



**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 806  
STATE BOARD OF ARCHITECT EXAMINERS

**FILED**

08/17/2021 9:54 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Amendments to Update References to Approved Guidelines and to Correct Typographical Errors

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/27/2021 11:30 AM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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Filed By:  
Mari Karnowski  
Rules Coordinator

**HEARING(S)**

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 09/27/2021

TIME: 11:00 AM - 11:30 AM

OFFICER: Mari Karnowski

ADDRESS: OSBAE

205 Liberty St NE, Suite A  
Salem, OR 97301

**SPECIAL INSTRUCTIONS:**

Contact mari@osbae.com for an  
invitation to join the hearing virtually.

**NEED FOR THE RULE(S):**

To update references to the July 2021 version of NCARB's Certification Guidelines and to correct typographical errors in the statutory reference.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

Board statutes and rules available at [www.osbae.com](http://www.osbae.com) and NCARB guidelines available at [www.ncarb.org](http://www.ncarb.org).

**FISCAL AND ECONOMIC IMPACT:**

There is no fiscal impact to registrants or small businesses.

**COST OF COMPLIANCE:**

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

- (1) No economic impact on state agencies, units of local government, or members of the public.
- (2) No effect on small businesses.
- (a) The guideline update only applies to individual applicants.
- (b) No reporting, recordkeeping, administrative impacts, or new costs required to comply with the rules.
- (c) No increased costs for services, supplies, labor, or administration as a result of the rule amendments.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Board members that work for or own small businesses participated in the rule revisions.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

These are minor rule revisions that did not warrant the appointment of an Administrative Rule Advisory Committee.

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RULES PROPOSED:

806-010-0001, 806-010-0010, 806-010-0035

AMEND: 806-010-0001

RULE SUMMARY: Corrects typographical errors in the Statutory Authority and Statutes Implemented.

CHANGES TO RULE:

806-010-0001

Definitions

- (1) "Architect" means an individual who has met the requirements and been issued a certificate of registration by the Board as defined under ORS 671.010.¶¶
- (2) "Architectural firm" is defined as any legal entity that provides architectural services in the state of Oregon including:¶¶
  - (a) Corporations (refer to OAR 806-010-0080 for specific rules relating to corporate or assumed business names); ¶¶
  - (b) Partnerships; ¶¶
  - (c) Limited liability companies; ¶¶
  - (d) Individuals practicing under an assumed business name (refer to OAR 806-010-0080 for specific rules relating to corporate or assumed business names).¶¶
- (3) "Appurtenances" as used in the definition of the Practice of Architecture in ORS 671.010(3) refers to those systems, equipment and/or elements, whether interior or exterior, that are necessary to the overall function of a building.¶¶
- (4) "Control" and "supervision" as used in ORS 671.030(2)(a) mean having professional knowledge of and direction for the work performed for the architect in compliance with the required professional standard of care. ¶¶
- (5) "Planning" and "Designing" as used in the definition of the Practice of Architecture in ORS 671.010(7) includes but is not limited to:¶¶
  - (a) The determination of design objectives, space requirements, space relationships, systems, flexibility/expansibility and site requirements.¶¶
  - (b) The preparation of schematics, massing layouts, plans, drawings, specifications, calculations and other diagnostic documents which show the features of the non exempt work being contemplated.¶¶
  - (c) The preparation of construction documents including, but not limited to, architectural drawings, mechanical and electrical drawings, specifications and procurement documents. Except as provided in ORS 479.860, ORS 671.025 requires construction documents for non exempt work to be stamped and signed by an Oregon registered individual architect or professional engineer.

Statutory/Other Authority: ORS 671-~~672~~

Statutes/Other Implemented: ORS 671.010 & ~~672~~1.041

AMEND: 806-010-0010

RULE SUMMARY: The rule revision updates the reference to NCARB's Certification Guidelines.

