

RULE ADOPTIONS
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LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF ARCHITECTS

Adopted New Rule: N.J.A.C. 13:27-3.3

Adopted Recodification with Amendments: N.J.A.C. 13:27-6.1 as 6.3

New Jersey State Board of Architects Rules

Readoption with Amendments: N.J.A.C. 13:27

Proposed: September 20, 2010 at 42 N.J.R. 2202(a).

Adopted: January 19, 2011 by the New Jersey State Board of Architects, Kishor W. Joshi, Board President.

Filed: February 7, 2011 as R.2011 d.081, **without change**.

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

Effective Dates: February 7, 2011, Readoption;

March 7, 2011, Amendments and New Rule.

Expiration Date: February 7, 2016.

Federal Standards Statement

A Federal standards analysis is not required because the rules readopted with amendments and a new rule are subject to State statutory requirements and are not subject to any Federal requirements.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:27.

Full text of the adopted amendments and new rule follows:

SUBCHAPTER 3. ARCHITECTURAL PRACTICE AND RESPONSIBILITY

13:27-3.1 Definitions

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

...

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

"Construction documents" means the plans and specifications required to make application for a construction permit pursuant to N.J.A.C. 5:23-2.15(f).

"Construction permit" means an authorization to begin work on a specific project in accordance with N.J.A.C. 5:23-

1.4.

...

"Design services" as provided by a builder or home improvement contractor, means conceptual drawings or sketches of floor plans or elevations and the rendering of price quotations or estimates all of which may be necessary to develop the scope, character and potential cost of a one- or two-family detached home or improvement thereto. Design services do not include the preparation of construction documents.

...

"Immediate family" means a person's spouse and children, the person's siblings and parents and the spouses of the person's children.

...

13:27-3.2 Advertising by architects

(a) (No change in text.)

13:27-3.3 Advertising of design services by others; unlicensed practice of architecture

(a) A builder registered pursuant to the "New Home Warranty and Builder's Registration Act" (N.J.S.A. 46:3B-1 et seq.) or a home improvement contractor may advertise or offer to perform "design services" either in the construction of one- or two-family homes or in connection with the demolition, enlargement or alteration thereto. A builder or home improvement contractor shall render such services only to the owner-occupant of such dwellings.

(b) An advertisement for design services by a builder or home improvement contractor pursuant to (a) above shall not in any way be limited except as set forth in (c) below, and may contain the following terms or their substantial equivalent:

1. Construction design services;
2. Design;
3. Design services;
4. Design/build;
5. Design/build services; and/or
6. Building design services.

(c) Builders and home improvement contractors shall not advertise, offer or perform design services that involve the preparation of construction documents, including, but not limited to, those that consist of drawings or specifications necessary to support an application for building or other construction permits. Any documents prepared by builders or home improvement contractors shall not contain a title block.

(d) A person not authorized to render architectural service may utilize the terms "space planning," "interior design," "interior design service" or the substantial equivalent thereof, provided that the design services advertised, offered or performed:

1. Are limited to the function of the interior space within an existing or proposed building;

2. Do not affect the means of egress and life safety of the building, nor involve any alteration or modifications of the buildings existing or proposed structure, seismic integrity or partitions that affect the means of egress and life safety, or its electrical, mechanical, HVAC (heating, ventilation and air conditioning) or plumbing systems;

3. Do not require or involve skill, training or expertise of a licensed architect; and

4. Do not include the production of construction documents necessary to support an application for any construction permit.

(e) Nothing in this section shall prohibit any individual or entity authorized by law to render professional engineering services from utilizing the terms set forth in (b) above in connection with the advertising of professional engineering services.

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

13:27-3.4 Single family dwelling exemption

(a) (No change.)

(b) A person may design the dwelling and all appurtenances thereto, prepare the construction documents and file the construction documents with an affidavit indicating the name of the person who drew the construction documents.

(c) In lieu of personally preparing the construction documents, a person may utilize pre-prepared (commercially published, available to the public) construction documents that include a certification that they were originally prepared by an architect licensed in any United States' jurisdiction, provided that the construction documents are reviewed, signed, sealed and adapted to the specific site by a New Jersey licensed architect. By signing and sealing these construction documents, the New Jersey licensed architect assumes full responsibility for said construction documents, just as if the construction documents, were prepared under the direct supervision of the architect.

13:27-3.5 Restrictions in title

(a)-(b) (No change.)

