

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

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

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

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

Posted: *July 7, 2011*

1800.0100 COOPERATION IN COMMUNICATIONS.

An applicant, licensee, or certificate holder shall respond to communications from the board, committees of the board, or the assistant attorney general on behalf of the board within 30 days of the mailing of communications, unless an earlier response is specified. An applicant, licensee, or certificate

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

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

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1800.0110 APPEARANCE BEFORE BOARD.

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

- A. appear and provide sworn testimony before the board, a committee of the board, or the attorney general;
 - B. respond to any questions of the board, a committee of the board, or the attorney general;
- and
- C. produce any evidence requested by the board, a committee of the board, or the attorney general.

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

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

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1800.0120 NOTIFICATION.

Subpart 1. Required information.

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

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

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

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

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

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1800.0130 EXAMINATION IRREGULARITIES; CHEATING.

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

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

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

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

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

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

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

F. unauthorized disclosure of examination questions or content; or

G. seeking out confidential examination questions or content.

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

Subp. 4. **Remedial action during examination.** In any case in which it appears that cheating has occurred or is occurring, the board or an exam administrator will take action including summarily expelling

the candidate involved from the examination or moving the candidate to a position in the test site away from other examinees where the candidate can be watched more closely.

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

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1800.0140 SECURITY AND IRREGULARITIES.

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

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

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1800.0200 CLASSES OF LICENSEES.

There shall be three classes of licensees as follows:

- A. Class 1: those who were licensed without examination:
 - (1) prior to July 1, 1933;
 - (2) by exemptions after 1933; or
 - (3) pursuant to Minnesota Statutes, section 326.10, subdivision 1, paragraph (b), as it applies to geoscientists who seek licensure within one year after August 4, 1997.
- B. Class 2: those licensed by comity under the provisions of the law.
- C. Class 3: those licensed after satisfying the applicable educational requirements, meeting the applicable experience requirements, and achieving successful passage of the applicable professional examination.

Statutory Authority: *MS s 326.06; 326.10*

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

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1800.0300 IN-TRAINING CLASSIFICATIONS.

There shall be a classification of engineer-in-training, a classification of land surveyor-in-training, a classification of geologist-in-training, and a classification of soil scientist-in-training. For examination of engineer-in-training see parts 1800.2500 to 1800.2900, for land surveyor-in-training see parts 1800.3505 to 1800.3850, for examination of geologist-in-training see parts 1800.3900 to 1800.3930, and for soil scientist-in-training see parts 1800.3900 to 1800.3930.

Statutory Authority: *MS s 326.06*

History: *21 SR 1427; 22 SR 90; 27 SR 584*

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1800.0400 APPLICATION FOR LICENSURE AND CERTIFICATION.

Subpart 1. **Forms and filing.** Applications for licensure or certification shall be under oath and made on forms prescribed and furnished by the board and shall be filed with the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and accompanied by payment of the examination fee as specified in part 1800.0500, subpart 1. Applications for certified interior designers shall be filed following passage of the applicant's National Council for Interior Design Qualification (NCIDQ) examination or meeting the requirements outlined in part 1800.0800 or 1800.2100, subpart 5. Applications for licensure as a landscape architect shall be filed following the applicant's successful passage of the Council of Landscape Architectural Registration Board (CLARB) professional examination or meeting the requirements in part 1800.0800.

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

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

Subp. 2. **Evaluation of information.** The information required by subpart 1a shall be evaluated by the board and if the applicant is found ineligible for admission to the examination, ineligible for licensure as a landscape architect, or ineligible for certification as a certified interior designer, at that time, the applicant shall be notified in writing and given the reasons for the ineligibility. If the applicant for licensure as a landscape architect is eligible for licensure at the time of application, the applicant shall be notified by the board in writing. If the applicant for certification as a certified interior designer is eligible for certification at the time of application, the applicant shall be notified by the board in writing. If the applicant for examination is eligible at the time for admission to the examination, the applicant shall be notified by the board in writing.

Subp. 3. In-training application.

A. Applications for examination as engineer-in-training or land surveyor-in-training shall be made under oath and on forms prescribed and furnished by the board and shall be filed with the executive secretary of the board at least 75 days before the date set for the fundamentals examination accompanied by the application and examination fees as specified in part 1800.0500, subpart 1.

B. Applications for examination as geologist-in-training or soil scientist-in-training shall be made under oath and on forms prescribed and furnished by the board and shall be filed with the executive secretary of the board at least 60 days before the date set for the fundamentals examination accompanied by the application and examination fees as specified in part 1800.0500, subpart 1.

Statutory Authority: *MS s 326.06; 326.10*

History: *21 SR 1427; 22 SR 90; 29 SR 754; 33 SR 2041; 35 SR 2011*

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1800.0500 FEES.

Subpart 1. **Requirements.** Application for examination as an architect, professional engineer, land surveyor, professional geologist, or professional soil scientist shall be accompanied by a fee in the amount established by the applicable national testing agency, and an application fee and examination monitoring fee as provided by Minnesota Statutes, section 326.105. The actual fee for examination as an architect shall be paid to the national testing agency in a manner it prescribes.

