

**CHAPTER 1800****BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE  
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**GENERALLY****1800.0050 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of this chapter and chapter 1805, the terms defined in this part have the meanings given them.

Subp. 2. **Applicant.** "Applicant" means a person applying to take the Architect Registration Examination, Fundamentals of Engineering Examination, Principles and Practice of Engineering Examination, Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Local Land Surveying Examination, Fundamentals of Geology Examination, Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional Practice of Soil Science Examination or a person applying for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or a person applying for certification as a certified interior designer. Applicant also means a candidate and persons who have passed their respective professional examination but have not yet received their license or certificate in Minnesota.

Subp. 3. **ASBOG.** "ASBOG" means the National Association of State Boards of Geology.

Subp. 4. **Certificate holder.** "Certificate holder" means a person who is or has been certified by the board as a certified interior designer.

Subp. 5. **CIDQ.** "CIDQ" means the Council for Interior Design Qualification.

Subp. 6. **CLARB.** "CLARB" means the Council of Landscape Architectural Registration Boards.

Subp. 7. **CSSE.** "CSSE" means the Council of Soil Science Examiners.

Subp. 8. **Examinee.** "Examinee" means an applicant who has been approved by the board to take the Architect Registration Examination, Fundamentals of Engineering Examination, Principles and Practice of Engineering Examination, Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Land Surveying Examination, Fundamentals of Geology Examination, Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional Practice of Soil Science Examination.

Subp. 9. **Graduate curriculum.** "Graduate curriculum" means a curriculum of education culminating in a master's degree or doctorate degree.

Subp. 10. **Graduate degree.** "Graduate degree" means a master's degree or doctorate degree.

Subp. 11. **Licensee.** "Licensee" means a person who is or has been licensed by the Minnesota board as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist.

Subp. 12. **NCARB.** "NCARB" means the National Council of Architectural Registration Boards.

Subp. 13. **NCEES.** "NCEES" means the National Council of Examiners for Engineering and Surveying.

Subp. 14. **NCIDQ.** "NCIDQ" means the National Council for Interior Design Qualification.

**Statutory Authority:** *MS s 326.06*

**History:** *35 SR 2011; 43 SR 89*

**Published Electronically:** *August 16, 2018*

#### **1800.0100 COOPERATION IN COMMUNICATIONS.**

An applicant, licensee, or certificate holder shall respond to communications from the board, committees of the board, or the assistant attorney general on behalf of the board within 30 days of the mailing of communications, unless an earlier response is specified. An applicant, licensee, or certificate holder shall appear before the board, committees of the board, or the attorney general when requested to do so and provide copies of all pertinent records, including handwriting samples, to assist the board in its investigations. An applicant, licensee, or certificate holder shall sign an authorization letter giving the board access to information relating to a board investigation that is held by any federal, state, or other local government agency or professional organization, the subject matter of which pertains to conduct described in Minnesota Statutes, sections 326.02 to 326.15, when requested to do so by the board or by the attorney general.

**Statutory Authority:** *MS s 326.06*

**History:** *35 SR 2011*

**Published Electronically:** *July 7, 2011*

#### **1800.0110 APPEARANCE BEFORE BOARD.**

For purposes of assisting the board in determining the person's qualifications or compliance with Minnesota Statutes or Minnesota Rules, and at the request of the board, a committee of the board, or the attorney general on behalf of the board, a holder or applicant of a certificate or license issued by the board shall:

A. appear and provide sworn testimony before the board, a committee of the board, or the attorney general;

B. respond to any questions of the board, a committee of the board, or the attorney general;  
and

C. produce any evidence requested by the board, a committee of the board, or the attorney general.

Nothing in this part limits the board from requiring appearance before the board under any applicable statute or rule.

**Statutory Authority:** *MS s 326.06*

**History:** 35 SR 2011

**Published Electronically:** July 7, 2011

### **1800.0120 NOTIFICATION.**

#### **Subpart 1. Required information.**

A. Each applicant, licensee, or certificate holder shall provide the board a current street address and telephone number. A post office box address is not sufficient to satisfy this requirement. Each applicant, licensee, or certificate holder must notify the board in writing of any change in address within 30 days of the change.

B. Each applicant, licensee, or certificate holder shall provide the board with a legal name change document within 30 days of any change in name.

C. Each applicant, licensee, or certificate holder must notify the board in writing within ten days if the applicant, licensee, or certificate holder has been convicted of or has pled guilty or nolo contendere to a felony, an element of which is dishonesty or fraud, whether or not the person admits guilt.

D. Each applicant, licensee, or certificate holder must notify the board in writing within 60 days if the applicant, licensee, or certificate holder has had an architecture, engineering, land surveying, landscape architecture, geoscience license, or interior design certificate, right to exam, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause in any state, commonwealth, or territory of the United States, in the District of Columbia, or in any foreign country.

**Statutory Authority:** *MS s 326.06*

**History:** 35 SR 2011; 43 SR 89

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### **1800.0130 EXAMINATION IRREGULARITIES; CHEATING AND NONCOMPLIANT CONDUCT.**

Subpart 1. **Generally.** Cheating or noncompliant conduct by an applicant in applying for or taking the examination, or discovered subsequent to the examination, will result in the board initiating a complaint and investigation, which may lead to sanctions as identified in Minnesota Statutes, section 326.111.

Subp. 2. **Actions constituting cheating.** For purposes of Minnesota Statutes, section 326.111, subdivision 4, paragraph (a), clause (5), the following acts and practices are considered fraudulent, deceptive, or dishonest:

A. falsifying or misrepresenting educational credentials or other information required by the board to sit for the examination;

B. conduct that violates the standard of test administration, such as communicating with another examinee during administration of the examination, copying another examinee's answers, permitting another examinee to copy one's answers, or possessing unauthorized materials;

C. impersonating an examinee or permitting an impersonator to take the examination on one's own behalf;

D. unauthorized access or reference to prohibited devices or materials, inside of or outside of the examination room, other than that provided to the candidate by the examination administrator as part of the examination or as authorized by the board while the candidate is taking the examination;

E. conduct that violates the security of the examination materials, such as removing examination materials from the examination room or having unauthorized possession of any portion of a future, current, or previously administered licensing examination;

F. unauthorized disclosure of examination questions or content; or

G. seeking out confidential examination questions or content.

Subp. 3. **Nonlimitation of authority.** This part does not limit the authority of the board from taking action against an applicant, examinee, licensee, or certificate holder for conduct not specifically described in this part.

Subp. 4. **Remedial action during examination.** In any case in which it appears that cheating has occurred or is occurring, the board or an exam administrator will take action including summarily expelling the candidate involved from the examination or moving the candidate to a position in the test site away from other examinees where the candidate can be watched more closely.

Subp. 5. **Compliance with examination policies and procedures.** Examinees shall abide by the exam administrator's published examination policies and procedures. An examinee who does not fully comply with the exam administrator's requirements is subject to dismissal from the remainder of the examination in addition to any action taken by the board under Minnesota Statutes, section 326.111.

Subp. 6. **Consequences of noncompliant conduct with examination policies and procedures.** Evidence of failing to comply with the exam administrator's policies and procedures subsequent to an examination will be cause for action by the board. Examinees who do not fully comply with the exam administrator's policies and procedures during and after an examination are subject to having their exam results invalidated and being prohibited from taking the examination for a period of time of up to two years. Licensure examinations taken and passed in other states are not acceptable for licensure purposes in Minnesota while an individual is barred from taking a licensure examination in Minnesota.

**Statutory Authority:** *MS s 326.06*

**History:** *35 SR 2011; 43 SR 89*

**Published Electronically:** *August 16, 2018*

**1800.0140 SECURITY AND IRREGULARITIES.**

Notwithstanding any other provisions under this chapter, the board may postpone scheduled examinations, the grading of examinations, or the issuance of certificates due to a breach of examination security; unauthorized acquisition or disclosure of the contents of an examination; suspected or actual negligence, errors, omissions, or irregularities in conducting an examination; or for any other reasonable cause.

**Statutory Authority:** *MS s 326.06*

**History:** *35 SR 2011*

**Published Electronically:** *July 7, 2011*

**1800.0200 CLASSES OF LICENSEES.**

There shall be three classes of licensees as follows:

A. Class 1: those who were licensed without examination:

- (1) prior to July 1, 1933; or
- (2) by exemptions after 1933.

B. Class 2: those licensed by comity under the provisions of the law.

C. Class 3: those licensed after satisfying the applicable educational requirements, meeting the applicable experience requirements, and achieving successful passage of the applicable professional examination.

**Statutory Authority:** *MS s 326.06; 326.10*

**History:** *21 SR 1427; 22 SR 90; 29 SR 754; 38 SR 59*

**Published Electronically:** *July 22, 2013*

**1800.0300 IN-TRAINING CLASSIFICATIONS.**

There shall be a classification of engineer-in-training, a classification of land surveyor-in-training, a classification of geologist-in-training, and a classification of soil scientist-in-training. For examination of engineer-in-training see parts 1800.2500 to 1800.2900, for examination of land surveyor-in-training see parts 1800.3505 to 1800.3750, for examination of geologist-in-training see parts 1800.3900 to 1800.3930, and for examination of soil scientist-in-training see parts 1800.3900 to 1800.3930.

**Statutory Authority:** *MS s 197.4552; 326.06*

**History:** *21 SR 1427; 22 SR 90; 27 SR 584; 38 SR 59; 40 SR 431*

**Published Electronically:** *October 22, 2015*

**1800.0400 APPLICATION FOR EXAMINATION, LICENSURE, AND CERTIFICATION.**

Subpart 1. **Forms and filing.** Applications for examination, licensure, or certification must be made on forms provided by the board and must be filed with the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and accompanied by payment of the application fee as specified in Minnesota Statutes, section 326.105. An applicant shall file an application for certification as a certified interior designer following passage of the National Council for Interior Design Qualification (NCIDQ) examination or meeting the requirements outlined in part 1800.0800 or 1800.2100, subpart 5. An applicant shall file an application for licensure as a landscape architect following successful passage of the Landscape Architect Registration Examination (LARE) or meeting the requirements in part 1800.0800. Applications for examination, licensure, or certification must include a signed certification as described in subpart 5.

Subp. 1a. **Information required.** The applicant shall submit to the board, on a form provided by the board, the following information:

- A. place and date of birth;
- B. time and place of schools attended and studies completed;
- C. status relative to graduation from such schools or completion of studies;
- D. final official transcript showing the degree or degrees awarded and date of graduation;
- E. for engineer, land surveyor, geologist, and soil scientist applicants, whether the Fundamentals of Engineering (FE), Fundamentals of Surveying (FS), geologist-in-training, or soil scientist-in-training examination has been successfully completed;
- F. for landscape architect applicants, whether the Landscape Architect Registration Examination (LARE) has been successfully completed;
- G. for certified interior designer applicants, whether the written examination administered by the Council for Interior Design Qualification (CIDQ) has been successfully completed;
- H. a record of personal employment, with all dates and with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities in charge of the whole or any part thereof; and
- I. a signed copy of a statement that the applicant has read the Board Rules of Professional Conduct.

Subp. 1b. **Failure to complete application.** The board shall consider an application withdrawn if the applicant fails to provide the board with all required information pertaining to the application within six months of the board's receipt of the application.

Subp. 2. **Evaluation of information.** The information required by subpart 1a shall be evaluated by the board and if the applicant is found ineligible for admission to the examination, ineligible for licensure as a landscape architect, or ineligible for certification as a certified interior designer, at



that time, the applicant shall be notified in writing and given the reasons for the ineligibility. If the applicant for licensure as a landscape architect is eligible for licensure at the time of application, the applicant shall be notified by the board in writing. If the applicant for certification as a certified interior designer is eligible for certification at the time of application, the applicant shall be notified by the board in writing. If the applicant for examination is eligible at the time for admission to the examination, the applicant shall be notified by the board in writing.