(c) When any partner, associate, member or other licensed professional whose name is used in the title ceases to be a member of a firm or partnership for any reason including death or disability, then the title of the firm shall be changed within two years of the disassociation. This requirement does not apply to an organization established as a professional service corporation pursuant to N.J.S.A. 14:17-1 et seq., or a corporation or a limited liability company authorized to practice architecture following issuance of a Certificate of Authorization pursuant to N.J.A.C. 13:27-4.8.

[page=642] SUBCHAPTER 4. LICENSING REQUIREMENTS; BIENNIAL RENEWAL; CERTIFICATES OF AUTHORIZATION

13:27-4.2 Applicant with a degree from a college or university not accredited by NAAB

(a) An applicant with a degree from a college or university that is not accredited by the National Architectural Accrediting Board (NAAB) shall obtain, at his or her own expense, and submit to the Board, either:

1. (No change.)

2. If the "Detailed" evaluation does not certify equivalency, a "Comprehensive" evaluation outlining specific academic deficiencies shall be required. The application will not be considered until those academic requirements are completed.

13:27-4.3 Architect Registration Examination (ARE) administered by the National Council of Architectural

Registration Boards (NCARB)

(a) Applicants are required to successfully complete all divisions of the ARE administered by the NCARB.

(b) A professional engineer licensed in the State of New Jersey in good standing, holding an accredited degree in engineering, and without restriction, complaint or charge of illegal practice of architecture, shall be eligible for licensure as a registered architect upon successful completion of the ARE.

13:27-4.7 Issuance of certificates and seal presses

(a)-(e) (No change.)

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

SUBCHAPTER 5. RULES OF PROFESSIONAL CONDUCT

13:27-5.3 Conflict of interest

(a)-(d) (No change.)

(e) An architect is permitted to render architectural services as an agent, director, member, officer, shareholder, associate, employee or partner of a person whose principal business is "space planning services," "interior design services" or the substantial equivalent thereof if the architect, at all times, exercises independent professional judgment in the rendering of architectural services and adheres to the requirements set forth in N.J.S.A. 45:3-1 et seq., and this chapter.

SUBCHAPTER 6. GENERAL REQUIREMENTS FOR A TITLE BLOCK

13:27-6.1 Title block on construction documents; general requirements; form; removal

(a) A title block shall appear on all construction documents and site plans, as well as documents submitted for public approval or permit application. Title block information is not required on renderings or sketches. Similar information shall appear on the title page of all specifications that are prepared, signed and sealed by the architect in responsible charge.

(b) The title block shall be in such form as set forth in N.J.A.C. 13:27-6.2.

(c)-(f) (No change.)

13:27-6.2 (No change in text.)

13:27-6.3 Signing and sealing construction documents

(a) Construction documents and the title pages of the specifications for filing with a public agency or for the owner's legal documentation requirements shall be dated, signed and sealed by the architect in responsible charge in one of two ways:

1.-2. (No change.)

(b) (No change.)

(c) An architect shall seal construction documents only with seal presses purchased or exchanged through the Board.

SUBCHAPTER 7A. DESIGN BUILD CONTRACTS

13:27-7A.1 Definitions

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

...

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

13:27-9.11 Continuing education programs and courses

(a) The certificate holder may obtain continuing education credit as follows:

1. Seminars, conferences, courses and other programs offered for the purpose of keeping the certificate holder informed of advances and new developments in the profession and in accordance with the 2010 Interior Design Continuing Education Council (IDCEC) Presenters Guide for Interior Design Continuing Education Presentations and Programs, incorporated herein by reference, as amended and supplemented, and available at www.idcec.org: one hour for each hour of attendance;
2. Successful completion of interior design graduate course work from a program accredited by the CIDA or a substantially equivalent program as determined by the Committee in a manner consistent with N.J.A.C. 13:27-9.4(e) taken beyond that required for professional certification: a maximum of five hours for each course;
3. Courses, programs or seminars offered or approved by the New Jersey Department of Community Affairs that are directly related to the practice of interior design: one hour for each hour of attendance; or
4. A certificate holder may obtain approval for attendance at a seminar, conference or other program that meets the Committee's continuing education requirements. For approval prior to attendance at a seminar, conference or other program, the certificate holder shall submit to the Committee a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours 60 days prior to enrollment. For approval subsequent to attending a seminar, conference or other program, the certificate holder shall submit to the Committee a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours together with written verification of attendance.