An application for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist shall include the initial fee for licensure as provided by Minnesota Statutes, section 326.105. An application for certification as a certified interior designer shall include the initial fee for certification as provided by Minnesota Statutes, section 326.105. Comity applicants applying under part 1800.0800, item G, I, or J, shall pay an application fee under subpart 7, item A. Upon approval by the board, an applicant for licensure as a land surveyor by comity under part 1800.0800, item H, shall submit an examination fee in the amount established by the local testing agency and an examination monitoring fee as provided in Minnesota Statutes, section 326.105.

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

As provided in Minnesota Statutes, section 326.105, an applicant for examination as an engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training shall be

accompanied by an examination fee in the amount established by the applicable national testing agency, an application fee, and an examination monitoring fee.

Information concerning the current examination fee charged by the applicable national testing agency may be obtained by contacting the board offices. A new application for examination, in such instances, may be filed at any time after the lapse of six months next succeeding the date of the previous rejection. A reexamination application shall be submitted each time the applicant applies to take the examination except as provided in subpart 2.

Subp. 2. **Refunds; validity of application.** Examination, licensure, or certification fees shall not be refunded except for those circumstances when an applicant does not meet required qualifications. In those circumstances, the board shall retain a \$20 administrative fee. An applicant who fails to appear for examination, cancels, or fails to cooperate with requests for submission of written correspondence or documentation to the board relevant to the application within three years shall submit a new application with a new examination, licensure, or certification fee.

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

Subp. 4. **Delayed renewal fee.** A renewal fee is a delayed renewal fee within the meaning of Minnesota Statutes, section 326.10, subdivision 5, if it is not postmarked on or before June 30 of the year specified in Minnesota Statutes, section 326.105. The delayed renewal fee is \$30 for the first three months of the lapsed period and \$60 for months four to 24. A licensee who was originally licensed by examination by the board and who permits the license to lapse for more than two years must retake the appropriate professional licensing examination unless exempted by the board. The delayed renewal fee is computed from July 1 of any even-numbered year and is in addition to the renewal fee provided in Minnesota Statutes, section 326.105.

Subp. 5. [Repealed, 22 SR 90]

Subp. 6. [Repealed, 22 SR 90]

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

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

B. for reissuance of a revoked, lost, destroyed, duplicated, or mutilated certificate of licensure or certificate as an engineer-in-training, land surveyor-in-training, geologist-in-training, soil scientist-in-training, or certified interior designer, \$25;

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

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

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

F. for each application for licensure within a geoscience discipline by submission of records under Minnesota Statutes, section 326.10, subdivision 1, paragraph (b), a fee of \$100; and

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

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

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

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1800.0600 CERTIFICATE OF REGISTRATION.

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

Statutory Authority: *MS s 326.06; 326.10*

History: *21 SR 1427; 29 SR 754*

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1800.0700 [Repealed, 21 SR 1427]

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1800.0800 PROOF OF QUALIFICATION TO PRACTICE.

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

- A. by passing a written examination;
- B. by successfully completing an oral examination;
- C. by submitting satisfactory exhibits of technical qualifications;
- D. by submitting a council certificate prepared by the National Council of Architectural Registration Boards (NCARB), for architect applicants only;

E. by submitting a council record prepared by the National Council of Examiners for Engineering and Surveying (NCEES) for engineer applicants only;

F. by submitting a council record prepared by the Council of Landscape Architectural Registration Boards (CLARB), for landscape architect applicants only;

G. for licensure by comity as an architect, engineer, or landscape architect under Minnesota Statutes, section 326.10, subdivision 1, paragraph (a), clause (2), and experience as the board may require together with evidence of current licensure and proof of good standing;

H. for licensure by comity as a land surveyor, an applicant is subject to Minnesota Statutes, section 326.10, subdivision 1, paragraph (a), clause (2). In addition, the applicant is required to take examinations that the board deems necessary to determine qualifications, but in any event the applicant is required to take an examination;

I. for certification by comity as a certified interior designer under Minnesota Statutes, section 326.10, subdivision 1, paragraph (a), clause (2). The applicant shall meet the certification requirements that were in effect in Minnesota at the time of the applicant's original licensure or certification in the other state, territory, or the District of Columbia. Applicants who were certified in other states prior to August 1, 1992, shall meet the requirements of part 1800.2100; or

J. for licensure within a professional geoscience discipline by comity or submission of records, an applicant shall be subject to Minnesota Statutes, sections 326.10, subdivision 1, paragraph (a), clause (2); and 326.10, subdivision 1, paragraph (b).

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

History: *17 SR 1279; 18 SR 2174; 21 SR 1427; 22 SR 90; 27 SR 584; 29 SR 754*

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1800.0900 QUALIFICATION PROCEDURES.

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

Subp. 2. [Repealed, 21 SR 1427]

Subp. 3. **Examination required.** An applicant for certification as an engineer-in-training, a land surveyor-in-training, a geologist-in-training, or a soil scientist-in-training must take all parts of the applicable fundamentals examination at one time. An applicant for licensure as a professional engineer, land surveyor, professional geologist, or professional soil scientist must pass the applicable fundamentals examination prior to taking the professional examination, except for the professional engineering applicant that meets the requirements outlined in part 1800.2800.