**Subp. 3. In-training application.**

A. Applications for examination as engineer-in-training or land surveyor-in-training must be made on forms provided by the board, and accompanied by the application fee as specified in Minnesota Statutes, section 326.105.

B. Applications for examination as geologist-in-training or soil scientist-in-training must be made on forms provided by the board, and accompanied by the application fee as specified in Minnesota Statutes, section 326.105.

**Subp. 4. Reinstatement application.**

A. A licensee or certificate holder who applies for reinstatement of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist, or for reinstatement of certification as a certified interior designer, must apply on forms provided by the board, and submit the fees specified in Minnesota Statutes, section 326.10, subdivision 9.

B. The board shall evaluate completed applications and, if the licensee or certificate holder is found eligible for reinstatement of licensure or certification, the board shall reinstate the license or certificate and notify the licensee or certificate holder in writing. If the licensee or certificate holder is found ineligible for reinstatement of licensure or certifications, the board shall notify the licensee or certificate holder in writing and give the reasons for ineligibility.

C. The applicant for reinstatement shall submit to the board, on a form provided by the board, the following information:

(1) a list of professional development hours completed within the four years immediately prior to reinstatement, including the dates of the activity, sponsoring organization, description of the activity, and number of professional development hours claimed for each activity, unless the board has granted an exemption under Minnesota Statutes, section 326.107, subdivision 4;

(2) a statement of explanation if the applicant has had a license or certificate disciplined, denied, surrendered, suspended, or revoked in any jurisdiction since the applicant's last license or certificate renewal in Minnesota; and

(3) a signed certification as described in subpart 5.

**Subp. 5. Certification.** An applicant for examination, licensure, certification, or reinstatement shall submit to the board, on a form provided by the board, a certification affirming that the applicant:

A. has read and will comply with Minnesota Statutes, sections 326.02 to 326.15, and any rule adopted thereunder;

B. is not under any disciplinary proceeding or action in any other jurisdiction;

C. has never been convicted of a felony;

D. has not represented himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state;

E. will not represent himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state until the applicant's license or certificate has been issued or reinstated by the board;

F. has not performed or offered to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state; and

G. will not perform or offer to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state until the applicant's license or certificate has been issued or reinstated by the board.

Applicants who are unable to affirm any part of the certification under this subpart must indicate which statement or statements cannot be affirmed and include an explanation for board review with the application for examination, licensure, certification, or reinstatement.

**Statutory Authority:** *MS s 197.4552; 326.06; 326.10*

**History:** *21 SR 1427; 22 SR 90; 29 SR 754; 33 SR 2041; 35 SR 2011; 38 SR 59; 40 SR 431; 43 SR 89*

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#### **1800.0450 TEMPORARY MILITARY LICENSE OR CERTIFICATE.**

Subpart 1. **Information required.** An applicant shall submit an application for a temporary military license or certificate under Minnesota Statutes, section 197.4552, accompanied by payment of the license fee as specified in Minnesota Statutes, section 326.10, subdivision 10. The application must be made under oath on a form provided by the board and must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct. The applicant shall supply the board with evidence of all of the following:

A. military status:

(1) active duty military member;

(2) spouse of an active duty military member; or

(3) confirmation of an honorable or general discharge status within the two years preceding the date of temporary military certificate application;

B. verification of current licensure or certification in another state; and

C. a current criminal background study.

Subp. 2. **Evaluation of information.** The board shall evaluate the information required by subpart 1. If the board finds the applicant is eligible for licensure or certification, the board shall issue a temporary license or certificate and notify the applicant in writing. If the board finds the applicant is ineligible for a temporary military license or certificate, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 3. **Temporary license or certificate period.** A temporary military license or certificate is valid for not more than six months from the date of issuance and expires on the date listed on the temporary license or certificate, upon the board's determination that the applicant is ineligible for licensure or certification, or upon issuance of a license or certificate under part 1800.4100, whichever occurs first.

Subp. 4. **Application required.** During the temporary license or certificate period, the individual shall complete the full application required for licensure as an architect, professional engineer, land surveyor, landscape architect, or geoscientist or for certification as a certified interior designer. If the board finds an applicant is eligible for licensure, the board shall issue a certificate of licensure as provided under part 1800.4100 and notify the applicant. If the board finds the applicant is eligible for certification, the board shall issue a certificate as provided under part 1800.4100, subpart 7, and notify the applicant. If the board finds the applicant is ineligible for licensure or certification, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 5. **Limitations.** The board shall not issue a temporary military license or certificate to an applicant who has previously received a temporary license or certificate. A temporary military license or certificate shall not be renewed.

**Statutory Authority:** *MS s 197.4552; 326.06*

**History:** *40 SR 431*

**Published Electronically:** *October 22, 2015*

## **1800.0500 FEES.**

Subpart 1. **Requirements.** An application for examination as an architect, professional engineer, land surveyor, professional geologist, or professional soil scientist must be accompanied by an application fee as provided by Minnesota Statutes, section 326.105. The board shall charge, or provide for a third party to charge, each applicant a fee for examination and an examination monitoring fee as provided by Minnesota Statutes, section 326.105.

Following an applicant's completion of the requirements for licensure, the board shall supply the applicant with an application for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist, which the applicant shall

complete and return with the initial fee for licensure as provided by Minnesota Statutes, section 326.105. Following an applicant's completion of the requirements for certification, the board shall supply the applicant with an application for certification as a certified interior designer, which the applicant shall complete and return with the initial fee for certification as provided by Minnesota Statutes, section 326.105. An applicant applying for licensure by comity under part 1800.0800, item F, G, H, or I, shall pay an application fee under subpart 7, item A. Upon approval by the board, an applicant for licensure as a land surveyor by comity under part 1800.0800, item G, shall submit an examination fee in the amount established by the local testing agency and an examination monitoring fee as provided in Minnesota Statutes, section 326.105.

An application for renewal of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certification as a certified interior designer must be accompanied by a renewal fee as provided in Minnesota Statutes, section 326.105.

An application for examination as an engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training must be accompanied by an application fee as provided in Minnesota Statutes, section 326.105. Upon approval by the board, an applicant for an examination administered by the board shall pay to the board a fee in the amount established by the applicable national testing agency and an examination monitoring fee as provided by Minnesota Statutes, section 326.105. For examinations administered by a third-party vendor, the applicant shall pay the actual fee for examination to the national testing agency in a manner it prescribes. Information concerning the current examination fee charged by the applicable national testing agency may be obtained by contacting the board offices.

For applicants who are found to be ineligible for admission to the examination or fail the examination, a new application for examination shall be submitted each time the applicant applies to take the examination.

Subp. 2. **Refunds.** Application fees are not refundable. Examination, licensure, or certification fees must not be refunded except for those circumstances when an applicant does not meet the education, examination, or experience requirements for examination, licensure, or certification.

Subp. 3. [Repealed, L 1999 c 213 s 5]

Subp. 4. **Delayed renewal fee.** A renewal fee is a delayed renewal fee within the meaning of Minnesota Statutes, section 326.10, subdivision 9, if it is not postmarked on or before June 30 of the year specified in Minnesota Statutes, section 326.105. The delayed renewal fee is \$30 for the first three months of the lapsed period and \$60 for months four to 24. The delayed renewal fee is computed from July 1 of any even-numbered year and is in addition to the renewal fee provided in Minnesota Statutes, section 326.105.

Subp. 5. [Repealed, 22 SR 90]

Subp. 6. [Repealed, 22 SR 90]

Subp. 7. **Additional fees.** In addition to all other fees for examination, licensure, or certification, as provided in this part or Minnesota Statutes, section 326.10, subdivision 1, the following schedule of fees is applicable:

A. for each application for licensure by comity under Minnesota Statutes, section 326.10, subdivision 1, clause (2), applicable to any person registered in another state or territory of the United States, or in any province of Canada, or in any foreign country, a fee of \$100;

B. for reissuance of a revoked, lost, destroyed, duplicated, or mutilated certificate of licensure or certificate as a certified interior designer, \$25;

C. for certified copies or reproduction of any document required to be supplied on behalf of any applicant for registration or licensure in another state, the cost of reproducing the document will be ten cents per sheet;

D. for monitoring licensing examinations for applicants of boards of other states, the fee shall be \$25, payable by the applicant;

E. an applicant for examination in more than one branch of engineering shall submit a separate examination fee for each additional branch of engineering for which the applicant has applied for examination; and

F. for retaking all or any part of any examination for certification or licensure, the fee shall be established by the national testing agency.

**Statutory Authority:** *MS s 214.06; 214.12; 326.06; 326.10*

**History:** *8 SR 1777; 12 SR 2574; 14 SR 2988; 17 SR 711; 18 SR 2174; 21 SR 1427; 22 SR 90; L 1999 c 213 s 5,6; 29 SR 754; 38 SR 59; 43 SR 89*

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#### **1800.0600 CERTIFICATE OF REGISTRATION.**

Certification of an applicant's technical qualifications by the National Council of Architectural Registration Boards (NCARB), the National Council of Examiners for Engineering and Surveying (NCEES), the Council of Landscape Architectural Registration Boards (CLARB), or the Council for Interior Design Qualification (CIDQ) may be accepted by the board as establishing such qualifications, and the applicant, in such instances, will not be required to pass further examination.

**Statutory Authority:** *MS s 197.4552; 326.06; 326.10*

**History:** *21 SR 1427; 29 SR 754; 40 SR 431*

**Published Electronically:** *October 22, 2015*

**1800.0700** [Repealed, 21 SR 1427]

**Published Electronically:** *July 7, 2011*

**1800.0800 PROOF OF QUALIFICATION TO PRACTICE.**

An applicant shall submit evidence to the board indicating that the applicant is qualified to practice in the profession or field of major practice in which the applicant seeks licensure or certification. The burden of proof is upon the applicant who should make every effort to present qualifications fully and clearly. Qualifications shall be established by one or more of the following methods:

- A. by passing a written examination;
- B. by submitting satisfactory exhibits of technical qualifications;
- C. by submitting a council certificate prepared by the National Council of Architectural Registration Boards (NCARB), for architect applicants only;
- D. by submitting a council record prepared by the National Council of Examiners for Engineering and Surveying (NCEES) for engineer applicants only;
- E. by submitting a council record prepared by the Council of Landscape Architectural Registration Boards (CLARB), for landscape architect applicants only;
- F. for licensure by comity as an architect, engineer, or landscape architect, by submitting documentation of completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause (2);
- G. for licensure by comity as a land surveyor, by submitting documentation of completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause (2). In addition, the applicant is required to successfully complete the local professional practice examination;
- H. for certification by comity as a certified interior designer, by submitting documentation of completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause (2). Applicants who were certified in other states prior to August 1, 1992, shall meet the requirements of part 1800.2100; or
- I. for licensure within a professional geoscience discipline by comity, by submitting documentation of completion of the requirements in Minnesota Statutes, sections 326.10, subdivision 1, clause (2).

**Statutory Authority:** *MS s 197.4552; 214.12; 326.06; 326.10*

**History:** *17 SR 1279; 18 SR 2174; 21 SR 1427; 22 SR 90; 27 SR 584; 29 SR 754; 36 SR 1103; 38 SR 59; 40 SR 431*

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**1800.0850 COMITY APPLICATION PROCEDURES.**

Subpart 1. **Definition.** For the purposes of this chapter, "comity" means an application submitted under Minnesota Statutes, section 326.10, subdivision 1, clause (2).

