

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.03

INTENDED ACTION:

Board Members.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is proposing amendments to model language in the enabling statute.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

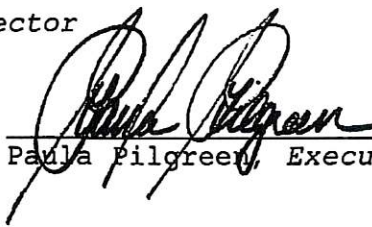
Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-1-.03 Board Members**

The Board shall be composed of six Board Members who represent the four districts of Alabama. Qualifications for Board Members shall be that they are Alabama registered architects and shall reside and have his or her principal office in the district from which practicing or residing and in the districts they represent. All appointments of Board Members on the Board shall be made by the Governor of the State of Alabama as provided by the Registration Act.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-38

**History:** **New Rule:** February 19, 2010. **Amended:** July 19, 2010. **Amended:** Filed June 7, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.04

INTENDED ACTION:

Duties of Board Members.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is proposing amendments to update grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

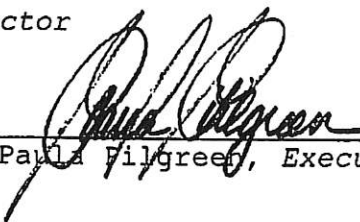
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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-1-.04 Duties of Board Members**

Each Board Member shall make an effort to attend all meetings of the Board. They are charged with safeguarding life, health, and property, and promoting the public welfare in the State of Alabama as it relates to architects and the practice of architecture. The Board Members are charged with establishing the Board's rules and regulations.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-31, 34-2-38. **History:** **New Rule:** February 19, 2010. **Amended:** Filed June 7, 2023;



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.05

INTENDED ACTION:

Compensation of Board Members.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is proposing amendments to update grammar and style. There are no changes to the amount of compensation.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

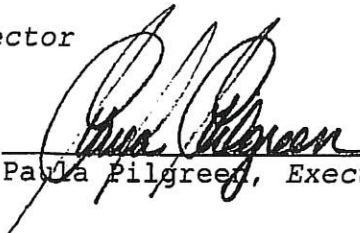
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CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-1.05 Compensation of Board Members**

Board Members shall be entitled to a director's fee, travel expenses, and other authorized compensation as prescribed by the Board and in accordance with the Registration Act. The director's fee is set at \$200 for each day the Board member attends meetings as a representative of the ~~b~~Board, including associated travel days.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-41

**History:** **New Rule:** February 19, 2010. **Amended:** Filed June 7, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.06

INTENDED ACTION:

Meetings, Quorum, and Order of Business.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is proposing amendments to clarify that Roberts' Rules of Order and the Board's Rules of Order will be used to conduct Board business.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-1-.06 Meetings, Quorum, and Order of Business**

The Board shall have at least four meetings each year. Notice of Board meetings shall be published in accordance with the Open Meetings Act. Special meetings may be called by the Chairman at his or her discretion or on written request to the Executive Director of four other members and shall be subject to the Open Meetings Act. For the transaction of business, four members shall constitute a quorum. Every decision at a meeting shall be by a majority vote of those present. The order of business at the Board Meeting shall be established by the Chairman and the Executive Director. Unless required otherwise by law, the Board's Rules of Order and Roberts' Rules of Order shall be used in the conduct of Board business of the Board.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §§34-2-39, 34-2-40

**History:** **New Rule:** February 19, 2010. **Amended:** July 19, 2010. **Amended: Filed June 7, 2023;**

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.07

INTENDED ACTION:

Election of Officers.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style and make it easier to read.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

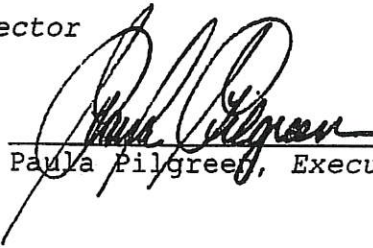
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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director



**100-X-1.07 Election of Officers**

Annually, the Board shall elect a Chairman and Vice Chairman. The Chairman and Vice Chairman will be elected for one-year terms on the same schedule as the Board's fiscal year. A Board Member may not serve more than two consecutive terms in any one office.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-40

**History:** **New Rule:** February 19, 2010. **Amended:** July 19, 2010. **Amended: Filed June 7, 2023;**



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Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.08

INTENDED ACTION:

Chairman and Vice Chairman.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is modernizing language to be gender neutral in regard to Officers of the Board, updating grammar and style, remove language that is not utilized or necessary, and make it easier to read.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-1.08 Chairman and Vice Chairman**

The Chairman shall exercise general supervision of the Board's affairs, shall preside at all meetings when present, shall appoint all committees, shall sign all payment vouchers ~~(or with approval of the Board, may delegate this duty to another member)~~, and shall perform all other duties pertaining to his or her office. The Vice Chairman, in the absence of the Chairman, shall perform all the duties of the Chairman. In addition, the Vice Chairman will serve as the Board's representative to the Southern Conference of the National Council of Architectural Registration Boards or by special permission may request the Chairman to delegate this responsibility to another Board member.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §§34-2-39, 34-2-40.

