice.

(d) Any office maintained for the preparation of drawings, specifications, reports, and other professional work shall have in that office an architect duly registered with the Arkansas State Board of Architects, Landscape Architects, and Interior Designers, in full authority and responsible control, having direct knowledge and responsible control of such work.

(e) Each firm shall provide and maintain the current mailing address and physical address of its main office and each office located in Arkansas.

(f) If any change occurs in any of the information provided to the board during the period for which certificate of authorization is granted, it shall be reported to the board within thirty (30) days of its effective date.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1103. Suspension, revocation, or cancellation of certificate of authorization.

(a) The Arkansas State Board of Architecture, Landscape Architecture, and Interior Design may revoke, suspend, or cancel a certificate of authorization granted if any

officer, director, or employee of a corporation or any general partner or employee of a partnership violates any provision of the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., or this part.

(b) However, it shall be an affirmative defense to show that such individual was not acting as an agent of the corporation or the partnership at the time the violation occurred.

Authority. Arkansas Code §§ 17-15-203, 17-15-203.

17 CAR § 230-1105. Unauthorized use of architect's seal.

(a) A registered architect whose seal appears on drawings or specifications prepared by persons who are not registered or not under the architect's direct supervision will be deemed to have aided or abetted in the practice of architecture by a person not duly authorized to practice architecture.

(b) A registered architect, whose seal appears on drawings or specifications bearing names of persons not so registered, unless they are identified as the engineers or consultants, will be deemed to have aided or abetted in the practice of architecture by a person not duly authorized to practice architecture.

(c) A registered architect whose seal appears on drawings or specifications that unlicensed persons have contracted to prepare or furnish will be deemed to have aided or abetted in the practice of architecture by a person not duly authorized to practice architecture.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1106. Architect's consultants.

The architect is not required to seal and sign documents prepared and sealed by his or her licensed consultants, except indexes and cover sheets containing certain descriptions of work performed by the architect and the architect's consultants.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1107. Use of prototypical documents.

Nothing precludes the use of prototypical documents, provided the architect has:

(1)(A) Written permission to revise and adapt the prototypical documents from the person who either sealed the prototypical documents or is the legal owner of the prototypical documents.

(B) The term "legal owner" shall mean the person who provides the architect with a letter that he or she is the owner of the documents and has the written permission to allow their use;

(2) Reviewed the prototypical documents and made necessary revisions to bring the design documents into compliance with applicable:

(A) Codes;

(B) Regulations; and

(C) Job-specific requirements;

(3) Independently performed and maintained on file all necessary calculations;

(4)(A) Issued the documents with the architect's title block and seal after reviewing, analyzing, and making revisions and/or additions.

(B) By applying the seal, the architect assumes professional responsibility as the architect of record;

(5) Maintained design control over the use of site-adapted documents just as if they were the original design; and

(6) The seal and name of the architect who originally developed the prototypical documents, which may remain on the construction documents, provided the original architect is licensed in the State of Arkansas and provided the original architect who prepared the prototypical documents agrees, in writing, to the use of the documents for the construction project by a second architect.

Authority. Arkansas Code § 17-15-203.

Subpart 12. Practice of Landscape Architecture in Arkansas

17 CAR § 230-1201. Design and use of landscape architect's seal.

(a)(1) Each registered landscape architect shall procure a seal that shall contain the name of the registered landscape architect, license registration number, and the words:

REGISTERED LANDSCAPE ARCHITECT – STATE OF ARKANSAS

(2) The seal shall comply, in all respects, in size and format, with the description of the design requirements as set forth below.

(b) Seal design requirements.

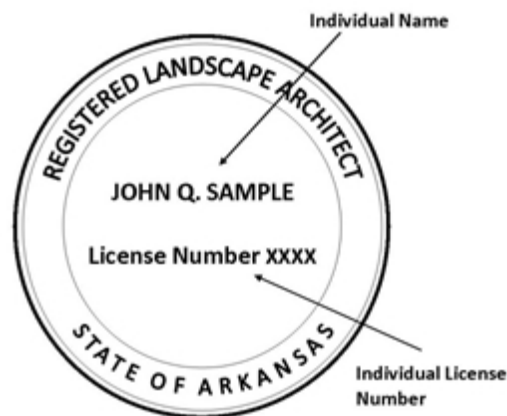
(1) Design.