Subp. 2. **Information required.** An applicant shall submit an application accompanied by payment of the application fee in part 1800.0500, subpart 7, item A. The application must be made on a form provided by the board and must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5. The applicant shall supply the board with evidence of completion of the required education, examination, and experience requirements by submitting:

- A. a council record as specified under part 1800.0800, item C, D, or E; or
- B. (1) official transcripts of grades showing the degrees awarded and dates of graduation;  
(2) a detailed listing of experience gained with signed experience reference forms submitted by the supervisor;  
(3) verification of current licensure or certification in another jurisdiction; and  
(4) verification of passing the required examinations.

Subp. 3. **Evaluation of information.** The board shall evaluate the information required by subpart 2. If the board finds the applicant eligible for licensure or certification, the board shall notify the applicant in writing and shall provide the applicant with the procedure for paying the licensure or certification fee required by Minnesota Statutes, section 326.105. If the board finds the applicant ineligible for licensure or certification, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 4. **Failure to complete application.** The board shall consider an application withdrawn if the applicant fails to provide the board with all required information pertaining to the application within six months of the board's receipt of the application.

**Statutory Authority:** *MS s 326.06*

**History:** *43 SR 89*

**Published Electronically:** *August 16, 2018*

## **1800.0900 QUALIFICATION PROCEDURES.**

Subpart 1. **Exhibits.** Exhibits in connection with oral interview or written examination shall be submitted when requested by the board.

Subp. 2. [Repealed, 21 SR 1427]

Subp. 3. **Examination required.** An applicant for certification as an engineer-in-training, a land surveyor-in-training, a geologist-in-training, or a soil scientist-in-training must take all parts of the applicable fundamentals examination at one time. An applicant for licensure as a professional engineer, land surveyor, professional geologist, or professional soil scientist must pass the applicable fundamentals examination prior to taking the professional examination, except for an applicant who meets the requirements for waiver of the fundamentals examination.

An applicant for licensure as a professional engineer, professional geologist, or professional soil scientist must take all parts of the professional examination at one time.

Subp. 4. **Reexamination.** An applicant who does not receive a passing grade in an examination may submit a new application for examination. The application must be accompanied by an application fee as required under Minnesota Statutes, section 326.105. The board shall require an applicant failing an examination three or more times to submit evidence of improved qualifications before approving a new application for examination.

Subp. 5. **Date and place of examination.** Oral interviews may be given each year at such times as may be designated by the board. A candidate who files an application for licensure by examination and is determined to be eligible for admission to the examination will be informed of the date and place of the examination in writing. Examinations shall be scheduled once the applicant's application is approved.

Subp. 6. **Registration in another state.** An applicant duly registered in another state and whose registration is current, upon application for a temporary permit and notification from the Minnesota board that the temporary permit has been granted may practice the applicant's profession according to Minnesota Statutes, section 326.13, while the application for licensure or certification is pending board review.

The plans, specifications, and reports prepared by the applicant during the period in which the application is pending must bear the certification stamp of the state in which the applicant is registered along with a statement that the applicant has applied for registration in Minnesota and that the application is pending. The applicant shall place this stamp on each sheet of the set of drawings prepared for the project and on the title sheet of specifications and reports.

The Minnesota board does not require the use of a seal. If the state in which the applicant is registered has a seal or provisions for signing and dating plans, specifications, and reports, this will be acceptable. If the seal does not provide for signing and dating the plans, the applicant shall sign and date the plans under the seal imprint on each plan certified.

Subp. 7. **Application for temporary permit.**

A. Concurrent with the submission of an application for licensure as an architect, engineer, or geoscientist, or certification as a certified interior designer by comity, the applicant may submit an application for temporary permit under Minnesota Statutes, section 326.13, clause (1). The application must be made on a form provided by the board and must include details about the specific job for which the temporary permit is sought.

B. Upon receipt of all parts of an application for licensure or certification by comity under part 1800.0850, the board shall notify, in writing, an applicant who has requested a temporary permit whether the requirements for licensure or certification have been met. If the requirements for licensure or certification have been met, the board shall supply the applicant with a temporary permit that must be signed by the applicant and returned to the board office within five business days. Temporary permits are valid for not more than 60 days and expire on the date listed on the permit or upon issuance of a license or certificate number, whichever occurs first.

**Statutory Authority:** *MS s 326.06; 326.10*



**History:** 17 SR 1279; 21 SR 1427; 22 SR 90; 27 SR 584; 29 SR 754; 36 SR 1103; 38 SR 59; 43 SR 89

**Published Electronically:** August 16, 2018

## EXAMINATION OF ARCHITECT APPLICANTS

### 1800.1000 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirement.** An applicant for licensure as an architect shall pass an examination as provided in part 1800.1200. Examinations are required of all applicants except those licensed under part 1800.0800, items C and F, that apply to those architects licensed in one or more states other than Minnesota. An applicant for licensure under part 1800.0800, items C and F, must satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original approved application in the other state.

Subp. 1a. **Admission to examination.** To qualify for admission to the examination, an applicant shall present evidence of one of the following:

A. the applicant meets the education requirement described in subpart 5 and has enrolled in the Architectural Experience Program (AXP) described in subpart 6; or

B. the applicant is actively participating in an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) that has been accepted into the NCARB Integrated Path to Architectural Licensure (IPAL) program.

Subp. 2. [Repealed, 14 SR 2988]

Subp. 3. [Repealed, 14 SR 2988]

Subp. 4. [Repealed, 14 SR 2988]

Subp. 5. **Education requirement.** An applicant for licensure must present evidence of graduation from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB), the Canadian Architectural Certification Board (CACB) or architectural education equivalent to an NAAB-accredited degree.

An applicant holding a degree from a foreign college or university must be granted credit toward the requirements of this subpart on the same basis as a graduate of a United States college or university if the board determines that the educational requirements for the degree are equivalent to the requirements of this subpart. The applicant shall obtain an Education Evaluation Services for Architects (EESA) evaluation report to submit with the initial application for evaluation by the board.

Subp. 6. **Experience requirement.** An applicant for licensure must present evidence of completion of the experience requirement. Qualifying credits for experience must be granted as described in items A and B.

A. The applicant's total experience must meet the requirements for qualifying experience in subpart 7.

B. Experience must comply with either:

(1) the Architectural Experience Program Guidelines (AXP) published by the National Council of Architectural Registration Boards (NCARB), July 2016, which is incorporated by reference, is available at the State Law Library and the board office, and is subject to frequent change;

(2) the Intern Development Program Guidelines (NCARB-IDP) published by NCARB, if the candidate completed the program before June 29, 2016; or

(3) the Minnesota Intern Development Program if the candidate began the program prior to March 1, 1997.

A candidate is responsible for establishing a National Council of Architectural Registration Boards - Architectural Experience Program (AXP) record.

Subp. 7. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of value units as required to satisfy the Architectural Experience Program (AXP) requirements as defined in the National Council of Architectural Registration Boards - Architectural Experience Program guidelines.

Subp. 8. [Repealed, 21 SR 1427]

**Statutory Authority:** *MS s 197.4552; 326.06*

**History:** *L 1987 c 258 s 12; 14 SR 2988; L 1989 c 246 s 2; 21 SR 1427; 25 SR 1862; 33 SR 2041; 38 SR 59; 40 SR 431; 43 SR 89*

**Published Electronically:** *August 16, 2018*

## 1800.1100 PROCEDURES.

Subpart 1. **Completion date.** An applicant is eligible for licensure upon verified completion of the education, examination, and experience requirements.

Subp. 2. **Admission for licensing examination.** An applicant shall submit to the board a completed application, including verification of meeting the education and experience requirements described in part 1800.1000, subpart 1a. The application must be submitted on a form provided by the board. If the applicant was not required to complete NCARB-AXP, the applicant shall include a detailed listing of all architecturally related experience gained according to part 1800.1000. The experience listing must include the name and mailing address of the applicant's supervising licensed architect or other supervisor for each period of employment. The board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying architectural experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs. The application must include one

signed copy of Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

Subp. 3. [Repealed, 21 SR 1427]

Subp. 4. **Obtaining application.** Application materials may be obtained by calling or writing the board office.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 22 SR 90; 25 SR 1862; 33 SR 2041; 43 SR 89*

**Published Electronically:** *August 16, 2018*

### **1800.1200 EXAMINATION.**

#### **Subpart 1. Architect Registration Examination.**

A. The National Council of Architectural Registration Boards (NCARB) shall prepare and furnish the Architect Registration Examination (ARE).

B. The ARE must be administered to those applicants determined by the board to meet the requirements of part 1800.1000 for admission to the examination.

C. The board, if necessary, shall forward notification of eligibility to the examination delivery vendor. Following board approval, eligible candidates shall independently contact the examination delivery vendor to schedule the time and place for the examination at an approved test site.

D. An applicant is required to pass all sections of the examination in order to qualify for licensure. The board or examination delivery vendor shall report to the applicant the results of each examination section. The applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable standard-setting procedure.

E. An applicant may take each section of the examination one time for each application approved by the board. If an applicant fails an examination section, the applicant must submit a new application in order to take the examination section on another date. The National Council of Architectural Registration Boards shall determine the frequency by which an applicant may retake a failed examination section.

F. An applicant who fails to take at least one section of the examination within three years of applying shall submit a new application for examination in order to resume testing.

Subp. 2. [Repealed, 14 SR 2988]

Subp. 3. [Repealed, 14 SR 2988]

Subp. 4. [Repealed, 14 SR 2988]

Subp. 5. **Equipment during examinations.** For the Architect Registration Examination, applicants shall only use the equipment approved by the examination delivery vendor.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 25 SR 1862; 33 SR 2041; 43 SR 89*

**Published Electronically:** *August 16, 2018*

## EXAMINATION OF LANDSCAPE ARCHITECT APPLICANTS

### 1800.1500 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirement.** An applicant for licensure as a landscape architect shall pass the examination referred to in part 1800.1700. An applicant for licensure under part 1800.0800, item F, must satisfy the Minnesota licensing requirements in effect at the time of the applicant's original licensure in the other state.

Subp. 2. **Admissions to examination.** For admission to the examination, an applicant shall apply directly to the Council of Landscape Architectural Registration Boards (CLARB) and follow the procedures outlined by CLARB.

Subp. 3. **Education requirement.** An applicant for licensure as a landscape architect shall present evidence of graduation from a landscape architecture curriculum of a university or college accredited by the Landscape Architectural Accreditation Board (LAAB).

Subp. 4. **Experience requirement.** An applicant for licensure as a landscape architect shall present evidence of completion of the experience requirement in items A to C.

A. The number of years of professional experience required is based on the following table:

Degree Received	Years of Education	Years of Professional Experience
Graduation from a five-year baccalaureate curriculum in Landscape Architecture accredited by the LAAB.	5	3
Graduation from a four-year baccalaureate curriculum in Landscape Architecture accredited by the LAAB.	4	4
Graduation from a LAAB-accredited master's or doctorate curriculum in Landscape Architecture.	5 or more	3

B. Qualifying experience must be acquired after graduation and be under the direct supervision of a licensed landscape architect.

C. Qualifying experience under the direct supervision of a licensed architect or licensed professional engineer shall receive full credit up to a maximum of one year when the work is related to landscape architecture.

D. Qualifying experience gained before graduation from one of the landscape architectural curricula in item A must be credited to satisfy part of the requirements for qualifying landscape architect experience under this item according to the following conditions:

- (1) experience must be under the direct supervision of a licensed landscape architect;
- (2) experience must be gained in increments of 90 days or more; and
- (3) experience must be credited at a rate of 50 percent.