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

Subp. 4. **Reexamination.** An applicant who does not receive a passing grade in an examination may make application to retake that examination. The application shall be accompanied by a reexamination fee as required under part 1800.0500, subpart 7. The board may require an applicant failing an examination

four or more times to submit evidence of improved qualifications before an additional retake examination is permitted.

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

Subp. 6. **Registration in another state.** An applicant duly registered in another state and whose registration is current, upon notification from the Minnesota board that the application has been received and is in order may practice the applicant's profession while his or her application is pending pursuant to Minnesota Statutes, section 326.13. An application which has not been acted upon by the board within six months from the date of submission of the application, because of failure of the applicant to furnish the board with qualifying information pertaining to the registration, shall be denied.

The plans and specifications which are prepared by the applicant during the period in which the application is pending must bear the certification stamp of the state in which the applicant is registered along with a statement that she or he has applied for registration in Minnesota and that the application is pending. This stamp must be placed on each sheet of the set of drawings prepared for the project, and on the title sheet of the specifications.

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

Statutory Authority: *MS s 326.06; 326.10*

History: *17 SR 1279; 21 SR 1427; 22 SR 90; 27 SR 584; 29 SR 754*

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EXAMINATION OF ARCHITECT APPLICANTS

1800.1000 EDUCATION AND EXPERIENCE.

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

Subp. 1a. **Admission to examination.** To qualify for admission to the examination, an applicant shall present evidence that the applicant meets the education requirement described in subpart 5 and has enrolled in NCARB-IDP described in subpart 6.

Subp. 2. [Repealed, 14 SR 2988]

Subp. 3. [Repealed, 14 SR 2988]

Subp. 4. [Repealed, 14 SR 2988]

Subp. 5. **Education requirement.** An applicant for licensure must present evidence of graduation from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) or architectural education equivalent to that curriculum as determined by the board.

An applicant holding a degree or having completed coursework from a foreign college or university shall be granted credit toward the requirements of this subpart on the same basis as a graduate of a United States college or university if the board determines that the educational requirements for the degree are equivalent to the requirements of this subpart. The applicant shall furnish a copy of the applicant's grade transcript, including course descriptions of courses successfully completed, in English, with the initial application for evaluation by the board.

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

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

B. Training must comply with either:

(1) the Intern Development Program Guidelines (NCARB-IDP) published by the National Council of Architectural Registration Boards, July 2000-2001, which is incorporated by reference, is available at the State Law Library and the board office, and is not subject to frequent change; or

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

A candidate is responsible for the establishment of the candidate's National Council of Architectural Registration Boards - Intern Development Program (NCARB-IDP) record.

Subp. 7. **Qualifying experience defined.** As used in this part, qualifying experience consists of value units as required to satisfy the Intern Development Program (IDP) training requirements as defined in Appendix H of the National Council of Architectural Registration Boards - Intern Development Program (NCARB-IDP) guidelines.

Subp. 8. [Repealed, 21 SR 1427]

Statutory Authority: *MS s 326.06*

History: *L 1987 c 258 s 12; 14 SR 2988; L 1989 c 246 s 2; 21 SR 1427; 25 SR 1862; 33 SR 2041*

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1800.1100 PROCEDURES.

Subpart 1. **Completion date.** An applicant may request to be admitted to an examination upon completion of the educational requirement and enrollment in the intern development program by establishing a council record described in part 1800.1000. An applicant is eligible for licensure upon verified completion of the education, examination, experience, and training requirements.

Subp. 2. **Admission for licensing examination.** Applicants shall submit to the board a completed application, including verification of completed education requirements and enrollment in NCARB-IDP. The application shall be submitted on a form provided by the board. If the applicant was not required to complete NCARB-IDP, the applicant shall include a detailed listing of all architecturally related experience gained according to part 1800.1000. The experience listing shall include the name and mailing address of the applicant's supervising licensed architect or other supervisor for each period of employment. A final transcript of grades showing the date of award of any degree earned, except in circumstances referenced in subpart 1, shall be submitted by all applicants. The application shall include one signed copy of Board Rules of Professional Conduct. Upon approval by the board, the applicant shall be notified in writing.

Subp. 3. [Repealed, 21 SR 1427]

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

Statutory Authority: *MS s 326.06*

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

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1800.1200 EXAMINATION.

Subpart 1. **Architect Registration Examination.** The Architect Registration Examination (ARE) shall be administered at least twice annually at a time and place determined by the board or examination delivery vendor to those applicants determined by the board to meet the requirements of part 1800.1000 for admission to the examination. Any person failing one or more parts of the ARE shall be allowed to retake the failed parts after waiting a period of six months.

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

An applicant is required to pass all sections of the examination in order to qualify for licensure. The board or examination delivery vendor shall report to the applicant the results of each examination section.

The applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable standard-setting procedure.

Subp. 2. [Repealed, 14 SR 2988]

Subp. 3. [Repealed, 14 SR 2988]

Subp. 4. [Repealed, 14 SR 2988]

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

Statutory Authority: *MS s 326.06*

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

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EXAMINATION OF LANDSCAPE ARCHITECT APPLICANTS

1800.1500 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirement.** An applicant for licensure as a landscape architect shall pass the examination referred to in part 1800.1700 and satisfy the education and experience requirements in subparts 3 to 5. Successful passage of the examination referred to in part 1800.1700 is required of an applicant in order to be licensed under part 1800.0800, item G. An applicant for licensure under part 1800.0800, item G, must satisfy the Minnesota licensing requirements in effect at the time of the applicant's original licensure in the other state.

