

11-24-81

1 Rules as Adopted

2 4 MCAR S 7.004 Fees.

3 A. Requirements. Application for examination for
 4 certification as an engineer-in-training, landscape
 5 architect-in-training, or licensure, including renewal of
 6 licensure, as an architect, professional engineer, land
 7 surveyor, or landscape architect, shall be accompanied by a fee
 8 in the amount provided for in this rule. The fee for
 9 examination for certification as land surveyor-in-training shall
 10 be paid upon approval of the application by the board.

11 B. Refunds; validity of application. Examination or
 12 registration fees may not be refunded. Applications for
 13 examination shall be valid for a period of one year following
 14 notification of the date of examination, except as hereinafter
 15 provided. An applicant who fails to appear for examination
 16 shall be required to resubmit his application, together with an
 17 examination fee, unless his failure to appear is due to
 18 circumstances which, in the opinion of the board, justify relief
 19 from the requirement. Any application which is still pending
 20 three years after the date of its receipt by the board shall be
 21 void.

22 C. Initial licensure and renewal. The fee for licensure, or
 23 renewal of licensure, as an architect, professional engineer,

1 land surveyor, or landscape architect is \$17 per year. The
 2 initial license fee is prorated at six month intervals during
 3 each biennium. The fee for months 24 to 18 is \$34; for months
 4 18 to 12, \$25.50; for months 12 to 6, \$17; and for months 6 to
 5 0, \$8.50. The renewal fee shall be paid biennially on or before
 6 June 30 of each even-numbered year. The board may delete from
 7 the roster the name of any licensee who fails to timely pay the
 8 required renewal fee. The renewal fee, when paid by mail, is
 9 not timely paid unless it is postmarked on or before June 30 of
 10 each even-numbered year.

11 D. Delayed renewal fee. A renewal fee is a "delayed renewal
 12 fee" within the meaning of Minn. Stat. S 326.10, subd. 5 if it
 13 is not postmarked on or before June 30 of the year specified in

14 C. The delayed renewal fee is \$5 per month, or any portion
 15 thereof, not to exceed \$15. It is in addition to the renewal
 16 fee provided in C. The delayed renewal fee is computed from
 17 July 1 of any even-numbered year.

18 E. Certification or licensure examination fee. The fee for
 19 examination for certification or licensure as an architect,
 20 professional engineer, land surveyor, or landscape architect is
 21 as follows:

- 22 1. Architect
- 23 a. Application for admission
- 24 to examination \$25.00
- 25 ~~b. Qualifying Test in 1981~~ ~~\$40.00~~
- 26 ~~e. b. Qualifying Test in 1982 and thereafter~~ ~~\$60.00~~
- 27 ~~d. Section A, Professional Examination~~
- 28 ~~in 1981~~ ~~\$45.00~~
- 29 ~~e. c. Section A, Professional Examination~~
- 30 ~~in 1982 and thereafter~~ ~~\$50.00~~
- 31 ~~f. Section B, Professional Examination~~
- 32 ~~in 1981~~ ~~\$65.00~~
- 33 ~~g. d. Section B, Professional Examination~~
- 34 ~~in 1982 and thereafter~~ ~~\$75.00~~
- 35 2. Professional engineer
- 36 a. Fundamentals of Engineering Examination \$30.00

1	b. Principles and Practice of Engineering	
2	Examination	\$100.00
3	The fee for the Fundamentals of Engineering Examination	
4	taken for the board will be credited to the applicant toward the	
5	fee for application for the Principles and Practice of	
6	Engineering Examination for up to ten years.	
7	An applicant for examination in more than one branch of	
8	engineering shall submit a separate examination fee for each	
9	additional branch of engineering for which the applicant has	
10	applied for examination.	
11	3. Land surveyor	
12	a. Fundamentals of Land Surveying Examination	\$30.00
13	b. Principles and Practice of Land Surveying	
14	Examination	\$100.00
15	4. Landscape architect	
16	a. Application for admission to examination	\$25.00
17	b. Uniform National Examination in 1981	\$135.00
18	e- b. Uniform National Examination in	
19	1982 and 1983	\$150.00
20	d- c. Uniform National Examination in	
21	1984 and 1985	\$165.00
22	F. Reexamination fees. The fee for retaking all or any part	
23	of any examination for certification or registration is as	
24	follows each time the examination, or any part of it, is retaken:	
25	1. Architect-	
26	a. Qualifying Test per part retaken-	\$15.00
27	b. Section A, Professional Examination	
28	in 1981-	\$45.00
29	e- b. Section A, Professional Examination	
30	in 1982 and thereafter-	\$50.00
31	d- Section B, Professional Examination	
32	in 1981-	\$65.00
33	e- c. Section B, Professional Examination	
34	in 1982 and thereafter-	\$75.00
35	2. Professional engineer-	
36	a. Fundamentals of Engineering-	\$20.00

