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RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PROFESSIONAL PLANNERS
EMPLOYMENT OF LICENSED PROFESSIONAL PLANNERS BY STATE OR POLITICAL
SUBDIVISIONS; LICENSURE; PLANNER-IN-TRAINING

Adopted New Rules: N.J.A.C. 13:41-3.3, 5 and 6

Proposed: November 4, 2002 at 34 N.J.R. 3689(a).

Adopted: February 6, 2003 by the State Board of Professional Planners, Daniel McSweeney, President.

Filed: August 27, 2003 as R.2003 d.375, with substantive and technical changes not requiring additional public notice and comment (see N.J.A. .. C. 1:30- 4.3).

Authority: N.J.S.A. 45:14A-4.

Effective Date: October 6, 2003.

Expiration Date: June 23, 2005.

Summary of Agency-Initiated Changes:

1. In order to correct a typographical error, the Board is making a technical change upon adoption to N.J.A.C. 13:41-6.1(c)2 to change the cite from N.J.A.C. 13:41-5.2(a) to 5.3(a)2.

Federal Standards Statement

A Federal standards analysis is not required because there are no applicable Federal standards or requirements for these adopted new rules.

Full text of the adoption follows:

<< NJ ADC 13:41-3.3 >>

13:41-3.3 Employment of only licensed professional planners by State or political subdivisions

An employee of the State government or any of its subdivisions holding the civil service title of Director of Planning, Assistant Director of Planning or Supervising Planner, or in subdivisions which are not subject to the Civil Service Act, the equivalent of these titles, shall be deemed to be a Professional Planner in responsible charge of planning work. The employee shall hold a Professional Planners license issued by the Board of Professional Planners.

SUBCHAPTER 5. LICENSING

<< NJ ADC 13:41-5.1 >>

13:41-5.1 Purpose

The rules in this subchapter implement the licensing and examination requirements for an applicant to qualify to practice professional planning in the State of New Jersey, in accordance with N.J.S.A. 45:14A-9.

13:41-5.2 Definitions

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

"Practice of professional planning" means the administration, advising, consultation or performance of professional work in the development of master plans in accordance with the provisions of N.J.S.A. 40:27-1 et seq. and 40:55D-1 et seq.; and other professional planning services related thereto intended primarily to guide governmental policy for the assurance of the orderly and coordinated development of municipal, county, regional, and metropolitan land areas, and the State or portions thereof.

"Full-time" means working under the supervision of a licensed professional planner for a minimum of 35 hours per week.

"Part-time" means working under the supervision of a licensed professional planner for a minimum of 15 hours per week.

"Active participant in planning work" means full-time or its equivalent if accrued on a part-time basis.

13:41-5.3 Licensing requirements for professional planners

(a) An applicant for licensure as a professional planner shall:

1. Be of good moral character;

2. Satisfy the following educational requirements:

i. A graduate degree in professional planning from an accredited college or university in a curriculum offering instruction in such recognized planning subjects as principles of land use planning, history of city planning, planning project design, and planning law and administration; with a minimum of two years' experience in the full-time practice of professional planning or a graduate degree in a field other than professional planning from an accredited college or university with a minimum of four years experience in the full-time practice of professional planning;

ii. An undergraduate degree in professional planning from an accredited college or university in a curriculum offering a major or option comprising a minimum of 21 credit hours in such recognized planning subjects; with a minimum of three years' experience in the full-time practice of professional planning or an undergraduate degree in a field other than professional planning from an accredited college or university with a minimum of four years' experience in the full-time practice of professional planning; or

iii. Graduation from a secondary school and at least eight years of professional planning experience;

3. Pass the professional planners examination as required by N.J.A.C. 13:41-5.4; and

4. Pay all fees as set forth in N.J.A.C. 13:41-3.2.

(b) Work experience which receives college credit and volunteer work shall not count as work experience for licensure.

(c) Any part-time work which is to be credited for licensure shall be prorated to its full time equivalent.