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

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

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

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

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

A related degree PLUS graduation from a LAAB-accredited master's or doctorate curriculum in Landscape Architecture. 5 or more 3

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

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

D. Qualifying experience gained under a licensed landscape architect before graduation from an accredited landscape architectural curriculum, in increments of 90 days or more, will be permitted. Not more than one year of credit shall be allowed for qualifying landscape architectural experience gained before graduation from an accredited landscape architect curriculum. The experience gained prior to graduation from an accredited landscape architectural curriculum shall be credited at the rate of 50 percent up to the maximum allowable credit of one year.

Subp. 5. [Repealed, 35 SR 2011]

Subp. 6. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience at landscape architectural work, developing the ability to apply the theoretical knowledge gained during academic training in making sound judgments in solving landscape architectural problems. The experience shall include landscape architectural elements of programming; site and environmental analysis; schematics; coordination with other disciplines; site cost analysis; code research; design development documents; construction documents; specifications; document checking; bidding and contract negotiation; construction phase including office and construction phase, on-site observation, project management, and client contact; office management; and research other than code or project-related research. Experience shall be written in detail and submitted with the application for licensure for evaluation.

Statutory Authority: *MS s 326.06; 326.10*

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

Posted: *July 7, 2011*

1800.1600 [Repealed, 29 SR 754]

Posted: *July 7, 2011*

1800.1700 WRITTEN EXAMINATIONS.

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

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

Statutory Authority: *MS s 326.06; 326.10*

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

Posted: *July 7, 2011*

1800.1800 [Repealed, L 2001 c 23 s 1]

Posted: *July 7, 2011*

1800.1900 [Repealed, L 2001 c 23 s 1]

Posted: *July 7, 2011*

1800.2000 [Repealed, 21 SR 1427]

Posted: *July 7, 2011*

EXAMINATION OF CERTIFIED INTERIOR DESIGNER APPLICANTS

1800.2100 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for certification as a certified interior designer shall pass a written examination administered by the National Council for Interior Design Qualification (NCIDQ) except that a written examination is not required of an applicant certified under subpart 5 or part 1800.0800, item I.

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

A. For purposes of this subpart, "equivalent education" means education which the board, after review of an applicant's transcript and other educational materials, finds to be substantially the same in terms of the curriculum composition and content of classes taken by the applicant which culminates in a minimum of a bachelor's degree in interior design accredited by the Council for Interior Design Accreditation (CIDA) or its predecessor, the Foundation for Interior Design Education Research (FIDER). The education requirement must be fulfilled by one of the following options as described:

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

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

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

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

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

(2) If the applicant meets the educational requirements of item A, subitem (2), prior to June 1, 2013, the experience required is completion of a minimum of four years of qualifying interior design experience; or

(3) If the applicant meets the educational requirements of item A, subitem (3), prior to June 1, 2013, the experience required is completion of a minimum of three years of qualifying interior design experience.

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

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

Subp. 3. [Repealed, 35 SR 2011]

Subp. 4. [Repealed, 35 SR 2011]

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

Statutory Authority: *MS s 214.12; 326.06*

History: *18 SR 2174; 21 SR 1427; 35 SR 2011*

Posted: *July 7, 2011*

1800.2200 PROCEDURES.

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

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

Subp. 3. **Application for certification.** Applicants shall submit to the board a completed application, including verification of completed education, examination, and experience requirements and the appropriate application fee. The application shall be submitted on a form provided by the board. If the applicant was not required to complete IDEP, the applicant shall include a detailed listing of all interior design related experience gained as provided in part 1800.2100. The list of experience shall include the

name and mailing address of the applicant's supervising interior designer or other supervisors for each period of employment. A final transcript of grades showing the date of award of any degree earned must be submitted by all applicants. The application must include one signed copy of the Board Rules of Professional Conduct. Upon approval or denial by the board, the applicant shall be notified in writing.

Statutory Authority: *MS s 214.12; 326.06*

History: *18 SR 2174; 21 SR 1427; 22 SR 90; 35 SR 2011*

Posted: *July 7, 2011*

1800.2300 [Repealed, 21 SR 1427]

Posted: *July 7, 2011*

EXAMINATION OF ENGINEER APPLICANTS

1800.2500 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure as a professional engineer shall pass written examinations as provided in this subpart. Written examinations are required of all applicants except those licensed under part 1800.0800, items E and G, that apply to those professional engineers licensed in one or more states other than Minnesota. An applicant for licensure under part 1800.0800, items E and G, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state. The written Fundamentals of Engineering (FE) examination shall be waived by the board if the applicant meets the requirements in part 1800.2800.

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

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

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

C. graduation from a non-ABET-accredited or nonengineering degree curriculum with the minimum number of engineering science and design credits as required in an ABET-accredited degree (32 semester or 48 quarter credit hours of engineering science and 16 semester or 24 quarter credits of engineering design); or

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

Subp. 2a. **Admission to written professional engineering examination.** To qualify for admission to the written examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in items A and B.

