

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

ARCHITECTS

(By authority conferred on the director of the department of labor and economic growth by section 308 of 1980 PA 299, MCL 339.308, Executive Reorganization Order No. 1996-2, MCL 445.2001 and Executive Reorganization Order No. 2003-18, MCL 445.2011)

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.

Rule 101. (1) As used in these rules:

(a) "Act" means 1980 PA 299, MCL 339.101.

(b) "Authorized representative" means the chairperson, vice chairperson, or such other member of the board or employee of the department as the board may formally designate.

(c) "Board" means the board of architects.

(d) "Department" means the department of labor and economic growth.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1985 AACCS; 2006 AACCS.

R 339.15102 Rescinded.

History: 1985 AACCS; 1998-2000 AACCS.

R 339.15103 Board meetings.

Rule 103. Board meetings are held in accordance with 1976 PA 267, MCL 15.261 et seq. and are open to the public.

History: 1985 AACCS; 1998-2000 AACCS; 2006 AACCS.

R 339.15104 Rescinded.

History: 1985 AACCS; 2001 AACCS.

R 339.15105 Rescission.

Rule 105. R 338.551 to R 338.563 and R 338.581 to R 338.588 of the Michigan Administrative Code, appearing on pages 2446 to 2453 of the 1979 Michigan Administrative Code, are rescinded insofar as these rules pertain to architects.

History: 1985 AACCS.

PART 2. LICENSING CRITERIA

R 339.15201 Adoption by reference; experience credit; professional experience practice requirement; examination; transcripts.

Rule 201. (1) The board adopts the "NAAB - 2004 conditions for accreditation" and the "2005 procedures" of the national architectural accrediting board as the board's determinant of the acceptability of a first professional degree in architecture. The "NAAB-2004 conditions for accreditation" and the "2005 procedures" are available for inspection from the bureau of commercial services at the physical location of 2501 Woodlake Circle, Okemos MI 48864, and may be purchased at a cost of \$3.50, at the time of the adoption of these rules, from the national architectural accrediting board, 1735 New York Avenue, NW, Washington DC 20006, telephone: 202-783.2007, e-mail: info@naab.org, or on the world-wide web at www.naab.org.

History: 1985 AACS; 2006 AACS.

R 339.15202 Credit for professional experience.

Rule 202. (1) Submission of a certificate of completion of the intern development program of the national council of architectural registration boards shall be accepted as evidence of completion of architectural experience and internship acceptable to the board. The board adopts by reference the standards set forth in the publication, "Intern development program (IDP) guidelines," 2005-2006 edition published by the national council of architectural registration boards (NCARB), which is available for inspection from the bureau of commercial services, physical location at 2501 Woodlake Circle, Okemos Michigan. Copies of "Intern development program (IDP) guidelines " may be obtained from AIA-NCARB IDP Headquarters, 1801 K Street NW, Suite 1100-K, Washington DC 20006, telephone: 202-783-6500, e-mail: customerservice@ncarb.org or by visiting the NCARB website at www.ncarb.org, at no charge at the time of promulgation of these rules.

(2) The certificate of completion of an approved internship program shall also be evidence of completion of the requirement that an applicant submit 5 references as required by section 2006(1) of the act.

(3) Effective January 1, 1992, only experience gained through completion of an intern development program approved by the board shall be considered to qualify an applicant to take the professional portion of the examination.

(4) Five years of verifiable practice as a licensee in another jurisdiction shall satisfy the intern development program requirements for a reciprocal license.

History: 1985 AACS; 1989 AACS; 2006 AACS.

R 339.15203 Rescinded.

History: 1985 AACS; 1998-2000 AACS.

R 339.15204 Examination requirement.

Rule 204. The board adopts the NCARB architectural registration examination (ARE) as the acceptable examination for licensure, as required by MCL 339. 2004 (1)(b).

History: 2006 AACS.

PART 3. LICENSURE, RECIPROCITY, AND RENEWAL

R 339.15301 Licensure; seal design, replacement, use, validation, and submittal to board.

Rule 301. (1) After meeting the licensing requirements prescribed by the act and these rules, an applicant shall be licensed by the department according to the act.

(2) The seal of an architect as required by the act shall have the following design:

Figure for 339.15301



No other design for a seal shall be used. An embossed seal or rubber stamp from 4 to 5 centimeters in diameter may be used.

(3) A licensee acquiring a new replacement seal shall file an imprint of the seal with the department, and the licensee may be required to do so thereafter upon request by the department.

(4) A licensee's seal shall be used by the licensee whose name appears thereon for so long as the license remains in effect. A licensee shall be responsible for the security of the licensee's seal.

(5) A licensee shall validate personal use of the seal by placing the original signature of the licensee adjacent to each seal impression or stamping.

History: 1985 AACCS.

R 339.15302 Licensure by reciprocity; evidence of eligibility required; application; current certificate.

Rule 302. An applicant is eligible for licensure by reciprocity if the applicant holds a current valid certificate of licensure or registration as an architect issued by a board of another state or jurisdiction and submits verification of education and professional experience as required by the act and these rules, or submits a current certificate from the national council of architectural registration boards attesting to the attainment of required education, experience, and state board examinations, which shall be evidence for evaluation of the applicant's qualifications for licensure. An applicant shall be acceptable for licensure by reciprocity who holds a current, valid license in another state and who met Michigan requirements at the time of initial registration in that state.

History: 1985 AACCS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401 Standard of care and competence; responsibility for complying with building laws and regulations; professional services.

Rule 401. (1) In practicing architecture, an architect shall act with reasonable care and competence and shall apply the technical knowledge and skill which is ordinarily applied by architects of good standing who practice in the same or similar locality.

(2) In designing a project, an architect shall take into account all applicable state and municipal building laws and regulations. While an architect may rely on the advice of other professionals, such as attorneys, engineers, or other qualified persons, as to the intent and meaning of such laws and regulations, an architect shall not knowingly design a project in violation of such laws and regulations.

(3) An architect shall undertake to perform professional services only when he or she, together with those whom the architect may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.

(4) Professional services shall be offered and performed as follows:

(a) A licensee shall undertake to participate only in those phases of a project in which the licensee is competent by education, training, and experience. In the areas of a project involving professional engineering or land surveying in which the licensee lacks competence, the licensee shall retain licensed or registered professional associates for those phases of that project.

(b) An architect shall not sign or affix a seal as architect to any plans, specifications, drawings, or other related documents or work products which were not prepared by the licensee or under the licensee's direction and supervision.

History: 1985 AACCS.

R 339.15402 Compensation; disclosure of business association or financial interest; contract decision.

Rule 402. (1) An architect shall not accept compensation for services from more than 1 party on a project, unless the circumstances are fully disclosed in writing and are agreed to in writing by all interested parties.

(2) If acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially.

History: 1985 AACCS.

R 339.15403 Public statements; representation of qualifications; misrepresentation of work responsibility; reporting violations of rules.

Rule 403. (1) An architect making public statements on architectural questions shall disclose when he or she is being compensated for making such statements.

(2) An architect shall accurately represent to a prospective or existing client or employer his or her qualifications.

(3) An architect shall not misrepresent the degree of responsibility in connection with work for which he or she is claiming credit to a client, potential client, or the public.

(4) An architect shall report a violation of these rules by another architect to the board.

History: 1985 AACCS.