This credit must not exceed one year of qualifying landscape architect experience.

Subp. 5. [Repealed, 35 SR 2011]

Subp. 6. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience at landscape architectural work that develops the applicant's ability to apply the knowledge gained during academic training to make sound judgments in solving landscape architectural problems and prepares the applicant to assume responsible charge of the work involved in the practice of landscape architecture. The experience must include elements of research, codes and standards, site and environmental analysis, landscape architectural programming, planning, economics, schematic design, design development documents, construction documents, specifications, project management, and observation of construction. Experience must be written in detail, verified by the applicant's supervisor, and submitted with the application for licensure for evaluation.

**Statutory Authority:** *MS s 326.06; 326.10*

**History:** *L 1987 c 258 s 12; L 1989 c 246 s 2; 21 SR 1427; 29 SR 754; 35 SR 2011; 38 SR 59; 43 SR 89*

**Published Electronically:** *August 16, 2018*

**1800.1600** [Repealed, 29 SR 754]

**Published Electronically:** *July 7, 2011*

## **1800.1700 WRITTEN EXAMINATIONS.**

Subpart 1. **Landscape architect registration examination.** The Landscape Architect Registration Examination (LARE) shall be provided by the Council of Landscape Architectural Registration Boards (CLARB).

Subp. 2. **Equipment during examination.** Applicants shall only use equipment approved by CLARB during the Landscape Architect Registration Examination.

**Statutory Authority:** *MS s 326.06; 326.10*

**History:** *21 SR 1427; 29 SR 754; 35 SR 2011*

**Published Electronically:** *July 7, 2011*

**1800.1750 PROCEDURES.**

An applicant for initial licensure as a landscape architect shall submit to the board a completed application accompanied by payment of the application fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing of all landscape architectural experience gained as provided in part 1800.1500. The list of experience must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an experience verification form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying landscape architectural experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of graduation. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

**Statutory Authority:** *MS s 326.06*

**History:** *43 SR 89*

**Published Electronically:** *August 16, 2018*

**1800.1800** [Repealed, L 2001 c 23 s 1]

**Published Electronically:** *July 7, 2011*

**1800.1900** [Repealed, L 2001 c 23 s 1]

**Published Electronically:** *July 7, 2011*

**1800.2000** [Repealed, 21 SR 1427]

**Published Electronically:** *July 7, 2011*

**EXAMINATION OF CERTIFIED INTERIOR  
DESIGNER APPLICANTS****1800.2100 EDUCATION AND EXPERIENCE.**

Subpart 1. **Written examination requirement.** An applicant for certification as a certified interior designer shall pass a written examination administered by the Council for Interior Design Qualification (CIDQ) except that a written examination is not required of an applicant certified under subpart 5. An applicant for certification under part 1800.0800, item H, must satisfy the Minnesota certification requirements in effect at the time of the applicant's original certification in the other state.

Subp. 2. **Education and experience requirement.** To qualify for certification as a certified interior designer, an applicant shall present evidence that the applicant has completed the education and experience requirements in items A and B.

A. For purposes of this subpart, "equivalent education" means education that the board, after review of an applicant's transcript and other educational materials, finds to be substantially the same in terms of the curriculum composition and content of classes taken by the applicant that culminates in a minimum of a bachelor's degree in interior design accredited by the Council for

Interior Design Accreditation (CIDA) or its predecessor, the Foundation for Interior Design Education Research (FIDER). The education requirement must be fulfilled by one of the following options as described:

(1) graduation from a four- or five-year professional-level interior design program resulting in a bachelor's or master's degree, which includes completion of 60 semester credits or 90 quarter credits of interior design course content from a program accredited by CIDA or its predecessor, FIDER, or equivalent education;

(2) graduation prior to June 1, 2013, from a two-year preprofessional or paraprofessional program in interior design accredited by CIDA or its predecessor, FIDER, or equivalent education; or

(3) graduation prior to June 1, 2013, from a three-year professional level program in interior design accredited by CIDA or its predecessor, FIDER, or equivalent education.

B. Experience must be under the direct supervision of a certified interior designer, NCIDQ certificate holder, licensed architect, or, for experience gained prior to June 1, 2013, an interior designer.

(1) If the applicant meets the educational requirements of item A, subitem (1), the experience required is completion of the Interior Design Experience Program (IDEP), as provided by CIDQ or its successor, or a minimum of two years of qualifying interior design experience.

(2) If the applicant meets the educational requirements of item A, subitem (2), the experience required is completion of a minimum of four years of qualifying interior design experience.

(3) If the applicant meets the educational requirements of item A, subitem (3), the experience required is completion of a minimum of three years of qualifying interior design experience.

C. Experience must be diversified in the practice of interior design for public spaces and include all ten of the following knowledge areas, documented as required by the board:

- (1) space planning;
- (2) building code research and analysis;
- (3) programming;
- (4) schematic design and design development;
- (5) preparation of construction documents;
- (6) cost estimating;
- (7) specification of building materials and finishes;
- (8) specification of furnishings, fixtures, and equipment;

- (9) bidding/negotiating procedures; and
- (10) construction administration.

Subp. 3. [Repealed, 35 SR 2011]

Subp. 4. [Repealed, 35 SR 2011]

Subp. 5. **Applicants licensed as architects.** A person licensed as an architect in Minnesota who seeks certification as an interior designer shall submit an application to the board together with the required fee and shall be certified with no further requirements.

**Statutory Authority:** *MS s 197.4552; 214.12; 326.06*

**History:** *18 SR 2174; 21 SR 1427; 35 SR 2011; 38 SR 59; 40 SR 431; 43 SR 89*

**Published Electronically:** *August 16, 2018*

### **1800.2200 PROCEDURES.**

Subpart 1. **Written examinations.** The written examination shall be the examination as provided by the Council for Interior Designer Qualification (CIDQ).

Subp. 2. **Admission to examination.** The applicant shall apply for examination directly to the Council for Interior Designer Qualification (CIDQ) and follow the procedures outlined by the CIDQ.

Subp. 3. **Application for certification.** An applicant shall submit to the board a completed application, including verification of completed education, examination, and experience requirements and the appropriate application fee. The application must be submitted on a form provided by the board. If the applicant was not required to complete IDEP, the applicant shall include a detailed listing of all interior design related experience gained as provided in part 1800.2100. The list of experience must include the name and mailing address of the applicant's supervising interior designer or other supervisors for each period of employment. The board shall provide the applicant with an experience reference form which must be signed and submitted to the board by each supervisor for each period of employment during which the qualifying interior design experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

**Statutory Authority:** *MS s 197.4552; 214.12; 326.06*

**History:** *18 SR 2174; 21 SR 1427; 22 SR 90; 35 SR 2011; 40 SR 431; 43 SR 89*

**Published Electronically:** *August 16, 2018*

**1800.2300** [Repealed, 21 SR 1427]

**Published Electronically:** *July 7, 2011*



**EXAMINATION OF ENGINEER APPLICANTS****1800.2500 EDUCATION AND EXPERIENCE.**

Subpart 1. **Written examination requirement.** An applicant for licensure as a professional engineer shall pass written examinations as provided in this subpart. An applicant for licensure under part 1800.0800, item F, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state. The written Fundamentals of Engineering (FE) examination shall be waived by the board if the applicant meets the requirements in part 1800.2800.

Subp. 2. **Admission to written Fundamentals of Engineering (FE) examination.** To qualify for admission to the written FE examination, the applicant shall present evidence of one of the following:

A. graduation from an engineering curriculum accredited by the Engineering Accrediting Commission (EAC) of ABET, Inc. (ABET) at the time of graduation or is within 32 semester or 48 quarter credits of obtaining an engineering degree meeting the requirements of this subpart;

B. graduation from an engineering curriculum that receives EAC-ABET accreditation within five years of the applicant's graduation;

C. graduation from a non-EAC-ABET-accredited or nonengineering degree curriculum with the minimum number of engineering science and engineering design credits as required in an EAC-ABET-accredited degree (48 semester or 72 quarter credit hours); or

D. has a graduate degree from an engineering program where the bachelor's degree is EAC-ABET accredited, even though the applicant's bachelor's degree was earned in a nonengineering program, or is currently enrolled in a graduate program in engineering where the bachelor's degree is EAC-ABET accredited working toward a graduate degree and has completed a minimum of 36 quarter or 24 semester credits.

Subp. 2a. **Admission to written Principles and Practice of Engineering (PE) examination.** To qualify for admission to the written PE examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in items A and B.

A. Education:

(1) graduation from an EAC-ABET-accredited bachelor's engineering curriculum;

(2) graduation from a bachelor's engineering curriculum that receives EAC-ABET accreditation within five years of the applicant's graduation;

(3) has a non-EAC-ABET accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an EAC-ABET accredited degree (48 semester or 72 quarter credits);

(4) has a graduate degree from an engineering program where the bachelor's degree in that discipline of engineering is EAC-ABET-accredited, even though the applicant's bachelor's degree was earned in a non-EAC-ABET-accredited or nonengineering program;

(5) graduation from a bachelor's engineering curriculum that has EAC-ABET accreditation and a graduate degree in engineering from an institution with an EAC-ABET-accredited bachelor's curriculum in that discipline of engineering;

(6) graduation from an EAC-ABET accredited graduate engineering curriculum even though the applicant's bachelor's degree was earned in a non-EAC-ABET accredited or nonengineering program;

(7) graduation from an EAC-ABET accredited bachelor's engineering curriculum and graduation from an EAC-ABET accredited graduate engineering curriculum;

(8) has a non-EAC-ABET accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an EAC-ABET accredited degree (48 semester or 72 quarter credits) and a graduate degree from an engineering program where the bachelor's degree in that discipline of engineering is EAC-ABET accredited; or

(9) has a non-EAC-ABET accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an EAC-ABET accredited degree (48 semester or 72 quarter credits) and a graduate degree from an EAC-ABET accredited graduate engineering curriculum.

B. Qualifying experience:

(1) completion of a minimum of four years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (1), (2), (4), (6), (8), or (9);

(2) completion of a minimum of six years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (3); or

(3) completion of a minimum of three years of qualifying engineering experience if the applicant meets the educational requirements of item A, subitem (5) or (7).

C. Qualifying engineering experience gained before completion of one of the education requirements in item A must meet the following conditions:

(1) experience must be credited at a rate of 50 percent;

(2) experience gained before completion of at least two full years of one of the engineering curricula in item A, subitem (1), (2), (3), (5), or (7), must receive no credit; and

(3) experience gained before completion of at least one full year of the graduate engineering curricula in item A, subitem (4), (6), (8), or (9), must receive no credit.

D. Credit awarded under item C must not exceed the lesser of two years or 50 percent of the required number of years of qualifying engineering experience in this subpart.

Subp. 3. [Repealed, 21 SR 1427]

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 38 SR 59; 43 SR 89*

**Published Electronically:** *August 16, 2018*

### **1800.2600 ORAL INTERVIEW.**

An applicant shall appear before the board for oral interview and shall submit two exhibits of engineering work the applicant has performed if the applicant qualifies for waiver of the fundamentals of engineering examination as provided in part 1800.2800.

The applicant shall furnish a letter to the board from the applicant's employer verifying the degree of involvement and responsibility displayed by the applicant in the conduct of the project exhibited.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 36 SR 1103*

**Published Electronically:** *March 21, 2012*

### **1800.2700 WRITTEN EXAMINATION.**

Subpart 1. **Two-part examination.** The written examination shall be prepared and furnished by the National Council of Examiners for Engineering and Surveying (NCEES) and shall consist of two parts described in subparts 1a and 2.