1	b. Principles and Practice of Engineering-	\$20.00
2	3. Land surveyor-	
3	a. Fundamentals of Land Surveying-	\$20.00
4	b. Principles and Practice of Land Surveying-	
5	(1) Part III-	\$15.00
6	(2) Part IV-	\$30.00
7	(3) Parts III and IV-	\$45.00
8	4. Landscape architect-	
9	a. Subject A - History-	\$15.00
10	b. Subject B - Professional Practice-	\$15.00
11	c. Subject C - Design-	\$60.00
12	d. Subject D - Design Implementation-	\$60.00

13 G. Additional fees. In addition to all other fees for
 14 examination or registration, as provided in this rule or Minn.
 15 Stat. S 326.10, subd. 1, the following schedule of fees is
 16 applicable:

17 1. For each application for registration by comity under
 18 the provisions of Minn. Stat. S 326.10, subd. 1, clause (2),
 19 applicable to any person registered in another state or
 20 territory of the United States, or in any province of Canada, a
 21 fee of \$100;

22 2. For reissuance of a revoked, lost, destroyed or
 23 mutilated certificate of licensure or certificate as an
 24 engineer-in-training, land surveyor-in-training, or landscape
 25 architect-in-training, \$5;

26 3. For certified copies or reproduction of any document
 27 required to be supplied on behalf of any applicant for
 28 registration in another state, the cost of reproducing the
 29 document, as the board determines.

30 4 MCAR S 7.009 Examination of architect applicants.

31 A. Education and experience. An applicant for licensure as
 32 an architect shall be required to pass a written examination as
 33 provided in C. and may be required to appear before the board
 34 for an oral examination for the purpose of verifying personal
 35 experience qualifications. To qualify for admission to the

1 written examination, applicants shall present satisfactory
2 evidence that they have:

3 1. Graduated from an architectural curriculum accredited
4 by the National Architectural Accrediting Board at the time of
5 their graduation or within two years subsequent to that
6 graduation; and

7 ** 2. Completed at least three years of satisfactory
8 professional experience after graduation under the supervision
9 of licensed architects. Experience is credited as provided in
10 Table III. In lieu of meeting the experience requirements set
11 forth in Table III, an applicant may participate in the Intern
12 Development Program under the auspices of the National Council
13 of Architectural Registration Boards to satisfy the requisite
14 experience requirements. A copy of the Intern Development
15 Program experience criteria may be obtained from the board
16 office. An Intern Development Program participant shall file
17 annually with the board a report of training completed during
18 the year being reported. The report is due within 30 days
19 following the anniversary date of entry to the Intern
20 Development Program. The board shall notify the Intern
21 Development Program participant when the Intern Development
22 Program experience requirements have been completed to the
23 satisfaction of the board.

24 C. Written examination.

25 1. Qualifying Test. The Qualifying Test shall be
26 administered once annually at a time and place determined by the
27 board to those applicants approved by the board for admission to
28 the examination. Qualification requirements for admission to
29 the Qualifying Test include ten years of combined architectural
30 education and experience as provided in Tables I, II, and III,
31 or a degree from an architectural curriculum accredited by the
32 National Architectural ~~Accreditation~~ Accrediting Board. All
33 persons applying for registration as architect by examination
34 after ~~June 30, 1981~~ April 1, 1982 will be required to take and
35 pass the Qualifying Test before being admitted to a Section B,
36 Professional Examination. Any person failing one or more parts

1 of the Qualifying Test must retake the failed parts.

2 2. Section A, Professional Examination; Site Planning and
3 Design Test. The Section A, Professional Examination; Site
4 Planning and Design Test shall be administered once annually at
5 a time and place as determined by the board to those applicants
6 approved for admission to the examination. The qualification
7 requirements for admission include a degree from an
8 architectural curriculum accredited by the National
9 Architectural ~~Accreditation~~ Accrediting Board or ten years of
10 board approved combined education and experience as provided in
11 Tables I, II, and III.