(A) Metal impression, rubber stamp, or printed, two (2) concentric circles one and one-half inches (1.5") and one inch (1") in diameter.

(B) Space between bearing words "Registered Landscape Architect" and "State of Arkansas."

(C) Space within inner circle bearing names and registration numbers as follows:

(2) Any method that legibly reproduces the landscape architect's seal is permitted.



(c) Use of landscape architect's seal.

(1)(A) Landscape architects shall affix their seal, actual signature, and date of affixation to all original contract documents, including index sheets identifying all drawings covered, as well as cover and index pages identifying all specification pages covered.

(B) Presentation documents (renderings and/or drawings used to communicate conceptual information only) are not required to be:

- (i) Sealed;
- (ii) Signed; or
- (iii) Dated.

(2) Contract documents considered incomplete by the landscape architect may be released for interim review without the landscape architect's seal or signature affixed, but shall bear the landscape architect's name and be conspicuously marked to clearly indicate the documents are for interim review and not intended for bidding, permit, or construction purposes.

(3) Those sheets or pages prepared by consultants (structural, mechanical, electrical, etc.), which are retained by the landscape architect, shall bear the seal and registration number of the responsible consultant.

(4)(A) Once documents bearing the landscape architect's seal are issued from the landscape architect's office, the seal shall not be removed, except as follows.

(B) If the landscape architect's client requests electronic drawing files that will be used as reference documents, the following statement shall be substituted for the seal:

THE RECORD COPY OF THIS DRAWING IS ON FILE AT THE OFFICES OF (NAME OF INDIVIDUAL), (ADDRESS OF INDIVIDUAL). THIS ELECTRONIC DOCUMENT IS RELEASED FOR THE PURPOSES OF REFERENCE, COORDINATION, AND/OR FACILITY MANAGEMENT.

THIS ELECTRONIC DOCUMENT OR MODIFICATIONS THEREOF SHALL NOT BE USED FOR CONSTRUCTION.

(5) Except as noted in subdivision (c)(6) of this section, no landscape architect shall affix the seal and signature to contract documents developed by others.

(6) No person, other than the landscape architect represented, shall use or attempt to use the prescribed seal or shall modify documents bearing such seal, without first obtaining the written authority of the landscape architect represented and clearly indicating on the documents the extent of the modifications made.

(7) On original documents, the use of signature reproductions, such as rubber stamps or computer-generated signatures or other facsimiles, shall be permitted.

(8) Authorized use of the prescribed seal is an individual act whereby the landscape architect must personally inscribe the seal. The landscape architect is responsible for its security when not in use.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1202. Unauthorized use of landscape architect's seal.

(a) A registered landscape architect whose seal appears on drawings or specifications prepared by persons who are not registered or not under the landscape architect's direct supervision will be deemed to have aided or abetted in the practice of landscape architecture by a person not duly authorized to practice landscape architecture.

(b) A registered landscape architect, whose seal appears on drawings or specifications bearing names of persons not so registered, unless they are identified as the engineers or consultants, will be deemed to have aided or abetted in the practice of landscape architecture by a person not duly authorized to practice landscape architecture.

(c) A registered landscape architect whose seal appears on drawings or specifications that unlicensed persons have contracted to prepare or furnish will be

deemed to have aided or abetted in the practice of landscape architecture by a person not duly authorized to practice landscape architecture.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1203. Landscape architect’s consultants.

The landscape architect is not required to seal and sign documents prepared and sealed by his or her licensed consultants, except indexes and cover sheets containing certain descriptions of work performed by the landscape architect and the landscape architect’s consultants.

Authority. Arkansas Code § 17-15-203.

Subpart 13. Use of the Title Registered Interior Designer in Arkansas

17 CAR § 230-1301. Design and use of interior designer’s seal.

(a)(1) Each registered interior designers shall procure a seal that shall contain the name of the registered interior designer, license registration number, and the words:

REGISTERED INTERIOR DESIGNER – STATE OF ARKANSAS

(2) The seal shall comply, in all respects, in size and format, with the description of the design requirements as set forth below.