**History:** **New Rule:** February 19, 2010. **Amended:** Filed June 7, 2023;

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Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.09

INTENDED ACTION:

Executive Director.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is modernizing language to be gender neutral in regard to Officers of the Board, updating grammar and style, and make it easier to read.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

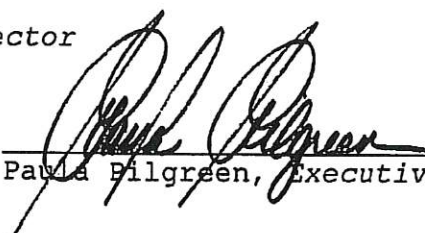
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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-1.09 Executive Director**

The Executive Director shall be an administrative officer of the Board. He or she shall supervise the day-to-day operations of the Board. He or she shall act as its recording and corresponding secretary and shall have custody of and shall safeguard and keep in good order all property and records of the Board; generate written minutes of every meeting of the Board; keep the Board seal and affix it to such instruments as require it; sign all instruments and matters that require attestation or approval of the Board; act as Treasurer and receive and deposit all funds to the credit of the "Board for Registration of Architects" in the State Treasury; sign all bills before requesting the State Comptroller to make payment of any accounts; submit an annual report of the Board before January 1 each year to the Governor after having the ~~eChairman~~ approve said report; and keep the records and books of account of the Board's financial affairs.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §§34-2-41, 34-2-42.

**History:** **New Rule:** February 19, 2010. **Amended:** July 19, 2010. **Amended:** Filed June 7, 2023;



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Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.12

INTENDED ACTION:

Publication of Board Documents and Forms.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is modernizing and being specific on what is posted on the website and published to make it easier to access by the public.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

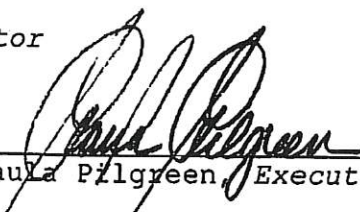
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CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

#### **100-X-1.12 Publication of Board Documents and Forms**

~~The Board shall prepare and publish the following: Roster of registered architects; newsletter; rules and regulations; copy of Code of Ala. 1975, Title 34; complaint form and other printed matter.~~

~~These shall be available to all registered architects, building officials and to other state agencies free of charge and on the Board's web site. The Board will charge a fee for a printed copy of the Roster of Registered Architects, except as noted above. Samples of routinely used forms can be found in Appendix A to Chapter 1.~~

The Board shall maintain a website that includes the following: Roster of Registered Architects, Rules and Regulations, Enabling Act, News, and all Board forms. A listing of routinely used forms can be found in Appendices II Forms.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History:** New Rule: February 19, 2010. **Amended:** Filed June 7, 2023;



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.14

INTENDED ACTION:

Fee Schedule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is moving Fees to an Appendices in the rules to make it easier for the public to locate and the Board is striking three fees. There are no fee increases of any kind.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

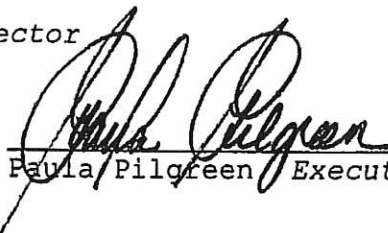
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August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen Executive Director

#### 100-X-1-14 Fees Schedule

All fees and charges shall be as prescribed by the Board and in accordance with the Registration Act. ~~The current fiscal year's fee schedule shall be updated and published annually.~~

- (1) All fees and fines are notn-refundable.
- (2) All fees and fines are payable by certified check, cashier's check, corporate or business check, money order or personal check. Counter checks will not be accepted. Personal checks shall be imprinted with the name, address, and account number of the applicant or registrant.
- (3) Statutory charges for returned checks shall be paid by the applicant or registrant.
- (4) The Board may allow payment of fees and fines by electronic means.
- (5) The Board may allow payment of fees for the Architect Registration Examination® to be paid directly to the test administration vendor.
- (6) If a payment is not honored by the financial institution, the Board may pursue disciplinary action and/or reporting to the appropriate legal authorities for possible prosecution.
- (7) The Fee Schedule can be found in Appendices I.