Subp. 1a. **Fundamentals of Engineering (FE) examination.** Part I is the FE examination that may be taken upon meeting the requirements of part 1800.2500, subpart 2. An applicant taking the FE examination shall be notified of the score in writing. An applicant failing the FE examination and electing to take the examination again shall take the entire examination. The passing of this examination and providing proof of the degree awarded and date of graduation gives the applicant the status of engineer-in-training as defined in Minnesota Statutes, section 326.10, subdivision 7. A final official transcript showing the degree awarded and date of graduation shall be submitted to the board before the Engineer-in-Training number is released to the applicant. The applicant shall take and pass the FE examination before being permitted to take the professional examination unless exempted under part 1800.2800.

Subp. 2. **Principles and Practice of Engineering (PE) examination.** Part II is the PE examination. The applicant may take the PE examination upon meeting the requirements of part 1800.2500, subpart 2a, and after taking and passing the FE examination, unless the FE examination is waived under part 1800.2800. The PE examination, covering the principles and practice of engineering in the field of major practice, is required consistent with the examinations prepared and furnished by NCEES. A person failing the PE examination and electing to take the examination again shall take the entire examination.

Subp. 3. **Scope of examinations.** The scope of the Fundamentals of Engineering (FE) examination and the Principles and Practice of Engineering (PE) examination is as follows:

A. The FE examination consists of multiple-choice questions in mathematics, basic sciences, and engineering sciences as presented in accredited academic engineering curricula.

B. The PE examination consists of problems embracing knowledge of professional practice and applied economics as acquired in connection with the planning, design, and construction of engineering work during the required period of qualifying engineering experience.

Subp. 4. [Repealed, 21 SR 1427]

Subp. 5. **Equipment during examination.** The board shall advise the applicant at the time of approval for admission to the FE or PE examination what equipment and materials will be permitted for use during the examination.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 38 SR 59*

**Published Electronically:** *July 22, 2013*

#### **1800.2800 ENGINEERS QUALIFIED BY GRADUATION, LONG EXPERIENCE, AND EXAMINATION.**

The Fundamentals of Engineering (FE) examination must be waived in those cases where the applicant furnishes evidence of:

A. being at least 40 years of age, having a verified professional engineering record of 20 years or more of qualifying engineering experience and meeting one of the educational requirements of part 1800.2500, subpart 2a;

B. holding membership in a British Institute of Engineering as a chartered engineer by examination or other national certification by examination as approved by the board; or

C. having a doctorate degree in engineering from an educational institution whose baccalaureate curriculum is accredited by EAC-ABET or whose education is equivalent thereto.

An applicant qualifying under item A, B, or C shall pass the Principles and Practice of Engineering (PE) examination. To qualify for waiver of the FE examination under item A, the applicant's engineering experience shall show responsible charge of engineering projects for at least ten years and advancement in the character of the work performed. Experience gained before reaching the age of 20 years shall not be credited as a part of the required engineering experience.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 38 SR 59*

**Published Electronically:** *July 22, 2013*

**1800.2805 QUALIFYING EXPERIENCE DEFINED.****Subpart 1. Qualifying experience; generally.**

A. As used in this part and parts 1800.2500 and 1800.2800, qualifying experience consists of varied, progressive, nonrepetitive, practical experience at engineering work that develops the applicant's ability to apply the knowledge gained during academic training to make sound judgments in solving engineering problems and prepares the applicant to assume responsible charge of the work involved in the practice of engineering.

B. The applicant must demonstrate that qualifying experience meets the following requirements:

(1) experience must include elements of design, planning, specifications, codes and standards, research and analysis, engineering economics, safety, and observation of construction projects or products;

(2) experience must be progressive by a demonstration that it was of increasing quality and required greater responsibility; and

(3) experience must include demonstration of knowledge of engineering mathematics, physical and applied science, properties of materials, the fundamental principles of engineering design, and the application of engineering principles in the practical solution of engineering problems.

C. Experience must be written in detail, verified by the applicant's supervisor, and submitted with the application for evaluation and approval by the board.

D. Experience must not be obtained in violation of Minnesota Statutes, chapter 326.

E. Experience must have been completed at the time of application.

**Subp. 2. Qualifying experience; specific.**

A. Experience gained in the armed services must be equivalent to that which would have been gained in the civilian sector doing similar work.

B. For sales experience, the applicant must demonstrate that engineering principles were required and used in gaining experience.

C. Teaching experience must be in engineering or engineering-related courses at an intermediate or advanced level in an EAC-ABET accredited degree program. Intermediate or advanced level coursework includes courses taken beyond the introductory level.

D. Experience gained in engineering research and design projects by members of an engineering faculty in an EAC-ABET accredited degree program is creditable.

E. Experience in construction must demonstrate the application of engineering principles.

**Statutory Authority:** *MS s 326.06*

**History:** 14 SR 2988; 38 SR 59; 43 SR 89

**Published Electronically:** August 16, 2018

### **1800.2900 PROCEDURES.**

Subpart 1. **Request for admission to Fundamentals of Engineering (FE) examination.** An applicant shall submit an application for admission to the FE examination under part 1800.2700, subpart 1a, accompanied by payment of the application fee in Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as an Engineer-in-Training. For applicants who have graduated, an official transcript of grades showing the degree awarded and date of graduation must accompany the application.

Subp. 2. **Request for admission to Principles and Practice (PE) examination.** An applicant shall submit an application for admission to the PE examination under part 1800.2700, subpart 2, accompanied by payment of the application fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing of engineering experience gained. The experience listing must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying engineering experience was gained. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must accompany the completed form, unless previously submitted. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

Subp. 3. [Repealed, 21 SR 1427]

Subp. 4. **Obtaining application material.** Application materials may be obtained from the board's Web site.

Subp. 5. **Examination administration and application deadline.** An applicant may not sit for an examination until an application has been submitted, the board has determined that the applicant has met the qualifications to take the examination, and the applicant has been notified of the applicant's eligibility.

The FE and PE examinations shall be administered at least twice annually at a time and place determined by the board or examination delivery vendor to those applicants determined by the board to meet the requirements for admission to the examinations.

The deadline for application for an examination that is administered on a specific date and time shall be 75 days prior to the date set for the examination. Applications must be postmarked on or before the deadline to be considered on time.

For an examination that is administered on multiple dates and times within an examination window, an application may be submitted at any time.

The board, if necessary, shall forward notification of the applicant's eligibility to the examination delivery vendor. Following the board's determination that an applicant is eligible to sit for an examination, the applicant shall independently contact the examination delivery vendor to schedule the time and place for the examination at an approved test site.

The board or examination delivery vendor shall report to the applicant the results of each examination. In order to pass the examination, the applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable standard-setting procedure.

Subp. 6. **Examination windows.** The examination windows and the frequency in which an applicant may take the examination are determined by the applicable national testing agency.

Subp. 7. **Validity of application.**

A. An applicant may take one examination for each application approved by the board.

B. An applicant approved by the board for an examination administered on a specific date who fails to register, cancels, or fails to appear for the examination must submit a new application in order to take the examination on another date.

C. An applicant approved by the board for an examination administered continuously throughout the year, who does not take the examination within three years of the date of the application, must submit a new application in order to take the examination.

D. If an applicant fails an examination, the applicant must submit a new application in order to take the examination on another date.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 2988; 21 SR 1427; 22 SR 90; 33 SR 2041; 38 SR 59; 43 SR 89*

**Published Electronically:** *August 16, 2018*

**1800.3000** [Repealed, 14 SR 2988]

**Published Electronically:** *July 7, 2011*

**1800.3500** [Repealed, 27 SR 584]

**Published Electronically:** *July 7, 2011*

## EXAMINATION OF LAND SURVEYOR APPLICANTS

### 1800.3505 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirements.** An applicant for licensure as a land surveyor is required to pass written examinations as provided in this part and parts 1800.3600 to 1800.3750. An applicant for licensure under part 1800.0800, item G, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state.

Subp. 2. **Admission to the Fundamentals of Surveying (FS) examination.** To qualify for admission to the FS examination, applicants shall present satisfactory evidence of one of the following:

A. graduation from a four-year land surveying curriculum that meets the statutory requirements in place at the time of graduation or being within 32 semester credits or 48 quarter credits of obtaining a land surveying degree from a four-year land surveying curriculum that is approved by the board as specified in subpart 4; or

B. graduation from a bachelor's curriculum that meets the statutory requirements in place at the time of graduation, or being within 32 semester credits or 48 quarter credits of obtaining a bachelor's degree under a curriculum that is approved by the board with a minimum of 22 semester credits or 32 quarter credits in land surveying as specified in subpart 4.

Subp. 3. **Admission to Principles and Practice of Surveying (PS) examination.** To qualify for admission to the PS examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in item A or B.

A. Graduates of a four-year land surveying curriculum must present evidence of:

- (1) graduation from a four-year land surveying curriculum;
- (2) passage of the Fundamentals of Surveying (FS) examination; and
- (3) completion of a minimum of the following qualifying land surveying experience:
  - (a) a minimum of 160 hours of office experience in plat computations;
  - (b) a minimum of 160 hours of field experience in each of four or more of the following: section subdivision, boundary surveys, land title surveys, government corner restoration, geodetic surveys, staking subdivisions, and common interest communities totaling 3,120 hours or more;
  - (c) a minimum of 160 hours of office experience in each of four or more of the following: record research, record analysis, survey computations, description analysis, description writing, and subdivision design totaling 1,920 hours or more;
  - (d) a minimum of 400 hours of field or office experience in one or a combination of the following: right-of-way surveys; easement surveys; mining surveys; route location surveys, including power, pipelines, etc.; and street grade design and alignment; and
  - (e) a minimum of 400 hours of drafting experience in one or a combination of the following: boundary survey, topographic survey, and plats.

B. Graduates of a bachelor's curriculum must present evidence of:

- (1) graduation from a bachelor's curriculum with a minimum of 22 semester credits or 32 quarter credits in land surveying as specified in subpart 4;
- (2) passage of the Fundamentals of Surveying (FS) examination; and



(3) completion of a minimum of the following qualifying land surveying experience:

(a) a minimum of 160 hours of office experience in plat computations;

(b) a minimum of 160 hours of field experience in each of four or more of the following: section subdivision, boundary surveys, land title surveys, government corner restoration, geodetic surveys, staking subdivisions, and common interest communities totaling 4,990 hours or more;

(c) a minimum of 160 hours of office experience in each of four or more of the following: record research, record analysis, survey computations, description analysis, description writing, and subdivision design totaling 3,170 hours or more;

(d) a minimum of 800 hours of field or office experience in one or a combination of the following: right-of-way surveys; easement surveys; mining surveys; route locations surveys, including power, pipelines, etc.; and street grade design and alignment; and

(e) a minimum of 800 hours of drafting experience in one or a combination of the following: boundary survey, topographic survey, and plats.

Qualifying land surveying experience must be obtained under the direct supervision of a licensed land surveyor. As used in items A and B, qualifying work experience consists of varied, progressive, practical experience at land surveying work. The experience must be acquired in the areas of land surveying practice listed in items A and B.

C. Qualifying land surveying experience gained before completion of one of the education requirements in item A or B must meet the following conditions:

(1) experience must be obtained under the direct supervision of a licensed land surveyor;

(2) experience must be credited at a rate of 50 percent; and

(3) experience gained before completion of at least two full years of one of the land surveying curricula specified in items A and B must receive no credit.