12 3. Section B, Professional Examination. The Section B,
13 Professional Examination shall be administered once annually at
14 a time and place as determined by the board to those applicants
15 approved by the board for admission to the examination.
16 Qualification requirements for admission to the Professional
17 Examination include a degree from an architectural curriculum
18 accredited by the National Architectural ~~Accreditation~~
19 Accrediting Board, a minimum of three years of diversified
20 qualifying architectural experience and successful completion of
21 the Qualifying Test. Any person making original application for
22 admission to registration examinations after ~~June 30, 1981~~ April
23 1, 1982 shall take the Qualifying Test. Any person who fails
24 only one part of this examination may retake that part during a
25 subsequent examination. A person who fails more than one part of
26 the examination shall retake the entire examination.

27 4. Effective January 1, 1991 only those persons holding a
28 degree from an architectural curriculum accredited by the
29 National Architectural ~~Accreditation~~ Accrediting Board, or an
30 equivalent architectural degree acceptable to the board, will
31 qualify for admission to the Professional Examination and for
32 registration and licensure to practice architecture in the State
33 of Minnesota.

34 5. Handbooks, tables, reference books and hand-held,
35 battery-operated electronic calculators may be used only when
36 authorized by the board.

1 4 MCAR S 7.010 Examination of engineer applicants.

2 B. Oral examination. An applicant may be required to appear
3 before the board for oral examination and submit two exhibits of
4 engineering work the applicant has performed in the event that
5 the experience record does not clearly indicate four years of
6 qualifying engineering experience, or the applicant does not
7 hold a degree from an approved engineering program, or the
8 applicant qualifies for waiver of the Fundamentals of
9 Engineering Examination as provided in 4 MCAR S 7.010 D. The An
10 applicant residing in an overseas area may be given the option
11 by the board required to submit one exhibit of the applicant's
12 engineering work with a written critique of that exhibit in lieu
13 of appearing before the board for an oral examination in the
14 event that the experience record does not clearly indicate four
15 years of qualifying engineering experience.

16 4 MCAR S 7.012 Rule of professional conduct. This rule of
17 professional conduct is adopted for the purpose of implementing
18 the laws and rules governing the practice of architecture,
19 engineering, land surveying and landscape architecture including
20 Minn. Stat. S 326.11. This rule is applicable to and binding
21 upon each person, corporation or partnership subject to the
22 regulatory jurisdiction of the board and each person subject to
23 the control of the licensee.

24 Each licensee who holds a certificate of licensure issued by
25 the board is charged with knowledge of this rule. In the
26 exercise of the privileges and rights granted by the certificate
27 of licensure, the licensee shall conform his professional
28 conduct to the public and to the board in accordance with the
29 provisions of this rule, and shall, as a condition of licensure,
30 subscribe to and agree that he will conduct his practice in
31 accordance with the provisions of this rule.

32 C. Improper solicitation of employment.

33 1. A licensee shall seek and engage in only the
34 professional work or employment the professional is competent
35 and qualified to perform by reason of education, training or

1 experience.

2 2. A licensee shall not falsify or misrepresent the
3 extent of his education, training, experience or qualifications
4 to any person or to the public; nor shall he misrepresent the
5 extent of his responsibility in connection with any prior
6 employment.

7 3. A licensee shall not transmit, distribute, or publish
8 or allow to be transmitted, distributed, or published, any false
9 or misleading information regarding his own qualifications,
10 training, or experience or that of his employer, employees,
11 associates, or joint venturers.

12 4. A licensee shall not tender any gift, pay, or offer to
13 pay, directly or indirectly, anything of substantial value,
14 whether in the form of a commission or otherwise, as an
15 inducement to secure employment. A licensee is not prohibited
16 from paying a commission to a licensed employment agency for
17 securing a salaried position.

18 4 MCAR S 7.014 Registration. No corporation, partnership, or
19 other firm engaged in the practice of architecture, engineering,
20 land surveying, or landscape architecture, or two or more of
21 these professions, shall contract with or accept employment for
22 professional services of an architectural, engineering, land
23 surveying, or landscape architectural character as defined in
24 Minn. Stat. SS 326.02-326.15 unless a member or employee of the
25 corporation, partnership, or other firm, in responsible charge
26 of the work is registered and licensed under the provisions of
27 Minn. Stat. SS 326.02-326.15 to practice the profession called
28 for by the employment.