~~The following schedule of fees is adopted by the Board:~~

<del>A.R.E. Application Fee</del>	<del>\$ 10.00</del>
<del>NCARB Reciprocal Registration Fee</del>	<del>\$150.00</del>
<del>Reinstatement Application Fee</del>	<del>\$460.00</del>
<del>Renewal Fee</del>	<del>\$135.00</del>
<del>Late Fee</del>	<del>\$ 75.00</del>
<del>Application for Certificate of Authorization</del>	<del>\$ 75.00</del>
<del>Certificate Replacement Fee</del>	<del>\$ 25.00</del>
<del>Printing Fee for Roster</del>	<del>\$ 10.00</del>
<del>Mailing Labels</del>	<del>\$ 25.00</del>
<del>Mailing List on Electronic Media</del>	<del>\$ 25.00</del>

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-1-.15

INTENDED ACTION:

Public Records.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is including language for a Public Records Coordinator in accordance with Governor Kay Ivey's Executive Order regarding Public Records.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

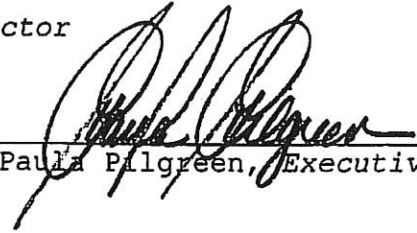
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Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

### **100-X-1.15 Public Records**

A "public record" is a record that is reasonably necessary to record the business and activities required to be performed or carried out by the Board so that the status and condition of such business and activities can be known by the public. The results of disciplinary hearings, settlement agreements, and consent orders are considered public records. Public records are available for inspection at the Board office during regular business hours. Any person wishing to obtain a copy of a public record may request copies from the ~~Executive Director~~ Public Records Coordinator, at a reasonable cost. The following records are not considered public records: Records received by the ~~Board~~ in confidence, sensitive personnel records, registrant's education transcripts and other records, examination material, complaints against registrants and non-registrants, and records which, if disclosed, would be detrimental to the best interests of the public.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History:** **New Rule:** February 19, 2010. **Amended:** July 19, 2010. **Amended:** Filed June 7, 2023;



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-2-.02

INTENDED ACTION:

Registration by Examination.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is cutting Red Tape for Applicants to Sit for the Examination in accordance with Governor Kay Ivey's Executive Order regarding Red Tape.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


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August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

### **100-X-2.02 Registration by Examination**

An applicant for registration by examination shall submit an application to NCARB fee as provided in the Exam Eligibility Services Agreement with NCARB by regulation. The Board shall set qualifications and review, or cause to be reviewed, each candidate's qualifications. ~~The Board shall require p~~Proof of qualifications shall be required prior to allowing candidates to sit for the Architect Registration Examination® (ARE®). NCARB may approve an applicant to take the ARE® only after the applicant has enrolled in AXP and completed the Board's education requirements for architectural registration by examination in Alabama, ~~has completed at least 930 hours of approved Architectural Experience Program (AXP) experience or completed AXP through the portfolio method, and has submitted the required application materials.~~ Upon determination that the applicant is qualified in accordance with the Board's statutes and regulations, the Applicant will be granted eligibility for the examination. Upon successful completion of all examination divisions, ~~and completion of the AXP, and submitted the required application materials to the Board,~~ the applicant will ~~may~~ be granted registration as an architect.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-33

**History: New Rule:** February 19, 2010. **Amended:** Filed: October 22, 2012; Effective: November 26, 2012. **Amended:** Filed: May 19, 2014; Effective: June 23, 2014. **Amended:** Filed: August 13, 2018; Effective: September 27, 2018. **Amended:** Filed: May 27, 2021; Effective: August 14, 2021. Amended: Filed: June 8, 2023;



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-2-.04 Administration of Examination

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating language style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

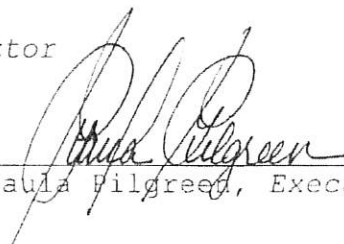
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Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-2-.04 Administration of Examination**

The Board shall administer or cause to be administered the Architect Registration Examination (ARE®) to qualified candidates for registration. Administration of the ARE® will be consistent with NCARB standards, and their procedures will be followed. The Board shall report or cause to be reported the grades to individuals in accordance with Board policy and to NCARB for national certification. Eligibility qualifications may be obtained by contacting the Board office or through the Board's web-site.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-38