CHANGES TO RULE:

806-010-0010

Approved Architect and Firm Registration and Evaluation Programs ¶

- (1) The Board adopts the education standard adopted by the National Council of Architectural Registration Boards (NCARB), consisting of a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB), or a professional degree in architecture certified by the CACB from a Canadian University. ¶
- (2) The Board adopts the requirements in the document titled NCARB Architectural Experience Program (AXP) Guidelines dated May 2020, with the exception of documenting experience through the AXP Portfolio, for the experience requirement for registration. ¶
- (3) The Board adopts the Architect Registration Examination (ARE) 5.0 prepared by NCARB, and previously adopted versions of the examination, as the approved examination to test applicant qualifications for registration. ¶
- (4) The Board adopts the requirements in the document titled NCARB Certification Guidelines dated ~~March 2020~~July 2020<sup>1</sup>, with the exception of documenting experience through the AXP Portfolio, for the NCARB Certificate under OAR 806-010-0035(3)(f)(A). ¶
- (5) A person may be considered for registration by the Board by satisfying: ¶
- (a) The rules for registration by examination under OAR 806-010-0020; or ¶
- (b) The rules for registration by reciprocity under OAR 806-010-0035. ¶
- (6) A firm may be considered for registration by the Board by satisfying the rules under OAR 806-010-0080. ¶
- (7) To pass the Jurisprudence Exam (JE) an individual must do the following: ¶
- (a) Complete the JE within 90 minutes. ¶
- (b) Score at least 84 percent. ¶
- (A) An individual who fails the JE must wait seven days before retaking the examination. ¶
- (B) Test results are final and binding on the applicant. ¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 670, 671

Statutes/Other Implemented: ORS 671.060

AMEND: 806-010-0035

RULE SUMMARY: The rule revision updates the reference to NCARB's Certification Guidelines.

CHANGES TO RULE:

806-010-0035

Registration by Reciprocity ¶¶

- (1) No person may use the "Architect" title, except under the conditions outlined under OAR 806-010-0037 and ORS 671.065. ¶¶
- (2) Prior to practicing architecture in Oregon, an individual must apply for and obtain a certificate of registration from the Board. ¶¶
- (3) To become registered by reciprocity to practice architecture in Oregon, an individual must ¶¶
- (a) Possess an active architectural certificate of registration or license from another Board recognized jurisdiction; ¶¶
- (b) Submit a complete Registration by Reciprocity Application form; ¶¶
- (c) Pay the required fees; ¶¶
- (d) Pass the Jurisprudence Exam according to OAR 806-010-0010(8); ¶¶
- (e) Provide any other information required by the Board; and ¶¶
- (f) Provide all required documentation by ¶¶
- (A) Transmitting an active Certificate issued by the National Council of Architectural Registration Boards (NCARB) as approved by the Board, or ¶¶
- (B) Submitting official (i.e., provided to the Board by the granting authority) documentary evidence of all the following: ¶¶
- (i) A professional degree in architecture meeting the education standard under OAR 806-010-0010(1); ¶¶
- (ii) Passing the ARE or the examination equivalents to the ARE as listed in the June 2020 NCARB Certification Guidelines, available at [www.ncarb.org](http://www.ncarb.org) or by request from the Board; and ¶¶
- (iii) Completion of the NCARB AXP program, or two years of practice in architecture in a Board recognized jurisdiction after initial registration or licensure. ¶¶
- (4) The Board reserves the right to require an oral interview of any reciprocity applicant. Oral interviews are held on regularly scheduled Board meeting dates. If an oral interview is required, the applicant will be notified. ¶¶
- (5) Upon successful completion of all requirements for registration by reciprocity, the individual will be issued a certificate of registration and decorative wall certificate according to OAR 806-010-0040. ¶¶
- (6) If an application is not deemed complete within 12 months of the date of the original application, the applicant must apply again as a new applicant.

Statutory/Other Authority: ORS 671.125

Statutes/Other Implemented: ORS 671.050, 671.065