A. Education:

- (1) graduation from an ABET-accredited engineering curriculum;
- (2) graduation from an engineering curriculum that receives ABET accreditation within five years of the applicant's graduation;
- (3) has a non-ABET-accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an ABET-accredited degree (32 semester or 48 quarter credit hours of engineering science and 16 semester or 24 quarter credits of engineering design);
- (4) has a graduate degree from an engineering program where the bachelor's degree in that discipline of engineering is ABET-accredited, even though the applicant's bachelor's degree was earned in a nonengineering program; or
- (5) graduation from an engineering curriculum that has ABET accreditation and a graduate degree in engineering from an institution with an ABET-accredited bachelor's curriculum in that discipline of engineering.

B. Qualifying experience:

- (1) completion of a minimum of four years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitems (1) and (2);
- (2) completion of a minimum of six years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (3);
- (3) completion of a minimum of five years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (4); or
- (4) completion of a minimum of three years of qualifying engineering experience if the applicant meets the educational requirements of item A, subitem (5).

Not more than two years credit shall be allowed for qualifying engineering experience, gained before graduation from an accredited engineering curriculum. The two years experience before graduation must have been gained after completion of the second year of approved engineering education. The experience shall be credited at the rate of 50 percent up to the maximum allowable credit of two years.

Subp. 3. [Repealed, 21 SR 1427]

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427*

Posted: *July 7, 2011*

1800.2600 ORAL EXAMINATION.

An applicant shall appear before the board for oral examination and shall submit two exhibits of engineering work the applicant has performed if:

- A. the applicant's experience record, in the sole opinion of the board, does not clearly indicate the required qualifying engineering experience;

- B. the applicant does not hold a degree from an approved engineering curriculum; or
- C. the applicant qualifies for waiver of the fundamentals of engineering examination as provided in part 1800.2800.

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

An applicant residing in an overseas area shall submit one exhibit of the applicant's engineering work with a written critique of that exhibit in lieu of the oral examination.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427*

Posted: *July 7, 2011*

1800.2700 WRITTEN EXAMINATION.

Subpart 1. **Two-part examination.** The written examination consists of the two parts described in subparts 1a and 2.

Subp. 1a. **Fundamentals examination.** Part I is the fundamentals of engineering examination that may be taken upon graduation from an engineering curriculum meeting the requirements of part 1800.2500, subpart 2. The applicant shall submit an official transcript from the college or university the applicant is attending. An applicant taking the Fundamentals of Engineering (FE) examination shall be notified of the score in writing, provided the applicant has met the criteria in this subpart. An applicant failing this examination shall retake the entire examination. A final official transcript showing the degree and the date awarded shall be submitted to the board before the Engineer-in-Training certificate is released to the applicant. The passing of this examination and providing proof of the degree and the award date gives the applicant the status of engineer-in-training as defined in Minnesota Statutes, section 326.10, subdivision 7. The applicant shall not again be required to take this examination. The applicant shall take and pass the Fundamentals of Engineering (FE) examination before being permitted to take the professional examination.

Subp. 2. **Professional examination.** The applicant shall take and pass the Fundamentals of Engineering (FE) examination before being permitted to take the professional examination. The professional examination covering the principles and practice of engineering in the field of major practice is required as outlined in this subpart. Examinations are presently offered in the following fields of major practice in engineering: aeronautical/aerospace, agricultural, chemical, civil, controls systems, electrical, environmental, fire protection, geological, industrial, manufacturing, mechanical, metallurgical, mining/minerals, nuclear, petroleum, and structural I and II. A person failing the professional examination shall retake the entire examination.

Subp. 3. **Scope of examinations.** The scope of the Fundamentals of Engineering (FE) examination and the principles and practice of engineering examination is as follows:

- A. Fundamentals of Engineering (FE) examination: multiple-choice questions in mathematics and the basic and engineering sciences as presented in accredited college or university engineering curriculum. Allotted time: eight hours.

B. Principles and practice of engineering examination: problems embracing knowledge of professional practice and applied economics as acquired in connection with the planning, design, and construction of engineering work during the required period of qualifying engineering experience. Allotted time: eight hours.

Subp. 4. [Repealed, 21 SR 1427]

Subp. 5. **Equipment during examination.** Handbooks, reference books, bound tabular material and notes, and silent, hand-held, electronic calculators are permitted for use during examinations when authorized by the board. Applicants shall only use the reference handbook supplied by the National Council of Examiners for Engineering and Surveying (NCEES) during the Fundamentals of Engineering (FE) examination.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427*

Posted: *July 7, 2011*

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

The fundamentals of engineering examination must be waived in those cases where the applicant furnishes evidence of:

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

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

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

An applicant qualifying under item A, B, or C shall pass a written professional practice examination of at least eight hours duration. To qualify for waiver of the fundamentals of engineering examination under item A, the applicant's engineering experience shall show responsible charge of engineering projects for at least ten years and advancement in the character of the work performed. The experience gained before reaching the age of 20 years shall not be credited as a part of the required engineering experience, except that graduation from an accredited baccalaureate engineering curriculum shall be considered equivalent to four years of engineering experience. Credit shall not be given for more than a total of four years experience because of undergraduate educational qualifications.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427*