**History:** **New Rule:** February 19, 2010.

**Amended:** Filed: June 8, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-2-.08 Reconsideration of Denied Application

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating language style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

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August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-2.08 Reconsideration of a Denied Application**

A denied application may be reconsidered by the Board if written notice of appeal is received by the Executive Director within thirty (30) days of notification of denial of registration.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-33

**History: New Rule:** February 19, 2010. **Amended:** July 19, 2010. **Amended:** Filed:  
June 8, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-3-.02 Scope and Exemptions

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is providing an extension for obtaining CE under hardship cases.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

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CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director



### 100-X-3-.02 Scope and Exemptions

(1) Scope. These rules shall apply to every Alabama registered architect as a condition for renewal of registration on an annual basis.

(2) Exemptions. A registrant may be exempt from participating in the continuing education program required by these rules for one of the following reasons:

(a) A first-time registrant by examination or NCARB certificate is exempt for his or her first renewal. This provision does not apply to an architect who regains registration through reinstatement.

(b) Registrant is an emeritus status architect.

(c) Registrant is a civilian who serves on active duty in the Armed Forces of the United States for a period of time exceeding ninety (90) consecutive days during the annual report period.

(d) Hardship cases will be considered by the Board on an individual basis and must be received by the Board by December 1. A registrant experiencing physical disability, illness, or other extenuating circumstances beyond his or her control may request ~~exemption~~ extension from the continuing education requirements. The registrant shall provide supporting documentation for the Board's review. The Board will consider such hardship cases on an individual basis.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History: New Rule:** Filed October 17, 2011; Effective November 21, 2011. **Amended:**

**Filed:** August 6, 2015; Effective: September 10, 2015. **Amended:** Filed June 8, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-3-.03 Requirements

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

### **100-X-3.03 Requirements**

Each Alabama registered architect shall complete a minimum of twelve (12) structured education hours each calendar year. One continuing education hour (CEH) shall represent a minimum of 50 minutes of actual contact time. Each CEH must be devoted to health, safety, and welfare (HSW) subjects by qualified individuals or organizations, whether delivered by direct contact or distance learning methods. The Board has final authority to accept courses, credits, and continuing education hours for courses and any other method of earning credit. The Board does not pre-approve courses.

- (1) Topics for the twelve (12) structured CEHs shall include the study of technical and professional subjects that the Board deems appropriate to safeguard the public and that are within the following enumerated areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment:
  - (a) Legal: Laws, Codes, Zoning, Regulations, Standards, Life Safety, Accessibility, Ethics, Insurance to protect Owners of the Public;
  - (b) Building Systems: Structural Mechanical, Electrical, Plumbing, Communications, Security, Fire Protection;
  - (c) Environmental: Energy Efficiency, Sustainability, Natural Resources, Natural Hazards, Hazardous Materials, Weatherproofing, Insulation;
  - (d) Occupant Comfort: Air Quality, Lighting, Acoustics, Ergonomics;
  - (e) Materials and Methods: Construction Systems, Products, Finishes, Furnishings, Equipment;
  - (f) Preservation: Historic, Reuse, Adaptation;
  - (g) Pre-design: Land Use Analysis, Programming, Site Selection, Site and Soils Analysis, Surveying;
  - (h) Design: Urban Planning, Master Planning, Building Design, Site Design, Interiors, Safety and Security Measures;
  - (i) Construction Documents: Drawings, Specifications, Delivery Methods;
  - (j) Construction Contract Administration: Contracts, Bidding, Contract Negotiations.
- (2) Structured course study shall consist of participation in HSW education activities presented by individuals or groups qualified by professional, practical, or academic experience to conduct courses of study. Structured Continuing Education shall include the following types of activities:
  - A. Attending professional or technical HSW presentations at meetings, conventions, or conferences;
  - B. Attending in-house technical HSW programs sponsored by corporations or other organizations;
  - C. Successfully completing HSW seminars, webinars, tutorials, short courses,

online courses, correspondence courses, televised courses, or videotaped courses;

- D. Successfully completing post professional degree college or university sponsored courses that qualify as HSW (1 academic credit hour = 1 CEH);
- E. Successfully completing HSW courses that are awarded continuing education credits.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History: New Rule:** Filed October 17, 2011; Effective: November 21, 2011 **Amended:** Filed: May 20, 2022; Effective: July 15, 2022. **Amended:** Filed June 8, 2023;



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-3-.04 Reporting

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

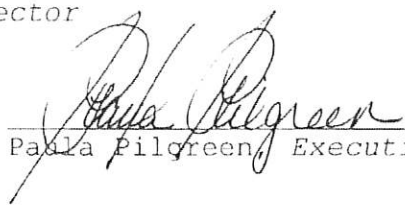
Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director



#### **100-X-3-.04 Reporting**

The continuing education section of the Board's renewal application must be completed in full, in order to process, the registration renewal.