(d) The work of the professional planner shall not include or supersede any of the duties of an attorney at law, a licensed professional engineer, land surveyor or registered architect of the State of New Jersey.

13:41-5.4 Examination requirements

(a) An applicant for licensure as a professional planner shall obtain a passing grade on both parts of the professional planner examination.

1. The first part of the examination, administered by the American Institute of Certified Planners (AICP), shall consist of the following subjects:

- i. History of urban, rural, and regional planning;
- ii. Fundamental theories, research methods and common basic standards in professional planning;
- iii. Administrative and legal problems, instruments and methods; and
- iv. Current planning design and techniques.

2. The second part of the examination, which shall be administered by the Board, shall cover planning law, procedures and practices as contained in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. and the related planning requirements of New Jersey statutes and regulations which directly affect planning practices and procedures.

(b) If a candidate qualifies to take the initial examination but does not pass, the applicant's application shall be held for a period of two consecutive years. After two years, if the applicant does not take the examination or does not pass the examination, a new application shall be filed with the Board.

(c) A person licensed in New Jersey as an engineer, architect, landscape architect or land surveyor is exempt from taking the first part of the examination and is only required to take the second part of the examination as described in (a)2 above.

13:41-5.5 License issuance; renewal

(a) Professional Planner licenses shall be issued for a period of two years and must be renewed biennially. A licensee who seeks renewal of his or her license shall submit a license renewal application and the license renewal fee to the Board as set forth in N.J.A.C. 13:41-3.2 to the Board prior to the expiration of the current license.

(b) Renewal applications shall provide the applicant the option of either active or inactive status. Licensees electing inactive status shall apply to the Board and shall pay the inactive license fee and shall not engage in the practice of planning.

(c) If a licensee does not renew his or her license prior to its expiration date, the licensee may renew the license within 30 days of its expiration by submitting a renewal application, a license renewal fee and a late fee, as set forth in N.J.A.C. 13:41-3.2.

(d) A license that is not renewed within 30 days of its expiration date shall expire. Any individual who continues to practice with an expired license after 30 days following the license expiration date shall be deemed to be engaged in unlicensed practice. Thereafter, the licensee shall be required to apply for reinstatement and to pay the reinstatement fee as set forth in N.J.A.C. 13:41-3.2 in addition to the fee for the current biennial period.

(e) An individual whose license has been expired for a period more than five years shall successfully complete the examination required for initial licensure as a licensed Professional Planner.

(f) Falsification of any information submitted with the renewal application may result in penalties and/or suspension of

the license pursuant to N.J.S.A. 45:1-21 through 45:1-25.

SUBCHAPTER 6. PLANNER-IN-TRAINING

<< NJ ADC 13:41-6.1 >>

13:41-6.1 Planner-in-training certificate requirements

(a) An applicant for a certificate of registration as a planner-in-training shall be of good moral character and:

1. Present proof of a degree in an approved course in planning of four years or more from an accredited school or college and a passing grade <<-upon a qualifying written examination in the fundamental professional planning subjects->> <<+in the examination as set forth in N.J.A.C. 13:41- 5.4+>>; or

2. Present a detailed record of four years or more of active practice in planning work and a passing grade <<-upon a qualifying written examination in the fundamental professional planning subjects->> <<+in the examination as set forth in N.J.A.C. 13:41-5.4+>>.

(b) A planner-in-training certificate shall be valid for 10 years.

(c) A planner-in-training may be upgraded to a licensed professional planner by submitting to the Board:

1. An upgrade form demonstrating the required work experience as set forth in N.J.A.C. 13:41-5.3(a); or

2. Transcripts verifying that the planner-in-training has completed the required educational experience as set forth in N.J.A.C. 13:41-<<- 5.2(a)->><<+5.3(a)2+>>.

(d) Work experience which receives college credit and volunteer work shall not count as work experience for licensure.

(e) Any part-time work which is to be credited towards licensure shall be prorated to its full-time equivalent.