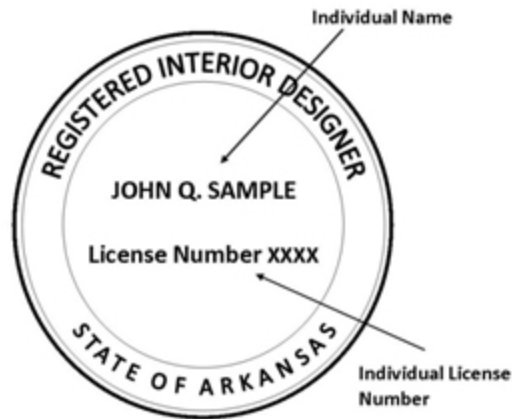
(b) **Seal design requirements.**

(1) **Design.**

(A) Metal impression, rubber stamp, or printed, two (2) concentric circles one and one-half inches (1.5”) and one inch (1”) in diameter.

(B) Space between bearing words “Registered Interior Designer” and “State of Arkansas.”

(C) Space within inner circle bearing names and registration numbers as follows: _____



(2) Any method that legibly reproduces the registered interior designer’s seal is permitted; and

(c) Use of registered interior designer’s seal.

(1) Registered interior designers shall affix their seal, actual signature, and date of affixation to all original contract documents, including index sheets identifying all drawings covered, as well as cover and index pages identifying all specification pages covered. Presentation documents (renderings and/or drawings used to communicate conceptual information only) are not required to be sealed, signed, or dated.

(2) Contract documents considered incomplete by the registered interior designer may be released for interim review without the registered interior designer’s seal or signature affixed, but shall bear the registered interior designer’s name and be conspicuously marked to clearly indicate the documents are for interim review and not intended for bidding, permit, or construction purposes.

(3) Those sheets or pages prepared by consultants (structural, mechanical, electrical, etc.), which are retained by the registered interior designer, shall bear the seal and registration number of the responsible consultant.

(4) All registered interior designer contract documents shall contain the following statement that:

The document is not an architectural or engineering drawing, specification, or design and is not to be used for construction of any load-bearing columns, load-bearing framing, or load-bearing walls or structures or issuance of any building permit.

(5)(A) Once documents bearing the registered interior designer's seal are issued from the registered interior designer's office, the seal shall not be removed, except as follows.

(B) If the registered interior designer's client requests electronic drawing files that will be used as reference documents, the following statement shall be substituted for the seal:

THE RECORD COPY OF THIS DRAWING IS ON FILE AT THE OFFICES OF (NAME OF INDIVIDUAL), (ADDRESS OF INDIVIDUAL). THIS ELECTRONIC DOCUMENT IS RELEASED FOR THE PURPOSES OF REFERENCE, COORDINATION, AND/OR FACILITY MANAGEMENT. THIS ELECTRONIC DOCUMENT OR MODIFICATIONS THEREOF SHALL NOT BE USED FOR CONSTRUCTION.

(6) Except as noted in subdivision (c)(7) of this section, no registered interior designer shall affix the seal and signature to contract documents developed by others.

(7) No person, other than the registered interior designer represented, shall use or attempt to use the prescribed seal or shall modify documents bearing such seal, without first obtaining the written authority of the registered interior designer

represented and clearly indicating on the documents the extent of the modifications made.

(8) On original documents, the use of signature reproductions, such as rubber stamps or computer-generated signatures or other facsimiles, shall be permitted.

(9)(A) Authorized use of the prescribed seal is an individual act whereby the registered interior designer must personally inscribe the seal.

(B) The registered interior designer is responsible for its security when not in use.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1302. Unauthorized use of registered interior designer's seal.

(a) A registered interior designer whose seal appears on drawings or specifications prepared by persons who are not registered or not under the registered interior designer's direct supervision, will be deemed to have aided or abetted in the use of title "registered interior designer" by a person not duly authorized in accordance with Arkansas law.

(b) A registered interior designer, whose seal appears on drawings or specifications bearing names of persons not so registered, unless they are identified as the consultants, will be deemed to have aided or abetted in the use of the title "registered interior designer" by a person not duly authorized in accordance with Arkansas law.

(c) A registered interior designer whose seal appears on drawings or specifications that unlicensed persons have contracted to prepare or furnish will be deemed to have aided or abetted in the use of the title "registered interior designer" by a person not duly authorized in accordance with Arkansas law.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1303. Registered interior designer's consultants.