(1) Unless exempted as provided in 100-X-3-.02, each registrant shall submit the required continuing education information, which shall include an affidavit attesting to the registrant's fulfillment of continuing education requirements during the current calendar year. No carry-over of continuing education hours is permitted. Failure to comply with these requirements shall result in non-renewal of the architect's registration.

(2) Each affidavit shall be reviewed by the Board staff and may be subject to audit for verification of compliance with requirements.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History: New Rule:** Filed October 17, 2011; Effective November 21, 2011.

**Amended:** Filed: August 6, 2015; Effective September 10, 2015. **Amended:** Filed June 8, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-3-.05 Recordkeeping

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen Executive Director

#### **100-X-3-.05 Recordkeeping**

- (1) The registrant is responsible for retaining documentation of continuing education activities.
- (2) The records must be retained for a period of one year from the date the hours are reported as part of the applicant's renewal application. Copies must be furnished to the Board for audit purposes ~~is~~ requested.
- (3) Proof of CEH completion include: AIA Transcripts, certificates of completion issued by the course provider, and other correspondence or documentation provided directly from the course provider. HSW must be clearly indicated on the supporting documentation.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History: New Rule:** Filed October 17, 2011; Effective November 21, 2011. **Amended:** Filed: August 5, 2015; Effective September 10, 2015. **Amended:** Filed: May 20, 2022; Effective: July 15, 2022. **Amended:** Filed June 8, 2023;

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-4-.01 Public Interest in Registration of Architects

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

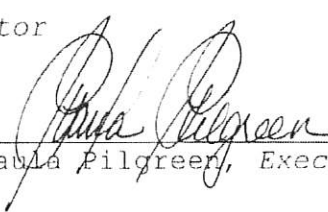
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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-4-.01 Public Interest in Registration of Architects**

Architects and the practice of architecture are hereby declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that an architect shall design buildings intended for the habitation of people, unless exempted by statute and regulation, and as provided below.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-31

**History:** **New Rule:** February 19, 2010.

**Amended:** Filed: June 8, 2023



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-4-.04 Buildings Intended for Education Occupancy

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-4-.04 Buildings Intended for Education Occupancy**

Any building erected, enlarged, or altered that is intended for use as an education facility (as classified by the building code adopted in the jurisdiction where the building is located), regardless of size, requires the services of a registered architect.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-32

**History:** **New Rule:** February 19, 2010.

**Amended:** Filed: June 8, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-4-.05 Buildings Intended for Use as an Auditorium

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-4-.05 Buildings Intended for Use as an Auditorium**

Any building erected, enlarged, or altered that is intended for use as an auditorium, regardless of size, requires the services of a registered architect.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-32

**History:** **New Rule:** February 19, 2010.

**Amended:** Filed: June 8, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-4-.06 Buildings Intended for Use as a Church

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director



**100-X-4-.06 Buildings Intended for Use as a Church**

Any building erected, enlarged, or altered that is intended for use as a church, regardless of size, requires the services of a registered architect.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-32

**History:** **New Rule:** February 19, 2010.

**Amended:** Filed: June 8, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-4-.10 Exemptions

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

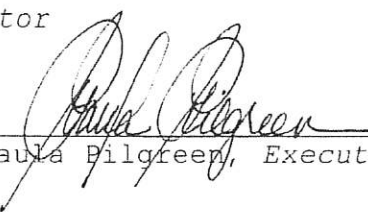
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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-4-.10 Exemptions**

An architect is not required for design of a detached single-family residence, a farm building, or utility works, structure or building (provided the person performing architectural works is employed by an electric, gas, or telephone public utility regulated pursuant to Alabama law (or by a corporation affiliated with such utility)).

