

BOA Proposes Amendments to Rules and Regulations

The BOA regularly reviews its Rules and Regulations to ensure they are current and relevant. As you may remember, in 2023 a complete refresh to the Rules and Regulations was initiated resulting in new Rules and Regulations that went into effect January 2024. These newly effective rules were posted on the Board's website in a new Architect's Handbook located at <https://boa.alabama.gov/wp-content/uploads/2024/01/HandbookJan24wupdatedcover.pdf> and broadcast e-mailed to all active licensees' email address of record.

The proposed amendments now are a finalization of the 2023 Review of Rules and Regulations. Please find below amendment language for your review. Your input is welcomed. Send written comments by **Thursday, April 4, 2024**, to the Board office.

100-X-2-.03 Architectural Experience Program.

All applicants for registration by examination must complete the Architectural Experience Program (AXP) training requirements consistent with guidelines established by the National Council of Architectural Registration Boards (NCARB) with the provision that applicants whose initial home licensure jurisdiction is Alabama, may earn up to 1860 AXP experience hours with an Alabama located, NCARB approved, "Community Based Design Center/ Collaborative" as defined in experience setting, "O".

Information concerning AXP can be obtained from NCARB or the Board.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §§34-2-33c(1), 34-2-39.

History: Filed October 3, 1981. **Repealed and new rules adopted in lieu thereof:** Filed September 16, 1985. **Amended:** Filed July 2, 2004; effective August 6, 2004. **Amended:** Filed May 22, 2006; effective June 26, 2006. **Repealed and New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed August 13, 2018; effective September 27, 2018. **Amended:** Published 02/29/24 ; effective 07/20/24 .

100-X-5-.01 Regulation Of Practice.

In order to safeguard life, health, and promote the public welfare, the Board shall have the power to regulate the practice of architecture in Alabama, whatever the nature of such practice. All registered architects, whether resident or non-resident, are expected to practice in accordance with the statutes and regulations governing the practice of architecture in Alabama.

Author: Board for Registration of Architects

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

History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended:** Published 02/29/2024 ; effective 07/20/24 .

100-X-5-.06 Construction Administration.

(1) On a project where a building permit has been issued and an Alabama registered architect has not been engaged, or is no longer engaged, to perform construction administration services, the architect must report to the building official and the Board that he or she has not been, or is no longer, so engaged.

(2) Construction administration services of an architect is deemed necessary to protect the health, safety, and welfare of the public including, but not necessarily limited to,~~deemed necessary to protect the health, safety, and welfare of the public include but not necessarily limited to~~ periodic site observations of the construction progress and quality, review of contractor submittal data and drawings, and reporting to the building official and owner any violations of codes or substantial deviations from the contract documents that the architect observed. As with other architectural services, qualified employees of registered architects may perform construction administration services under the instruction and responsible control of their employees.

Author: Board for Registration of Architects

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

History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010. **Amended:** Filed March 2, 2016; effective April 16, 2016. **Amended:** Published 02/29/2024 ; effective 07/20/2024 .

100-X-5-.07 Construction Administration For Exempt Projects.

An Alabama registered architect who prepares documents for a project, regardless of whether the project is exempted, shall perform construction administration services as described in The Code of Ala. 1975, §34-2-32 and Administrative~~§34-2-32 (Code of Ala. 1975) and~~ Rule 100-X-5-.06.

Author: Board for Registration of Architects

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

History: New Rule: Filed March 2, 2016; effective April 16, 2016. **Amended:** Published 02/29/24 ; effective 07/20/24 .

100-X-6-.04 Disciplinary Procedures.

If the Probable Cause Committee determines that charges should be filed, the respondent is notified of the specific nature of the charges and the Board's proposed settlement of the issues. Said notice shall be sent by certified mail, return receipt requested, to the respondent's last known address. If a hearing is to be scheduled, the notice shall be sent by certified mail, return receipt requested, to the respondent's last known address not less than ~~ten (10)~~thirty (30) days before the date of the scheduled hearing. The Board will conduct the hearing with the assistance of a hearing officer, who will hear all competent and relevant evidence in support of the charges. The hearing will be conducted in accordance with the Alabama Administrative Procedures Act, ~~Section~~§41-22-13, Code of Ala. 1975. Upon conclusion of the hearing, the members of the Board (excluding the Probable Cause Committee Board member) will determine the appropriate action to be taken, and shall notify, or cause to be notified, the respondent of such action. If the Board suspends or revokes a registration, or issues a reprimand or fine against the respondent, he or she may appeal to the Circuit Court of Montgomery County, Alabama.

Author: Board for Registration of Architects

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

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed August 13, 2018; effective September 27, 2018. **Amended:** Published 02-29-24 ; effective 07-20-24 .