D. Credit awarded under item C must not exceed half the minimum experience required in each of the experience categories in items A and B.

Subp. 4. **Approved land surveying credits.** Curriculum approved by the board must include a minimum of 22 semester or 32 quarter credits in land surveying divided among at least six of the following land surveying categories:

A. cartography/Geographic Information Systems (GIS);

B. geodesy/geodetic surveys;

C. riparian boundaries or riparian rights;

D. boundary law;

E. route surveying or construction surveying;

- F. drafting/CAD;
- G. Cadastral surveying or Public Land Survey System and section subdivision;
- H. photogrammetry or remote sensing;
- I. boundary surveying;
- J. topographic surveying; and
- K. subdivision plats.

**Statutory Authority:** *MS s 197.4552; 326.06*

**History:** *27 SR 584; 33 SR 429; 38 SR 59; 40 SR 431; 43 SR 89*

**Published Electronically:** *August 16, 2018*

### **1800.3600 REQUIREMENTS FOR ADMISSION TO EXAMINATION.**

Subpart 1. **Authority to order examination.** The board may subject an applicant to such examinations as may be deemed necessary to establish the qualifications of the applicant. Examinations shall be held at such times and places as the board may direct.

Subp. 2. **Fundamentals of Surveying (FS) examination.** The FS examination may be taken upon meeting the requirements of part 1800.3505, subpart 2. An applicant taking the FS examination must be notified of the applicant's score in writing. An applicant failing this examination and electing to take the examination again shall take the entire examination. The passage of this examination and providing proof of the degree awarded and date of graduation gives the applicant the status of land surveyor-in-training as defined in Minnesota Statutes, section 326.10, subdivision 7. A final official transcript showing the degree awarded and date of graduation shall be submitted to the board before the Land Surveyor-in-Training number is released to the applicant. The applicant shall take and pass the FS examination before being permitted to take the professional examination.

Subp. 3. **Professional practice examinations.** The applicant may take the Principles and Practice of Surveying (PS) examination and the Minnesota Land Surveying Examination (MNLS) upon successful completion of the Fundamentals of Surveying (FS) examination and meeting the education and experience requirements in part 1800.3505, subpart 3. An applicant failing either the PS or the MNLS examination and electing to take the examination again shall take the entire failed examination.

**Statutory Authority:** *MS s 326.06*

**History:** *27 SR 584; 36 SR 1103; 38 SR 59*

**Published Electronically:** *July 22, 2013*

### **1800.3700 EXAMINATIONS.**

Subpart 1. **Fundamentals of Surveying (FS) examination.** The FS examination consists of multiple-choice questions in mathematics, physical and applied sciences, and basic land surveying principles as presented in academic land surveying curricula.

Subp. 2. **Professional practice examinations.** The examination for professional practice consists of the Principles and Practice of Surveying (PS) examination and the Minnesota Land Surveying (MNLS) examination. Successful completion of both the PS and the MNLS examinations qualifies the applicant for licensure as a land surveyor in Minnesota upon payment of the license fee.

Subp. 3. **Reference materials.** The board shall advise the applicant, at the time of approval for admission to an examination, what equipment and materials will be permitted for use during the examination.

**Statutory Authority:** *MS s 326.06*

**History:** *27 SR 584; 38 SR 59*

**Published Electronically:** *July 22, 2013*

### **1800.3750 PROCEDURES.**

Subpart 1. **Request for admission to Fundamentals of Surveying (FS) examination.** An applicant shall submit an application for admission to the FS examination under part 1800.3600, subpart 2, accompanied by payment of the application fee in Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as a Land Surveyor-in-Training (LSIT). For applicants who have graduated, an official transcript of grades showing the degree awarded and date of graduation must accompany the application.

Subp. 2. **Request for admission to Principles and Practice of Surveying (PS) examination.** An applicant shall submit an application for admission to the PS examination under part 1800.3600, subpart 3, accompanied by payment of the application fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing of surveying experience gained. The experience listing must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant with an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying surveying experience was gained. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must accompany the completed form, unless previously submitted. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

Subp. 3. **Request for admission to the Minnesota Land Surveying (MNLS) examination.** Upon approval of an application for licensure as a land surveyor by comity under part 1800.0800, item G, or an application for examination under subpart 2, the applicant will be notified by the board in writing of the examination registration procedures and applicable fees for

the MNLS examination. Applicants failing the MNLS examination shall submit a new application under subpart 2 accompanied by the application fee to retake the examination.

Subp. 4. **Examination administration and application deadline.** An applicant may not sit for an examination until an application has been submitted, the board has determined that the applicant has met the qualifications to take the examination, and the applicant has been notified of the applicant's eligibility.

The FS, PS, and MNLS examinations shall be administered at least twice annually at a time and place determined by the board or examination delivery vendor to those applicants determined by the board to meet the requirements for admission to the examination.

The deadline for application for an examination that is administered on a specific date and time shall be 75 days prior to the date set for the examination. Applications must be postmarked on or before the deadline to be considered on time.

For an examination that is administered on multiple dates and times within an examination window, an application may be submitted at any time.

The board, if necessary, shall forward notification of the applicant's eligibility to the examination delivery vendor. Following the board's determination that an applicant is eligible to sit for an examination, the applicant shall independently contact the examination delivery vendor to schedule the time and place for the examination at an approved test site.

The board or examination delivery vendor shall report to the applicant the results of each examination. In order to pass the examination, the applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable standard-setting procedure.

Subp. 5. **Examination windows.** The examination windows and frequency in which an applicant may take the examination are determined by the applicable national testing agency.

Subp. 6. **Validity of application.**

A. An applicant may take the FS examination one time for each application approved by the board under subpart 1.

B. An applicant may take each of the PS and MNLS examinations one time for each application approved by the board under subpart 2.

C. An applicant may take the MNLS examination one time for each application approved by the board under subpart 3.

D. An applicant approved by the board for an examination administered on a specific date who cancels or fails to appear for the examination must submit a new application in order to take the examination on another date.

E. An applicant approved by the board for an examination administered continuously throughout the year, who does not take the examination within three years of the date of the application, must submit a new application in order to take the examination.

F. If an applicant fails an examination, the applicant must submit a new application in order to take the examination on another date.

**Statutory Authority:** *MS s 326.06*

**History:** *38 SR 59; 43 SR 89*

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**1800.3800** [Repealed, 40 SR 431]

**Published Electronically:** *October 22, 2015*

**1800.3850** [Repealed, 40 SR 431]

**Published Electronically:** *October 22, 2015*

## EXAMINATION OF GEOSCIENTIST APPLICANTS

### 1800.3900 GEOSCIENCE DISCIPLINES.

Geoscience, as defined in Minnesota Statutes, section 326.02, subdivision 3a, includes a number of disciplines. The geoscience disciplines currently recognized by the board are geology and soil science.

**Statutory Authority:** *MS s 326.06*

**History:** *22 SR 90*

**Published Electronically:** *July 7, 2011*

**1800.3905** [Repealed, 38 SR 59]

**Published Electronically:** *July 22, 2013*

### 1800.3910 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure within a geoscience discipline shall pass written examinations as provided in part 1800.3920.

An applicant for licensure under part 1800.0800, item I, whose original licensure in the other state was granted after August 4, 1997, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state. An applicant for licensure under part 1800.0800, item I, whose original licensure in the other state was granted before August 4, 1997, shall satisfy the Minnesota licensing requirements that were in effect on August 4, 1997.

The written Fundamentals of Geology (FG) examination or Fundamentals of Soil Science (FSS) examination must be waived by the board if:

A. the applicant has a doctorate degree in the geoscience discipline in which the applicant is seeking licensure or equivalent doctorate degree as approved by the board; and

B. the applicant meets the educational requirements in subpart 5.

Subp. 2. **Admission to written fundamentals examination.** To qualify for admission to the written fundamentals examination for a geoscience discipline, the applicant shall present evidence of the following:

A. graduation or being within 30 semester or 45 quarter credits of graduation from a geoscience curriculum approved by the board for the geoscience discipline the applicant is seeking licensure in, as specified in subpart 5;

B. graduation with a bachelor's degree from a non-board-approved curriculum with a minimum number of equivalent geoscience credits as specified in subpart 5; or

C. graduation with a master's or doctorate degree in a non-board-approved curriculum with a minimum number of equivalent geoscience credits as specified in subpart 5.

Subp. 3. **Admission to written professional examination.** To qualify for admission to the written professional examination for a geoscience discipline, the applicant shall present evidence of meeting the educational and qualifying experience requirements in items A and B.

A. Education:

(1) graduation from a geoscience curriculum approved by the board in the geoscience discipline in which the applicant is seeking licensure with the minimum number of geoscience credits as specified in subpart 5;

(2) graduation with a bachelor's degree from a non-board-approved curriculum with a minimum number of equivalent geoscience credits as specified in subpart 5; or

(3) graduation with a master's or doctorate degree in a non-board-approved curriculum with a minimum number of equivalent geoscience credits as specified in subpart 5.

B. Qualifying experience:

(1) completion of a minimum of five years of qualifying geoscience experience in the discipline in which the applicant is seeking licensure if the applicant has graduated with a baccalaureate degree from a geoscience curriculum meeting the requirements of item A, subitem (1);

(2) completion of a minimum of four years of qualifying geoscience experience in the discipline in which the applicant is seeking licensure if the applicant has graduated with a master's degree or higher from geoscience curriculum meeting the requirements of item A, subitem (1);

(3) completion of a minimum of six years of qualifying geoscience experience in the discipline in which the applicant is seeking licensure if the applicant meets the educational requirements of item A, subitem (2); or

(4) completion of a minimum of five years of qualifying geoscience experience in the discipline in which the applicant is seeking licensure if the applicant meets the educational requirements of item A, subitem (3).

C. Qualifying geoscience experience gained before completion of one of the education requirements in item A must meet the following conditions:

- (1) experience must be credited at a rate of 50 percent; and
- (2) experience gained before completion of at least two full years of one of the geoscience curricula specified in item A must receive no credit.

D. Credit awarded under item C must not exceed two years of the required number of years of qualifying geoscience experience in this subpart.

Subp. 4. [Repealed, 38 SR 59]

Subp. 5. **Approved geoscience education.** A curriculum approved by the board must meet the following criteria.

A. For an applicant seeking licensure as a professional geologist, the applicant shall present evidence of:

(1) a baccalaureate or higher degree with a major in geology from an accredited institution of higher learning; and

(2) a minimum of 30 semester or 45 quarter credits in geology with a minimum of 24 semester or 36 quarter credits divided among at least three of the following geology areas:

- (a) physical geology;
- (b) historical geology;
- (c) stratigraphy;
- (d) sedimentology or sedimentary petrology;
- (e) mineralogy;
- (f) igneous and/or metamorphic petrology;
- (g) structural geology;
- (h) hydrogeology;
- (i) geochemistry;
- (j) geophysics;
- (k) glacial/quaternary geology;
- (l) geomorphology; and
- (m) field geology or geologic field methods.

B. For applicants seeking licensure as a professional soil scientist, the applicant shall present evidence of meeting the criteria in subitems (1), (2), and (3).