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-32

**History:** **New Rule:** February 19, 2010.

**Amended:** Filed: June 8, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-4-.13 Prohibited Acts (Non-registrants)

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

#### **100-X-4-.13 Prohibited Acts (Non-registrants)**

(1) An individual not registered in accordance with The Code of Ala. 1975, §§34-2-30 through 34-2-42

~~(Code of Alabama 1975)~~ may not:

(a) Offer, solicit, perform or otherwise provide architectural services in this state, as defined by The Code of Ala. 1975, §§34-2-30, 34-2-31, and 34-2-32 ~~(Code of Alabama 1975)~~;

(b) Represent oneself to be an "architect" or use any form of the word "architect" on letterheads, title blocks, business cards, verbal claims, advertisements, signs, social media, or other oral or written representations which would lead someone to believe the individual is legally qualified to practice architecture in the state of Alabama;

(c) Prepare and/or submit plans or construction documents for a non-exempt building, unless acting at the direction of and/or under the responsible control of an architect registered in accordance with The Code of Ala. 1975, §§34-2-30 through 34-2-42 ~~(Code of Alabama 1975)~~;

(d) Use or attempt to use the certificate of registration and/or seal of a registered architect, including a suspended, revoked or non-existent certificate of registration;

(e) Impersonate a registered architect;

(f) Direct the professional judgment of a registered architect, including authorizing deviations from sealed architectural plans and specifications during the construction phase of a project;

(g) Alter, amend, or misrepresent Architect Registration Examination® test results in an attempt to falsely gain registration as an architect;

(h) Provide construction administration services on a non-exempt construction project, unless acting at the direction of and/or under the responsible control of an architect registered in accordance with The Code of Ala. 1975, §§34-2-30 through 34-2-42 ~~(Code of Alabama 1975)~~.



(2) An individual found to be in violation of any of the prohibited acts set forth in paragraph (1)(a) through (h) above is subject to fines and penalties as described in The Code of Ala. 1975, §34-2-36 (c) and (d) ~~(Code of Alabama 1975)~~.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §§34-2-30, 34-2-31, 34-2-32, 34-2-36

**History:** Filed: February 11, 2013; **Effective:** March 18, 2013 **Amended:** Filed: June 8, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-6-.05 Public Notice of Actions

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

**100-X-6.05 Public Notice of Actions**

Settlement agreements, consent agreements, and orders resulting from disciplinary hearings are public records. The Board will report disciplinary actions on its web-site, in its newsletter and to the NCARB disciplinary data-base. Additional publication ~~will~~ may be ordered on a case-by-case basis at the discretion of the Board.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-34

**History: New Rule:** February 19, 2010.

**Amended:** Filed June 13, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-7-.03 Full Disclosure

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, *Executive Director*  
334.242.4523

  
Paula Pilgreen, *Executive Director*

### 100-X-7-.03 Full Disclosure

- (1) An architect, making public statements on architectural questions, shall disclose when he or she is being compensated for making such statement or when he or she has an economic interest in the issue.
  - (2) An architect shall accurately represent to a prospective or existing client or employer his or her qualifications and the scope of his or her responsibility in connection with work for which he or she is claiming credit.
  - (3) If, in the course of his or her work on a project, an architect becomes aware of a decision taken by his or her employer or client, against the architect's advice, which violates applicable state or municipal building laws and regulations and which will, in the architect's judgment, materially and adversely affect the safety of the public of the finished project, the architect shall:
    - (a) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations;
    - (b) Refuse to consent to the decision; and
    - (c) In circumstances where the architect reasonably believes that other such decisions will be taken notwithstanding his or her objection, terminate his or her services with reference to the project unless the architect is able to cause the matter to be resolved by other means.
1. In the case of a termination in accordance with (c) above, the architect shall have no liability to his or her client or employer on account of such termination.
- (4) An architect shall not deliberately make a false statement or fail deliberately to disclose accurately and completely a material fact requested in connection with his or her application for registration or renewal or otherwise lawfully requested by the Board.
  - (5) An architect shall not assist the application for registration of a person known by the architect to be unqualified in respect to education, training, experience, or character. An architect possessing knowledge of an applicant's qualifications for registration shall cooperate with the applicant, the Board, and/or NCARB by



responding appropriately regarding those qualifications when requested to do so. An architect shall provide timely verification of employment and/or training units earned by an intern-architect under his or her supervision if there is reasonable assurance that the facts to be verified are accurate. An architect shall not withhold such verification as a punitive act against a current or former employee. An architect shall not knowingly sign any verification document that contains false or misleading information.

(6) An architect possessing knowledge of a violation of these rules by another architect shall report such knowledge to the Board.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History: New Rule:** February 19, 2010.

**Amended:** Filed: June 13, 2023.

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-7-.05 Professional Conduct

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

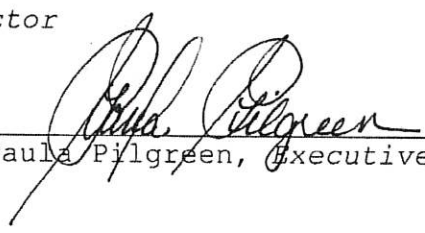
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FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, *Executive Director*  
334.242.4523

  
Paula Pilgreen, *Executive Director*

#### 100-X-7.05 Professional Conduct

(1) Each office engaged in the practice of architecture shall have an architect resident and regularly employed in that office.