Posted: *July 7, 2011*

1800.2805 QUALIFYING EXPERIENCE DEFINED.

As used in this part and parts 1800.2600, 1800.2700, and 1800.2800, qualifying experience consists of varied, progressive, nonrepetitive, practical experience at engineering work, developing the ability to apply the theoretical knowledge gained during academic training in making sound judgments in solving engineering problems. The varied experience must include increments of design, planning, technical specification, codes and standards research and analysis, engineering economics, safety, observation, and inspection of construction of products. Experience shall be written in detail and submitted with the application for evaluation and approval by the board.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988*

Posted: *July 7, 2011*

1800.2900 PROCEDURES.

Subpart 1. **Application deadline.** An applicant shall submit an application for admission to the fundamentals of engineering examination explained in part 1800.2700, subpart 1a, postmarked not later than 75 days prior to the first day of the date set for the fundamentals of engineering examination and accompanied by payment of the fee specified in part 1800.0500, subpart 5, item B, subitem (1). A transcript of grades showing the date of award of the degree earned shall be submitted before the applicant may be certified as engineer-in-training.

Subp. 2. **Request for professional examination.** An applicant shall submit an application for admission to the principles and practice of engineering examination explained in part 1800.2700, subpart 2, postmarked not later than 75 days prior to the first day of the date set for the professional examination and accompanied by payment of the fee specified in part 1800.0500, subpart 1. The application shall be made on a form provided by the board and shall include a detailed listing of engineering experience gained. The experience listing shall include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an employment reference form which shall be signed and certified. This form shall be submitted to the board by the employer. A final official transcript of grades showing the date of award of the degree earned shall accompany the completed form, unless previously submitted. Upon approval of the application by the board, the applicant will be so notified in writing. The applicant shall submit one signed copy of Board Rules of Professional Conduct prior to receipt of the certificate and license.

Subp. 3. [Repealed, 21 SR 1427]

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

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427; 22 SR 90; 33 SR 2041*

Posted: *July 7, 2011*

1800.3000 [Repealed, 14 SR 2988]

Posted: *July 7, 2011*

1800.3500 [Repealed, 27 SR 584]

Posted: *July 7, 2011*

EXAMINATION OF LAND SURVEYOR APPLICANTS

1800.3505 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirements.** An applicant for licensure as a land surveyor is required to pass written examinations as provided in this part and parts 1800.3600 to 1800.3800. An applicant for licensure under part 1800.0800, item H, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state.

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

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

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

Subp. 3. **Admission to professional land surveying examination.** To qualify for admission to the professional land surveying examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in item A or B.

- A. Graduates of a four-year land surveying curriculum must present evidence of:
- (1) graduation from a four-year land surveying curriculum;
 - (2) successful completion of the requirements in part 1800.3600, subpart 3; and
 - (3) completion of a minimum of the following qualifying land surveying experience:
 - (a) a minimum of 160 hours of office experience in plat computations;
 - (b) a minimum of 160 hours of field experience in each of four or more of the following: section subdivision, boundary surveys, land title surveys, government corner restoration, geodetic surveys, staking subdivisions, and common interest communities totaling 3,120 hours or more;
 - (c) a minimum of 160 hours of office experience in each of four or more of the following: record research, record analysis, survey computations, description analysis, description writing, and subdivision design totaling 1,920 hours or more;

(d) a minimum of 400 hours of field or office experience in one or a combination of the following: right-of-way surveys; easement surveys; mining surveys; route location surveys, including power, pipelines, etc.; and street grade design and alignment; and

(e) a minimum of 400 hours of drafting experience in one or a combination of the following: boundary survey, topographic survey, and plats.

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

(1) graduation from a bachelor's curriculum with a minimum of 22 semester credits or 32 quarter credits in land surveying;

(2) successful completion of the requirements in part 1800.3600, subpart 3; and

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

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

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

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

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

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

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

Statutory Authority: *MS s 326.06*

History: *27 SR 584; 33 SR 429*

Posted: *July 7, 2011*

1800.3600 REQUIREMENTS FOR ADMISSION TO EXAMINATION.

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

Subp. 2. **Land surveyor-in-training.** The Fundamentals of Land Surveying (FLS) examination may be taken upon meeting the requirements of part 1800.3505, subpart 2. The applicant shall submit an official transcript from the college or university the applicant is attending. An applicant taking the FLS examination

must be notified of the applicant's score in writing. An applicant failing this examination shall retake the entire examination. A final official transcript showing the degree and the date awarded must be submitted to the board before the land surveyor-in-training certificate is released to the applicant. The passage of this examination and providing proof of the degree and the award date gives the applicant the status of land surveyor-in-training as defined in Minnesota Statutes, section 326.10, subdivision 7. The applicant shall take and pass the FLS examination before being permitted to take the professional examination.

Subp. 3. **Professional practice.** The applicant must have successfully completed the Fundamentals of Land Surveying (FLS) examination and have met the education and experience requirements in part 1800.3505, subpart 3. After the applicant has submitted an application for admission to the professional practice examinations, the applicant may be required to appear before the board for an oral examination to determine the applicant's eligibility for admission to the professional examinations. The board shall conduct the examination to review evidence of personal qualifications and evaluate the educational and experience record of the applicant.