The registered interior designer is not required to seal and sign documents prepared and sealed by his or her licensed consultants, except indexes and cover sheets containing certain descriptions of work performed by the registered interior designer and the registered interior designer's consultants.

Authority. Arkansas Code § 17-15-203.

Subpart 14. Rules of Professional Conduct

17 CAR § 230-1401. Competence.

(a) When engaging in the practice of architecture or landscape architecture, or utilizing the title "registered interior designer," a registered architect, landscape architect, or registered interior designer shall:

(1) Act with reasonable care and competence; and

(2) Apply the knowledge and skills that are ordinarily applied by registered architects, landscape architects, and registered interior designers of good standing, practicing in the same locality.

(b)(1) In designing a project, a registered architect, landscape architect, or registered interior designer shall endeavor to take into account all applicable state and municipal building laws and regulations.

(2) While a registered architect, landscape architect, or registered interior designer may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations, once having obtained such advice, a registered architect, landscape architect, or registered interior designer shall not knowingly design a project in violation of such laws and regulations.

(c)(1) A registered architect, landscape architect, and registered interior designer shall undertake to perform professional services only when qualified to do so by education, training, and experience in the specific technical areas.

(2) This provision also includes those whom the registered architect, landscape architect, and registered interior designer may engage as consultants.

(d) No individual shall be permitted to engage in the practice of architecture or landscape architecture or utilize the title "registered interior designer" if, in the Arkansas State Board of Architects, Landscape Architects, and Interior Designers' judgment, such individual's professional competence is substantially impaired by physical or mental disabilities.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1402. Conflicts of interest.

(a)(1) A registered architect, landscape architect, or registered interior designer shall not accept compensation for services from more than one (1) party on a project unless the circumstances are fully disclosed and agreed to by all interested parties.

(2) The disclosure and agreement shall be in writing.

(b)(1) The architect, landscape architect, or registered interior designer shall fully disclose in writing to the architect's, landscape architect's, or registered interior designer's employer or client any business association or direct or indirect financial interest that could influence the architect's, landscape architect's, or registered interior designer's judgment or decisions in connection with his or her services.

(2) Should the employer or client object to such association or financial interests, the architect, landscape architect, or registered interior designer shall either terminate such association or interests or offer to give up the commission or employment.

(c) An architect, landscape architect, or registered interior designer shall not solicit or accept compensation in return for specifying or endorsing products and materials.

(d) When acting as the interpreter of building contract documents or the judge of contract performance, a registered architect shall render decisions impartially, favoring neither party in the contract.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1403. Compliance with laws.

(a) A registered architect, landscape architect, or registered interior designer shall not knowingly violate any state or federal law relating to the practice of architecture, landscape architecture, or use of the title "registered interior designer".

(b) An architect, landscape architect, or registered interior designer shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the registered architect, landscape architect, or registered interior designer is interested.

(c) An architect, landscape architect, or registered interior designer shall comply with the registration laws and regulations governing his or her professional practice in any United States jurisdiction.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1404. Professional conduct.

(a)(1) Except as provided under Subpart 9 of this part, an architect, landscape architect, or registered interior designer shall not sign or seal contract documents unless the documents were prepared by the architect, landscape architect, or registered interior designer or under the design professional's supervisory control.

(2) However, in the case of portions of such contract documents prepared under the direct supervision of another registered architect, landscape architect, or registered interior designer employed by the first architect, landscape architect, or registered interior designer (or his or her firm), the design professional may sign and seal those portions of the contract documents if the architect, landscape architect, or registered interior designer has reviewed such portions and has coordinated their preparation.

(b) An architect, landscape architect, or registered interior designer shall neither offer nor make any gifts, other than gifts of nominal value, such as reasonable entertainment and hospitality, with the intent of influencing the judgment of an existing

or prospective client in connection with a project in which the registered architect, landscape architect, or registered interior is interested.

(c) An architect, landscape architect, or registered interior designer shall not engage in conduct involving fraud or wanton disregard of the rights of others.