(2) An architect may sign and seal technical submissions only if the technical submissions were:

(a) ~~p~~Prepared by the architect;

(b) ~~p~~Prepared by persons under the architect's responsible control;

(c) ~~p~~Prepared by another architect registered in the same jurisdiction if the signing and sealing architect has reviewed the other architect's work and either has coordinated the preparation of the work or has integrated the work into his or her own technical submissions; or

(d) ~~p~~Prepared by another architect registered in any United States jurisdiction and holding the certification issued by the National Council of Architectural Registration Boards if the signing and sealing architect has reviewed the other architect's work and has integrated the work into his or her own technical submissions and the other architect's technical submissions are prototypical building documents.

(3) An architect may also sign and seal drawings, specifications, or other work which is not required by law to be prepared by an architect if the architect has reviewed such work and has integrated it into his or her own technical submissions. Reviewing, or reviewing and correcting, technical submissions after they have been prepared by others does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed knowledge of the content of such submissions throughout their preparation.

(4) Any registered architect signing or sealing technical submissions not prepared by that architect but prepared under the architect's responsible control by persons not regularly employed in the office where the architect is resident, shall maintain and make available to the ~~b~~Board upon request for at least five years following such signing and sealing, adequate and complete records demonstrating the nature and extent of the architect's control over and detailed knowledge of such

technical submissions throughout their preparation. Any registered architect signing or sealing technical submissions integrating the work of another architect into the registered architect's own work as permitted under clauses (c) or (d) above shall maintain and make available to the Board upon request for at least five years following such signing and sealing, adequate and complete records demonstrating the nature and extent of the registered architect's review of and integration of the work of such other architect's work into his or her own technical submissions, and that such review and integration met the required professional standard of care.

(5) An architect shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

(6) An architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.

(7) An architect shall not make misleading, deceptive, or false statements or claims.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-39

**History: New Rule:** February 19, 2010. **Amended:** July 19, 2010. Amended: Filed: June 13, 2023



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-8-.01 General Requirements

INTENDED ACTION:

To amend existing rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director



## **100-X-8-.01 General Requirements**

(1) An entity may practice architecture in Alabama as a corporation, professional corporation, professional association, partnership, or limited liability company. An entity must meet the following requirements to be approved for practice as an entity in Alabama:

(a) Two-thirds (2/3) or more of the officers, partners, directors, members, or others (depending on the legal structure of the entity) are registered/licensed architects and/or licensed professional engineers in any United States jurisdiction and are also voting stockholders of the entity; and

(b) At least one (1) of the stockholding officers, partners, directors, or members must be an architect registered in the State of Alabama, who has authority to contractually bind the entity and whose name and registration seal shall appear on all documents prepared under his or her responsible control.

(2) Upon registration as an architect in Alabama, the registrant will be notified that if the firm entity he or she is affiliated with intends to offer, solicit, or perform architectural services in the firm entity's name, the entity must apply for a Certificate of Authorization (COA) to Practice Architecture in Alabama (~~COA~~) within thirty (30) days of notification that registration has been granted.

(3) No firm entity shall be relieved of responsibility for the conduct or acts of its agents, employees, officers, or partners by reason of its compliance with this regulation. Likewise, no individual practicing architecture as defined in §34-2-30(2) and (3) of The Code of Ala., 1975 shall be relieved of responsibility for work performed by reason of employment, association, or relationship with the entity.

(4) The Board shall maintain a public roster of firm entities that have been issued a COA.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-37

**History: New Rule:** July 19, 2010. **Amended:**

Filed: June 13, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-8-.02 Application Procedures

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating grammar and style.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

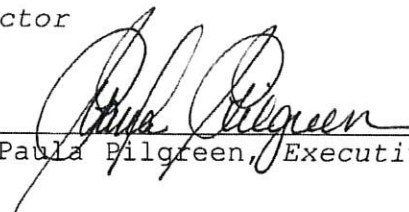
Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

## 100-X-8-.02 Application Procedures

(1) All applications for a ~~Certificate of Authorization to Practice Architecture~~ (COA) shall be made in the format provided by the Board. The firm entity will be required to furnish all applicable information indicated on the form along with the required fee. Application fees will not be refunded.

(2) An entity required to be qualified by the Alabama Secretary of State's Office to do business in Alabama may file such qualification documents with that office concurrently with application for a ~~Certificate of Authorization~~ COA ~~to Practice Architecture~~. The firm entity name on the Application for ~~Certificate of Authorization~~ COA must be the same as the firm entity name on documents filed with the Alabama Secretary of State's Office.