(1) A baccalaureate or higher degree from an accredited institution of higher learning;

(2) A minimum of 16 semester or 24 quarter credits in soil science. Soil science courses include a minimum of two semester or three quarter credits in each of the following four soil science areas:

(a) soil physical properties, soil biophysical environment, or soil water relations including:

- i. soil physics;
- ii. environmental biophysics;
- iii. microclimatology;
- iv. applied climatology;
- v. soil mechanics; or
- vi. soil irrigation or soil drainage;

(b) soil chemical properties or soil chemical processes including:

- i. soil chemistry and mineralogy;
- ii. soil clay mineralogy;
- iii. soil fertility;
- iv. plant nutrients in the environment;
- v. micronutrients in agriculture; or
- vi. sodic and saline soils;

(c) soil biological properties, soil biochemical process, environmental ecology, or soil microbial ecology including:

- i. soil microbiology;
- ii. soil biology;
- iii. soil microbial ecology;
- iv. soil fertility; or
- v. environmental biophysics;

(d) soil genesis, soil classification, pedology, or soil morphology including:

- i. soil geography;
- ii. soil classification, genesis, or morphology;



- iii. wetland soils; or
- iv. field study of soils;

(3) A minimum of 14 semester or 21 quarter credits in closely related geoscience courses including any of the following categories:

- (a) geology;
  - i. groundwater geology;
  - ii. introduction to geology or introduction to physical geology; or
  - iii. any geology course listed in item A, subitem (2);
- (b) hydrology and water quality;
- (c) water and wastewater microbiology;
- (d) soil and hazardous waste processing I or II;
- (e) Geographic Information Systems (GIS) in natural resource systems;
- (f) aerial photo interpretation;
- (g) remote sensing;
- (h) natural resource inventory;
- (i) introduction to land use planning;
- (j) land use and state government;
- (k) agronomy;
- (l) agricultural engineering;
- (m) engineering or forestry courses related to soil management;
- (n) plant physiology; or
- (o) ecology courses.

C. A maximum of three semester or five quarter credits of masters or doctorate degree thesis credits can be applied to the total number of credits.

D. The same course must not be used to meet the requirement for more than one area.

Subp. 6. **Qualifying experience defined.** Qualifying experience for geology licensure must be obtained under the direct supervision of a licensed geologist. Qualifying experience for soil science licensure must be obtained under the direct supervision of a licensed geologist, licensed soil scientist, or licensed professional engineer who has qualified education and experience in the soil science discipline.

A. As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience in the discipline of geoscience in which the applicant is seeking licensure that develops the applicant's ability to apply the knowledge gained during academic training to make sound judgments in completing geoscientific work and prepares the applicant to assume responsible charge of the work involved in the practice of the geoscience discipline in which the applicant is seeking licensure.

B. The experience must include elements of research and analysis, planning, specifications, codes and standards, economics, safety, observation of ongoing work, and inspection of the project.

C. Experience must be written in detail, verified by the applicant's supervisor, and submitted with the application for evaluation and approval by the board.

D. Qualifying experience must be acquired after graduation from a baccalaureate or higher degree curriculum that meets the requirements in subpart 5, except that continuous experience in periods of ten or more weeks gained before graduation shall be counted if gained as specified in subpart 3, item C.

Subp. 7. [Repealed, 38 SR 59]

**Statutory Authority:** *MS s 326.06*

**History:** *22 SR 90; 38 SR 59; 43 SR 89*

**Published Electronically:** *August 16, 2018*

**1800.3915** [Repealed, 38 SR 59]

**Published Electronically:** *July 22, 2013*

## **1800.3920 WRITTEN EXAMINATION.**

Subpart 1. **Two-part examination.** The written examination consists of the two parts as described in subparts 2 and 3. The written examinations for geologists shall be the examinations as provided by the National Association of State Boards of Geologists (ASBOG) as described in subpart 4, item A. The written examinations for soil scientists shall be the examinations provided by the Council of Soil Science Examiners (CSSE) as described in subpart 4, item B.

Subp. 2. **Fundamentals examination.** An applicant shall be admitted to the fundamentals examination for a geoscience discipline, if, by the date of the examination, the applicant has completed the education requirements in part 1800.3910, subpart 2. The applicant shall submit an official transcript from the college or university the applicant is attending or has attended. An applicant taking the fundamentals examination in a geoscience discipline shall be notified of the score in writing. An applicant failing this examination and electing to take the examination again shall take the entire examination. A description of the scope of the fundamentals examinations for each geoscience discipline is provided in subpart 4.

A final official transcript showing the degree awarded and date of graduation shall be submitted to the board before the in-training number is released to the applicant. The passing of this examination and providing proof of the degree awarded and date of graduation gives the applicant the in-training

status as defined in Minnesota Statutes, section 326.10, subdivision 7, paragraph (3). The applicant shall take and pass the fundamentals examination in the geoscience discipline for which the applicant is seeking licensure before being permitted to take the professional examination.

**Subp. 3. Professional examination.** An applicant shall be admitted to the professional examination in the geoscience discipline in which the applicant is seeking licensure, if, by the date of the examination, the applicant has received confirmation of passing the fundamentals examination in the geoscience discipline in which the applicant is seeking licensure and meets the education and experience requirements in part 1800.3910, subpart 3. The applicant shall submit verification of completion of the experience requirements in part 1800.3910, subpart 3, to the board before the applicant is qualified for admission to the professional examination. The professional examination covering the principles and practice of geoscience in the geoscience discipline in which the applicant is seeking licensure is required as described in subpart 4. A person failing the professional examination and electing to take the examination again shall take the entire professional examination. A description of the scope of the professional examination for each geoscience discipline is provided in subpart 4.

**Subp. 4. Scope and description of examinations.**

A. The scope and description of the geology examinations are as described in subitems (1) and (2).

(1) The Fundamentals of Geology (FG) examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 2, for admission to the examination.

The FG examination consists of multiple-choice questions which emphasize knowledge and skills that are typically acquired in an academic setting and lead to a baccalaureate degree in geology.

(2) The Practice of Geology (PG) examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 3, for admission to the examination.

The PG examination covers the principles and practice of geology. The examination shall include questions embracing the knowledge of professional practice and applied geology as acquired in connection with research, planning, and completion of geological work during the required period of geological experience. The PG examination is given to determine the degree of proficiency of the applicant in professional practice. This examination shall include questions designed to test whether the applicant has learned to apply the knowledge and understanding of the basic and geoscientific sciences gained through education, training, and experience to the solutions of geological problems.

B. The scope and description of the soil science examinations are as described in subitems (1) and (2).

(1) The Fundamentals of Soil Science (FSS) examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 2, for admission to the examination.

The FSS examination consists of multiple-choice questions which emphasize knowledge and skills that are typically acquired in an academic setting and lead to a baccalaureate degree in soil science.

(2) The Professional Practices in Soil Science (PSS) examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 3, for admission to the examination.

The PSS examination covers the principles and practice of soil science. The examination shall include questions embracing the knowledge of professional practice and applied soil science as acquired in connection with research, planning, and completion of soil science work during the required period of soil science experience. The PSS examination is given to determine the degree of proficiency of the applicant in professional practice. This examination shall include questions designed to test whether the applicant has learned to apply the knowledge and understanding of the basic and geoscientific sciences gained through education, training, and experience to the solutions of soil science problems.

Subp. 5. **Equipment during examination.** The board shall advise the applicant at the time of approval for admission to the examination what equipment and materials will be permitted for use during the examination.

**Statutory Authority:** *MS s 326.06*

**History:** *22 SR 90; 38 SR 59*

**Published Electronically:** *July 22, 2013*

### **1800.3930 PROCEDURES.**

Subpart 1. **Request for admission to the fundamentals examination.** An applicant shall submit an application for admission to the fundamentals examination in the geoscience discipline in which the applicant is seeking licensure as described in part 1800.3920, subpart 2. The application must be postmarked not later than 60 days prior to the date set for the fundamentals examination and accompanied by payment of the fee in Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as a geologist-in-training or soil scientist-in-training. For applicants who have graduated, an official transcript of grades showing the degree awarded and date of graduation must accompany the application.

Subp. 2. **Request for admission to professional examination.** An applicant shall submit an application for admission to the professional geoscience examination in the geoscience discipline in which the applicant is seeking licensure as explained in part 1800.3920, subpart 3. The application must be postmarked not later than 60 days prior to the date set for the professional examination and accompanied by payment of the fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing of geoscience

experience gained. The experience listing must include the name and current mailing address of the applicant's direct supervisor for each period of employment. The board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying geoscience experience was gained. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted directly to the board by the educational institution, unless previously submitted. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

**Subp. 3. Validity of application.**

A. An applicant may take one examination for each application approved by the board.

B. An applicant who fails the examination, cancels, or fails to appear for the examination must submit a new application with the appropriate fee in order to take the examination on another date.

**Statutory Authority:** *MS s 326.06*

**History:** *22 SR 90; 38 SR 59; 43 SR 89*

**Published Electronically:** *August 16, 2018*

## CERTIFICATES

### 1800.4000 CERTIFICATES OF RECORD.

The board shall issue to each applicant who successfully completes the fundamentals of engineering examination, fundamentals of land surveying examination, fundamentals of geology examination, or fundamentals of soil science examination, a certificate indicating that the applicant's name has been recorded as engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training, in the office of the board. The certificates of record as engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training are permanent, subject only to discipline for cause in the manner provided by law or rule.

**Statutory Authority:** *MS s 326.06*

**History:** *21 SR 1427; 22 SR 90*

**Published Electronically:** *July 7, 2011*

### 1800.4100 CERTIFICATE OF LICENSURE OR CERTIFICATION.

Subpart 1. **Licensure as professional engineer.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.2500 a certificate of licensure giving the licensee authority to practice engineering as defined by Minnesota Statutes, section 326.02, subdivision 3. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from

other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 2. **Licensure as land surveyor.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.3505 a certificate of licensure giving the licensee authority to practice land surveying as defined by Minnesota Statutes, section 326.02, subdivision 4. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 3. **Licensure as architect.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.1000 a certificate of licensure giving the licensee authority to practice architecture as defined by Minnesota Statutes, section 326.02, subdivision 2. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 4. **Licensure as landscape architect.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.1500 a certificate of licensure giving the licensee authority to practice landscape architecture as defined by Minnesota Statutes, section 326.02, subdivision 4a. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 5. **Licensure as professional geologist.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.3910 for geologists a certificate of licensure giving the licensee authority to practice geology as defined by Minnesota Statutes, section 326.02, subdivision 3a. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states or by submission of records, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 6. **Licensure as professional soil scientist.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.3910 for soil scientists a certificate of licensure giving the licensee authority to practice soil science as defined by Minnesota Statutes, section 326.02, subdivision 3a. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are

licensed by comity from other states or by submission of records, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 7. **Certification as interior designer.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements of part 1800.2100 a certificate authorizing the certificate holder to use the title "Certified Interior Designer." This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which the certificate shall expire unless renewed. A person whose certificate expires shall not use the title "Certified Interior Designer" until a certificate is reissued. Applicants who are certified by comity under part 1800.0800 shall be issued certificates as provided in this part.

**Statutory Authority:** *MS s 214.12; 326.06*

**History:** *18 SR 2174; 21 SR 1427; 22 SR 90; 43 SR 89*

**Published Electronically:** *August 16, 2018*

## **1800.4200 CERTIFICATION AND SIGNATURE.**

Subpart 1. **Requirement; generally.** The certification and signature on plans, drawings, specifications, plats, reports, and other documents that require a signature is mandatory, as provided by Minnesota Statutes, section 326.12, subdivision 3. The certification and signature may be electronic, as defined by Minnesota Statutes, section 325L.02, paragraph (h); facsimile; or digital. A person in direct supervision of work as referred to in the foregoing subdivision is construed to mean the person whose professional skill and judgment are embodied in the document signed, and who assumes responsibility for the accuracy and adequacy thereof.

### **Subp. 1a. Licensee or certificate holder duties.**

A. A licensee or certificate holder shall sign and certify documents and surveys that safeguard the health, safety, and welfare of the public.