(d) If, in the course of his or her work on a project, an architect, landscape architect, or registered interior designer becomes aware of a decision taken by his or her employer or client against the architect's advice that violates applicable state or local building laws and regulations and that will, in the design professional's judgment, materially and adversely affect the safety of the public, the architect, landscape architect, or registered interior designer shall:

(1) Report the decision to the local building inspector or other public official charged with enforcement of the applicable state or local building laws and regulations;

(2) Refuse to consent to the decision; and

(3) In circumstances where the architect, landscape architect, or registered interior designer reasonably believes that other such decisions will be taken, notwithstanding his or her objection, said architect, landscape architect, or registered interior designer may terminate his or her services with reference to the project unless the design professional is able to resolve the matter by other means.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1405. Amendments.

(a) If, following a hearing held in accordance with the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., a registrant is found guilty of fraud, deceit, gross negligence, incompetence, misconduct, or careless practice, or is found to be in violation of any provisions found in the statutes or rules, the Arkansas State Board of Architects, Landscape Architects, and Interior Designers may:

(1) Revoke or suspend the registrant's license;

(2) Decline to renew the registrant's license;

(3) Issue the registrant a reprimand that will become a part of the registrant's permanent record;

(4) Levy a civil penalty against the registrant; and/or

(5) Take any other reasonable action deemed appropriate by the board.

(b) This part may be amended in accordance with the Arkansas Administrative Procedure Act.

(c) All former rules of the board pertaining to procedure, conduct, and practice are hereby repealed.

Authority. Arkansas Code § 17-15-203.

Subpart 15. Construction Contract Administration

17 CAR § 230-1501. Construction contract administration.

(a)(1) If, under Arkansas law, an architect is required to prepare or supervise and control the preparation of the architectural plans and specifications for a new building or the alteration of or an addition to an existing building, construction observation for the project shall be conducted by an architect or by a person working under the supervision and control of an architect.

(2) For purposes of this subpart, "construction observation" means the administration of the portion of the construction contract described and documented in the architectural plans and specifications, including the following services:

(A) Visiting the construction site on a regular basis, as necessary, to determine that the work is proceeding generally in accordance with the technical submissions submitted to the building official at the time the building permit was issued;

(B) Processing shop drawings, samples, and other submissions required of the contractor by the terms of construction contract documents; and

(C) Notifying the owner and the building official of:

(i) Any code violations;

- (ii) Changes that affect code compliance;
- (iii) The use of any materials, assemblies, components, or equipment prohibited by a code;
- (iv) Major or substantial changes between such technical submissions and the work in progress; or
- (v) Any deviation from the technical submissions that he or she identifies as constituting a hazard to the public and observes in the course of performing his or her duties.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1502. Responsibility for construction contract administration.

(a) The owner of any building has the ultimate responsibility for ensuring the health, safety, and welfare of the occupants of the building, as well as the public in general, according to the laws and rules of the State of Arkansas.

(b) The owner of any real property who allows a project to be constructed on such real property and the construction of which requires the services of an architect shall be deemed to have engaged in the practice of architecture unless such owner shall have employed or caused others to have employed a registered architect to furnish construction contract administration services with respect to such project.

Authority. Arkansas Code § 17-15-203.

Subpart 16. Building Constructed Without an Architect

17 CAR § 230-1601. Violation of public health, safety, and welfare.

The construction of a building requiring an architect under the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., is considered to be a violation of

the health, safety, and welfare of the public when the required services of an architect are not provided.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1602. Occupancy and use of buildings.

(a) The occupancy and use of a building constructed without the services of an appropriate design professional or professionals seriously compromises the health, safety, and welfare of the public.

(b) Any building so constructed is declared by the Arkansas Architectural Act, Arkansas Code § 17-15-101 et seq., to constitute a nuisance and threat to public health, safety, and welfare and may be enjoined by the examining body in the courts of this state.

(c) Even though the violation may be punishable by fine, this section of this part intends to provide a speedy means of protecting the public.

Authority. Arkansas Code § 17-15-203.

17 CAR § 230-1603. Verification of design professional responsibility.

When it comes to the Arkansas State Board of Architects, Landscape Architects, and Interior Designers' attention that a building may have been or is being constructed without the use of the required design professional or professionals, the board may require proof from the owner of the property that the appropriate registered professional or professionals were in responsible control of the design and construction administration of the building.

Authority. Arkansas Code § 17-15-203.