(3) Withholding information, providing statements which are untrue, or misrepresenting pertinent facts may be cause for denial of an application or revocation of the COA.

(4) When the Board, after due consideration of the application, finds that the firm entity is not eligible for a ~~certificate of authorization~~ COA, the application will be denied. In this event, the firm may not offer, solicit, or perform architectural services as a firm entity.

(5) If the firm entity is dissolved or reorganized, or if there is a change in the registered architect(s) in responsible control of the practice of architecture in Alabama, the entity must notify the ~~b~~Board in writing within thirty (30) days.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-37

**History:** **New Rule:** July 19, 2010. **Amended:** Filed: August 20, 2013; Effective: September 24, 2013. **Amended:** Filed: June 13, 2023



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

100-X-8-.03 Renewal Procedures

INTENDED ACTION:

To amend existing Rule.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to amend their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is updating COA renewal language to be consistent with existing renewal language for individual architect registrations; and establishes a date range for COA renewal.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

### 100-X-8-.03 Renewal Procedures

(1) ~~A Certificate of Authorization to Practice Architecture in Alabama (COA) shall expire on April 30 following issuance or renewal. If not renewed, the firm entity may not offer or engage in architectural services until the COA has been renewed. A certificate of authorization COA not renewed within ninety (90) days after expiration will become null and void and is considered lapsed.~~

(2) ~~Certificates of Authorization COA's are renewed annually. Renewal notifications will be mailed to every firm entity holding a COA. An application form shall be completed and returned with the renewal fee prescribed by the Board. All requirements for completing a renewal application will be the same as for an initial application as identified in Administrative Rules 100-X-8-01 and 100-X-8-.02.~~

The Board shall issue renewal notices to each COA from the previous year to the last known address. Failure to receive a renewal reminder from the Board shall not constitute an excuse for failure to renew. The COA term is May 1 to April 30. No provision is made for partial payment for a partial year. Renewal fees are due on or before April 30 of each year. If the COA elects to renew electronically, a convenience fee or surcharge may be applied. COAs providing architectural services under a lapsed or expired COA shall be subject to disciplinary action by the Board.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-37

**History: New Rule:** July 19, 2010. **Amended:**

Filed June 13, 2023



APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

Appendices I Fee Schedule

INTENDED ACTION:

To adopt Appendices I

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to adopt Appendices for their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is moving the list of fees from Rule 100-X-1 Board Administration and General Provisions to a separate Appendices to make locating this information easier for the public, applicants, and registrants. In addition, the Board is striking the ARE Application Fee; Certificate Replacement Fee; Mailing Address Fee; and Roster Printing Fee to reduce red tape.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

## Appendices I Fee Schedule

The following schedule of fees is adopted by the Board:

Registration by Reciprocity Fee	\$150.00
Registration by Reinstatement Fee	\$460.00
Registration Renewal Fee	\$135.00
Registration Renewal Late Fee	\$75.00
Certificate of Authorization Fee	\$75.00
Certificate of Authorization Renewal Fee	\$75.00
Returned Check Fee	\$30.00

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §§34-2-33, 34-2-36

**History: New Rule:** Filed: June 13, 2023

APA-2

Alabama Board for Registration of Architects

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board for Registration of Architects

RULE NO. & TITLE:

Appendices II Forms List

INTENDED ACTION:

To adopt Appendices II

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board for Registration of Architects proposes to adopt Appendices for their Administrative Code or Rules and Regulations under which to operate. Specifically, the Board is listing all Board forms in one location to clarify this information for the public, applicants, and registrants.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board for Registration of Architects thru 4:00 p.m. on August 4, 2023. Comments should be directed to Alabama Board for Registration of Architects; Paula Pilgreen, Executive Director; at 445 Dexter Avenue, Suite 4010; Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2023

CONTACT PERSON AT AGENCY:

Paula Pilgreen, Executive Director  
334.242.4523

  
Paula Pilgreen, Executive Director

## **Appendices II Forms List**

Application for Initial Licensure  
Application for Reciprocity  
Application for Reinstatement  
Application for Certificate of Authorization  
Application for Emeritus Status  
CE Guidelines and Reporting Form  
Change of Address and/or Request for Replacement License  
Complaint Form  
Construction Administration Services Notification  
Renewal for Architect Registration  
Renewal for Certificate of Authorization  
Request for Mailing Addresses  
Request for Public Records

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §§34-2-33, 34-2-36

**History: New Rule:** Filed: June 13, 2023