B. The licensee shall sign and certify only work within the licensee's or certificate holder's area of licensure or certification. Two or more licensees or certificate holders may affix their certification and signature if each licensee or certificate holder designates the specific subject matter for which that licensee or certificate holder is responsible.

C. A licensee or certificate holder shall not affix a signature or certification to any plans or documents dealing with subject matter in which the licensee or certificate holder lacks competence.

D. A licensee or certificate holder shall not affix a signature or certification to any plan or document not prepared under the licensee's or certificate holder's responsible charge.

E. A licensee or certificate holder may accept assignments for coordinating an entire project, provided that each design discipline signs and certifies as the licensee or certificate holder responsible for preparing their design.

Subp. 2. [Repealed, 43 SR 89]

Subp. 3. **Certification.** The certification by each of the professions responsible for the preparation of bound specifications, plats, reports, or other documents must be shown on the title sheet, first sheets, or certification page. The certification by each of the professions responsible for the preparation of plans or drawings must be shown on each sheet of the set of plans or drawings.

A. The board licenses applicants as an architect, a professional engineer, a land surveyor, a landscape architect, a professional geologist, or a professional soil scientist.

B. The official roster designates the branch of engineering in which the licensed engineer was examined. An applicant for licensure as a professional engineer is examined in the branch of engineering that the applicant selects and in which the applicant is deemed qualified by the board.

C. A professional engineer may engage in practice in any branch of engineering in which the professional engineer is competent and qualified by education, examination, or experience. A professional engineer who certifies and signs plans, specifications, reports, or other documents may be required to establish, to the satisfaction of the board, that the work was performed according to recognized and acceptable engineering standards and practice.

Subp. 4. **Language.** The following wording shall be incorporated in the certification:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date \_\_\_\_\_ Lic. No. \_\_\_\_\_

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date \_\_\_\_\_ Lic. No. \_\_\_\_\_

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date \_\_\_\_\_ Lic. No. \_\_\_\_\_

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Certified Interior Designer under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date \_\_\_\_\_ Cert. No. \_\_\_\_\_



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date \_\_\_\_\_ Lic. No. \_\_\_\_\_

I hereby certify that this plan, document, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Geologist under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date \_\_\_\_\_ Lic. No. \_\_\_\_\_

I hereby certify that this plan, document, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Soil Scientist under the laws of the state of Minnesota.

Signature: \_\_\_\_\_ Typed or Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_

Subp. 4a. **Documents requiring signature and certification.** The following documents must be signed and certified:

- A. the certification page of each report;
- B. legal descriptions prepared by a land surveyor; and
- C. other documents that require a signature according to Minnesota Statutes, section 326.12, subdivision 3.

Subp. 5. **Permanence of document certification.** When a document has been certified with the signature of the design professional as specified in subparts 1 to 4, that signature becomes a permanent part of that document and must not be removed at a later date for any reason.

**Statutory Authority:** *MS s 214.12; 326.06*

**History:** *17 SR 1279; 18 SR 2174; 22 SR 90; 38 SR 59; 43 SR 89*

**Published Electronically:** *August 16, 2018*

### **1800.4300 SEAL.**

Each person may, upon licensure or certification, also obtain a seal bearing the licensee's or certificate holder's name and the legend, licensed architect, licensed professional engineer, licensed land surveyor, licensed landscape architect, licensed professional geologist, licensed professional soil scientist, or certified interior designer. Plans, specifications, plats, reports, and other documents prepared by a licensee or certificate holder may be stamped with the seal during the life of a licensee's license or certificate holder's certificate if it remains unrevoked, has not expired, or has not been

suspended. The stamped seal may be used on documents in addition to the signed and dated certification required under part 1800.4200.

**Statutory Authority:** *MS s 326.06*

**History:** *22 SR 90; 38 SR 59*

**Published Electronically:** *July 22, 2013*

#### **1800.4500 INVESTIGATOR.**

To assist it in the performance of its statutory duties, the board may hire an investigator to make inquiries, ascertain facts, and obtain statements.

**Statutory Authority:** *MS s 326.06*

**Published Electronically:** *July 7, 2011*

#### **1800.4600 PROFESSIONAL FIRMS.**

Professional firms and foreign professional firms are required to file periodic reports with the board in accordance with Minnesota Statutes, chapter 319B.

**Statutory Authority:** *MS s 326.06*

**History:** *38 SR 59*

**Published Electronically:** *July 22, 2013*

### **EXEMPT CLASSES OF BUILDINGS**

#### **1800.5000 PURPOSE.**

The purpose of parts 1800.5100 to 1800.5600 is to indicate circumstances where the services of a licensed architect or engineer are not required pursuant to Minnesota Statutes, sections 326.02 to 326.15.

**Statutory Authority:** *MS s 326.06*

**Published Electronically:** *July 7, 2011*

#### **1800.5100 DEFINITIONS.**

Subpart 1. **Minnesota State Building Code (MSBC).** Terms used in parts 1800.5100 to 1800.5900 are as defined in the Minnesota State Building Code, chapter 1305, unless otherwise specified in this chapter. The abbreviation MSBC as used in this chapter means the Minnesota State Building Code.

Subp. 2. **Occupancy.** Occupancy shall be specified by the owner and classified by the building official in the manner provided in the MSBC.

**Statutory Authority:** *MS s 326.06*

**History:** 21 SR 1427

**Published Electronically:** July 7, 2011

### **1800.5200 GENERAL REQUIREMENT AND EXCEPTIONS.**

Subpart 1. **Requirement.** Plans and specifications for the erection, enlargement, alteration, or remodeling or renovation of any building, structure, or other work shall be prepared and certified by an architect or engineer licensed and practicing pursuant to Minnesota Statutes, sections 326.02 to 326.15, except as set forth in subparts 2 to 4.

Subp. 2. **Statutory exception.** Building components or classes of buildings enumerated in Minnesota Statutes, sections 326.02, subdivision 5, and 326.03, subdivision 2, clauses (1) to (4).

#### **Subp. 3. Remodeling or renovation exception.**

A. Any remodeling or renovation to part or all of an existing building, structure, or work which does not:

(1) change the load on its mechanical or electrical systems or change the live or dead load on its structural systems, in either case, in such a manner that a violation of the MSBC might occur;

(2) change the building's access or exit pattern in such a manner that a violation of the MSBC might occur; or

(3) change the MSBC occupancy classification of the building.

B. Any remodeling or renovation, of any kind, in a building in the MSBC occupancy classes and consistent with the size, dwelling unit, and number of stories and basement thresholds specified in part 1800.5900.

Subp. 4. **Classes of buildings exceptions.** Any new construction of or new addition to a building in the specified MSBC occupancy classes and consistent with the size, dwelling unit, and number of stories and basement thresholds specified in part 1800.5900, provided that an exemption under this subpart shall not apply:

A. For a second new building to be constructed by the same person on the same parcel or a contiguous parcel to a new building previously exempt hereunder or for a second addition to the same building where a prior addition was exempt hereunder, in either case, within 24 calendar months after the date of building permit issuance. "Same person" means the same owner or same general contractor, or ownership or general contractor entity having one or more participants in common with the owner or general contractor of the first building. The person seeking a building permit shall certify that the same person has not utilized this exemption within the prior 24 month period. "Parcel" means a nonsubdivided tract of land.

B. For an addition to an existing building where the existing building exceeds the exemption size thresholds under this subpart if the addition results in either of the effects set forth in part 1800.5200, subpart 3, item A, subitem (1) or (2), regardless of the size of the new addition proposed.

C. For new construction within a larger building (e.g., individual shops within a shopping center) where the larger building exceeds the exemption size thresholds under this subpart if the new construction results in either of the effects set forth in part 1800.5200, subpart 3, item A, subitem (1) or (2), regardless of the size of the new construction proposed.

**Statutory Authority:** *MS s 197.4552; 326.06*

**History:** *21 SR 1427; 40 SR 431*

**Published Electronically:** *October 22, 2015*

#### **1800.5300 PLANS SUPPLIED TO BUILDING OFFICIALS.**

The exceptions in part 1800.5200, subparts 3 and 4 shall be available only if the building permit applicant supplies the responsible building official with two sets of plans and specifications for the building or remodeling. The name and address of the preparer of the plans and specifications shall appear thereon. The plan preparer shall certify that reasonable care has been given to compliance with applicable laws, ordinances, and building codes relating to design.

**Statutory Authority:** *MS s 326.06*

**Published Electronically:** *July 7, 2011*

#### **1800.5400 NONAPPLICABILITY OF EXEMPTIONS.**

Notwithstanding the exceptions in part 1800.5200, subpart 4, the responsible building official may require plans and specifications to be designed and prepared by a licensed architect or engineer if the official finds a hazard to life, health, safety, or welfare due to the unusual circumstances of the building or structure or an unusually large number of potential occupants in relation to square footage for a particular use.

**Statutory Authority:** *MS s 326.06*

**History:** *17 SR 1279*

**Published Electronically:** *July 7, 2011*

#### **1800.5500 NONEXCLUSIVITY OF RULES.**

Nothing in parts 1800.5000 to 1800.5900 shall preclude or supersede any provisions of other applicable laws or rules.

**Statutory Authority:** *MS s 326.06*

**History:** *21 SR 1427*

**Published Electronically:** *July 7, 2011*

#### **1800.5600 SEVERABILITY.**

If any provision of parts 1800.5000 to 1800.5600 is held invalid, such invalidity shall not affect other provisions of parts 1800.5000 to 1800.5600 which can be given effect without the invalid provision, and to this end the provisions of parts 1800.5000 to 1800.5600 shall be deemed severable.

**Statutory Authority:** *MS s 326.06*

**History:** *14 SR 1427*

**Published Electronically:** *July 7, 2011*

**1800.5700** [Repealed, 21 SR 1427]

**Published Electronically:** *July 7, 2011*

**1800.5800** [Repealed, 32 SR 367]

**Published Electronically:** *July 7, 2011*

### **1800.5900 CLASSES OF BUILDINGS.**

In accordance with Minnesota Statutes, sections 326.02, subdivision 5, and 326.03, subdivision 2, the following classes of buildings are exempt subject to the limitations of the elements listed below:

Classifications	Elements that must be met to be exempt*
Assembly (as defined by the MSBC under occupancy group A2: Dining and drinking less than 50 persons)	Not greater than one story with no basement; and Seating for not more than 20 persons; and Not greater than 1,000 gross square footage (GSF)
Business (as defined by the MSBC under occupancy group B)	Not greater than two story with a basement; and Not greater than 2,250 GSF
Factory (as defined by the MSBC under occupancy group F2)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Mercantile (as defined by the MSBC under occupancy group M)	Not greater than two story with a basement; and Not greater than 1,500 GSF
Residential (as defined by the MSBC under occupancy group R)	Apartment houses/condominiums (three units or less), dwellings, lodging houses, attached single-family dwellings/townhomes, and congregate residences (each accommodating ten persons or less)
Storage (as defined by the MSBC under occupancy group S1: Aircraft hangars and helistops)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Storage (as defined by the MSBC under occupancy group S2 except for parking garages, open or enclosed)	Not greater than one story with no basement; and Not greater than 5,000 GSF
Utility (as defined by the MSBC under occupancy group U except for fences)	Not greater than one story with no basement; and Not greater than 1,000 GSF

higher than 8', tanks and towers, and retaining walls with over 4' of vertical exposed face)

\*All terms used in this table are defined in the Minnesota State Building Code (MSBC).

**Statutory Authority:** *MS s 326.06*

**History:** *32 SR 367*

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