Statutory Authority: *MS s 326.06*

History: *27 SR 584*

Posted: *July 7, 2011*

1800.3700 EXAMINATIONS.

Subpart 1. **Fundamentals of land surveying.** Fundamentals of land surveying consists of an eight-hour examination. Failure of either the morning or afternoon portion of the examination will require the applicant to retake the entire eight-hour examination.

Subp. 2. **Professional practice.** Examination for professional practice consists of a national examination and a local examination. Failure of one or both of the examinations will necessitate retaking the entire failed examination. Successful completion of the national professional practice examination and the local professional practice examination qualifies the applicant for licensure as a land surveyor in Minnesota upon payment of the license fee.

Subp. 3. **Reference materials.** Reference materials may be used when permitted by the board.

Statutory Authority: *MS s 326.06*

History: *27 SR 584*

Posted: *July 7, 2011*

1800.3800 SYLLABUS FOR WRITTEN EXAMINATION.

A syllabus for written examination in land surveying has been approved by the board. It may be revised or updated periodically, as required. A copy of the current syllabus may be obtained from the board office by the prospective applicant prior to making application for examination.

Statutory Authority: *MS s 326.06*

Posted: *July 7, 2011*

1800.3850 TRANSITIONAL PERIOD.

Until December 31, 2012, an individual who has taken the Fundamentals of Land Surveying examination before November 1, 2002, may choose to pursue licensure as a land surveyor under chapter 1800 as it existed on the date the person first took the examination.

Statutory Authority: *MS s 326.06*

History: *27 SR 584*

Posted: *July 7, 2011*

EXAMINATION OF GEOSCIENTIST APPLICANTS**1800.3900 GEOSCIENCE DISCIPLINES.**

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

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

1800.3905 GEOSCIENCE PRACTICE.

Upon receipt of a complaint by the board, a professional geologist or professional soil scientist who certifies and signs reports or other documents may be required to establish that the work was performed according to recognized and acceptable geoscientific standards and practice. As a means of defining acceptable professional conduct, licensed professional geologists and licensed professional soil scientists shall adhere to the provisions of chapter 1805, Rules of Professional Conduct.

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

1800.3910 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure within a geoscience discipline shall pass written examinations as provided in part 1800.3920. Written examinations are not required of applicants licensed under part 1800.0800, item J, provided that these applicants are licensed in a geoscience discipline recognized by the board and are licensed in one or more states other than Minnesota as defined in Minnesota Statutes, section 326.10, subdivision 1, paragraph (a), clause (2), or those geoscientists who are qualified for licensing by submission of records as defined in Minnesota Statutes, section 326.10, subdivision 1, paragraph (b), by applying for licensure within one year after August 4, 1997, and meet the requirements in this part.

An applicant for licensure under part 1800.0800, item J, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state, if the

original license of the applicant was received after August 4, 1997. An applicant for licensure under part 1800.0800, item J, shall satisfy the Minnesota licensing requirements that were in effect on August 4, 1997, if the applicant's original licensure in the other state was received prior to August 4, 1997.

The written fundamentals of geology examination or fundamentals of soil science examination shall be waived by the board if:

- A. the applicant has a doctorate degree in the geoscience discipline the applicant is seeking licensure in or equivalent doctorate degree as approved by the board; and
- B. the applicant meets the educational requirements in subpart 5.

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

- A. graduation or being within 30 semester or 45 quarter credits of graduation from a geoscience curriculum approved by the board for the geoscience discipline the applicant is seeking licensure in; and
- B. having met the educational requirements as defined in subpart 5.

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

A. The education requirement is graduation from a geoscience curriculum approved by the board for the geoscience discipline the applicant is seeking licensure in as defined in subpart 5.

B. The qualifying experience requirement is completion of a minimum of five years of qualifying geoscience experience in the discipline the applicant is seeking licensure in if the applicant has graduated with a baccalaureate degree from a school or college approved by the board for the discipline in which the applicant is seeking licensure.

Not more than two years credit shall be allowed for qualifying geoscience experience, gained before graduation from an approved geoscience curriculum. The two years experience before graduation must have been gained after completion of the second year of approved geoscience education. The experience shall be credited at the rate of 50 percent of the time gaining this experience up to the maximum allowable credit of two years. One year of experience is the equivalent of 2,080 hours.

Subp. 4. **Exception for nonapproved education.** An applicant who does not meet the requirements of subpart 2 may qualify for admission to the examinations if evidence is submitted to the board that education and qualifying geoscience experience completed meet the requirements in items A to C.

A. The education requirements of an applicant whose education was not obtained in a geoscience curriculum approved by the board shall be accepted only if the education is determined by the board to be equivalent to the content of the approved curriculum required for a baccalaureate or higher degree in the geoscience discipline the applicant is seeking licensure in. The applicant shall be required to submit a transcript of grades, along with descriptions of courses taken from the educational institution

from which the applicant graduated, for evaluation by the board to determine the credit to be allowed for that education. The minimum number of equivalent geoscience credits in the nonapproved curriculum is the same as that defined in subpart 5.