29 4 MCAR S 7.015 Responsible charge and direct supervision. A
30 person in responsible charge of architectural, engineering, land
31 surveying, or landscape architectural work as used in Minn.
32 Stat. S 326.14 means the person who determines design policy,
33 including technical questions, advises with the client,
34 superintends subordinates during the course of the work and, in
35 general, the person whose professional skill and judgment are

1 embodied in the plans, designs and advice involved in the work.
 2 Plans and specifications for buildings, structures, or projects
 3 of standard design which have been designed outside the state
 4 shall bear the certification of the design professional licensed
 5 in another United States licensing jurisdiction. In addition, a
 6 Minnesota licensed architect, professional engineer, or
 7 landscape architect shall review the design and certify that it
 8 is appropriate to the site on which construction is proposed and
 9 is in compliance with the state building code adopted by the
 10 Department of Administration where the building code is in
 11 effect.

12 A person in direct supervision of work as referred to in
 13 Minn. Stat. S 326.12, subd. 3, means that person who is the
 14 employer, an employee of the same firm, or who is under contract
 15 to or from another firm and who is in responsible charge of
 16 technical architectural, engineering, land surveying, or
 17 landscape architectural work in progress, whose professional
 18 skill and judgment are embodied in the plans, specifications,
 19 reports, plats, or other documents required to be certified
 20 pursuant to that subdivision. A person in direct supervision of
 21 work directs the work of other licensees, interns,
 22 draftspersons, technicians, or clerical persons assigned to that
 23 work and is in responsible charge of the project comprising the
 24 work being supervised.

25 4 MCAR S 7.017 Certificates.

26 A. Certificates of record. The board ~~may~~ shall issue to
 27 each applicant who successfully completes the Fundamentals of
 28 Engineering Examination, or land surveyor-in-training
 29 examination, a certificate indicating that the applicant's name
 30 has been recorded as such in the office of the board. The board
 31 ~~may~~ shall, upon written application, issue to each applicant who
 32 holds a degree from a landscape architectural curriculum
 33 approved by the board a certificate indicating that the
 34 applicant's name has been recorded as a landscape
 35 architect-in-training in the office of the board. The

1 certificates of record as engineer-in-training, land
2 surveyor-in-training, or landscape architect-in-training are
3 permanent, subject only to suspension or revocation for cause in
4 the manner provided by law.

5 B. Certificate of registration. The board ~~may~~ shall issue
6 to each applicant who has successfully completed the -----
7 Fundamentals of Engineering examination, unless the Fundamentals
8 of Engineering examination is waived as stated under 4 MCAR S
9 7.010 D., applying only in the case of engineer applicants, or
10 Land Surveyor-in-Training examination, or has been certified as
11 a landscape architect-in-training, or has successfully completed
12 the professional practice examination, a certificate of
13 registration properly filled out, signed and sealed, giving the
14 licensee proper authority to practice the profession of
15 architecture, professional engineering, land surveying, or
16 landscape architecture under the Registration Act of the State
17 of Minnesota for a period ending June 30 of the even-numbered
18 year of the biennium in which the certificate is issued after
19 which date the certificate will expire unless renewed.
20 Applicants who are registered by comity from other states,
21 having met the Minnesota registration requirements, ~~may~~ shall be
22 issued certificates of registration in the same manner as -----
23 provided in this rule.

24 4 MCAR S 7.019 Seal. Each registrant may, upon licensure, also
25 obtain a seal of a design approved by the board bearing the
26 licensee's name and the legend, "Registered Architect,"
27 "Registered Professional Engineer," "Registered Land Surveyor,"
28 or "Registered Landscape Architect." Plans, specifications,
29 plats, reports, and other documents prepared by a licensee may
30 be stamped with the seal during the life of a licensee's
31 certificate if the certificate remains unrevoked, has not
32 expired, or has not been suspended. The stamped seal may be
33 used on documents in addition to the signed and dated
34 certificate required under 4 MCAR S 7.018.

35 4 MCAR S 7.021 Professional corporations. Professional

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1 corporations and foreign professional corporations are required
2 to file periodic reports with the board in accordance with Minn.
3 Stat. S 319A.21.

4 Repealer. 4 MCAR S 7.013 is repealed.

5 Effective date. 4 MCAR S 7.004 applies to all applications
6 submitted to the board after the effective date of that rule.