B. If the applicant holds a degree from a curriculum not meeting the requirements of subpart 2, item A, that applicant will be required to document at least six years of qualifying and verifiable geoscience experience following graduation. Up to two years credit shall be allowed for qualifying and verifiable geoscience experience gained before graduation, as provided in subpart 3, item B.

C. If the applicant also holds a master's or doctorate degree in a curriculum not meeting the requirements of subpart 2, item A, that applicant shall document five years of qualifying and verifiable geoscience experience following graduation. Up to two years credit shall be allowed for qualifying and verifiable geoscience experience gained before graduation, as provided in subpart 3, item B.

Subp. 5. Approved geoscience education.

A. For an applicant seeking licensure as a professional geologist, the applicant shall present evidence of a baccalaureate or higher degree in geology approved by the board, from an accredited institution of higher learning or an institution of higher learning approved by the board, and a minimum of 30 semester or 45 quarter hours in geology. A description of the core geology subjects as well as a list of geology courses shall be maintained by the board. Geology courses must include a minimum of 24 semester hours or 36 quarter hours from among the following core geology subjects: physical geology; historical geology; stratigraphy; sedimentology or sedimentary petrology; mineralogy; igneous and/or metamorphic petrology; structural geology; hydrogeology; geochemistry; geophysics; glacial geology; geomorphology; and field geology or geologic field methods.

B. For applicants seeking licensure as a professional soil scientist, the applicant shall present evidence of:

(1) a baccalaureate or higher degree in soil science approved by the board, from an accredited institution of higher learning or an institution of higher learning approved by the board;

(2) a minimum of 16 semester or 24 quarter hours in soil science; and

(3) a minimum of 14 semester or 21 quarter hours in closely related geoscience courses as recognized by the board. Soil science courses must include a minimum of two semester or three quarter hours in each of the following basic soil science areas:

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

(b) soil chemical properties, soil chemical processes, or soil fertility;

(c) soil biological properties, soil biochemical process, or soil microbial ecology;

and

(d) soil genesis, soil classification, or soil morphology.

A maximum of three semester or five quarter hours of masters or doctorate degree thesis credits can be applied to the total number of credit hours. A list of courses included in each soil science study area and those which are recognized by the board as closely related geoscience courses shall be maintained by the board.

Subp. 6. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience in the discipline of geoscience the applicant is seeking licensure in, developing the ability to apply the theoretical knowledge gained during academic training in making sound judgments in completing geoscientific work. The experience shall include elements of research, planning, technical specifications, codes and standards, research and analysis, economics, safety, observation of ongoing work, and the inspection of the completed project. Experience shall be written in detail and submitted with the application for evaluation and approval by the board. Qualifying experience must be acquired after graduation from a baccalaureate or higher degree curriculum in geoscience approved by the board for the discipline the applicant is seeking licensure in, except that continuous experience in periods of ten or more weeks gained before graduation shall be counted if gained as specified in subpart 3, item B.

Subp. 7. **Grandparenting.** The board shall, with reference to applications for licensure received within one year after August 4, 1997, issue a certificate of licensure as a professional geologist or professional soil scientist, without examination, to any applicant submitting evidence to the board of:

- A. qualifying education under subparts 4 and 5; and
- B. qualifying experience under subpart 6.

Applicants seeking licensure within one year after August 4, 1997, must submit references on forms approved by the board from three individuals knowledgeable of the applicant's work experience to verify the work experience.

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

1800.3915 ORAL INTERVIEW.

The board shall require an oral interview in those cases where the applicant has not fully demonstrated meeting all the criteria in this chapter. The board will allow the applicant an additional opportunity to provide any and all explanation necessary to support an application for licensure.

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

1800.3920 WRITTEN EXAMINATION.

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

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

A final official transcript showing the degree and the date awarded shall be submitted to the board before the in-training certificate in the geoscience discipline the applicant is seeking licensure in is released to the applicant. The passing of this examination and providing proof of the degree and the award date gives the applicant the in-training status in the geoscience discipline the applicant is seeking licensure in as defined in Minnesota Statutes, section 326.10, subdivision 7, paragraph (4). The applicant shall not again be required to take this examination. The applicant shall take and pass the fundamentals examination in the geoscience discipline the applicant is seeking licensure in before being permitted to take the professional examination.

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

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

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

(1) The fundamentals of geology examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subparts 2 and 4, for admission to the examination. The passing of this examination gives the applicant the status of geologist-in-training. An official transcript of grades showing the date of award of the degree earned shall be submitted to the board before the applicant may be certified as geologist-in-training.

(2) The professional geologist examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subparts 3 and 4, for admission to the examination. The passing of the examination gives the applicant the status of registered professional geologist.

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

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

(1) The fundamentals of soil science examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 2, for admission to the examination. The passing of this examination gives the applicant the status of soil scientist-in-training. An official transcript of grades showing the date of award of the degree earned shall be submitted to the board before the applicant may be certified as soil scientist-in-training.

(2) The professional soil scientist examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 3, for admission to the examination. The passing of the examination gives the applicant the status of registered professional soil scientist.

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

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

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

1800.3930 PROCEDURES.

Subpart 1. **Application deadline.** An applicant shall submit an application for admission to the fundamentals examination in the geoscience discipline the applicant is seeking licensure in as described in part 1800.3920, subpart 2. The application must be postmarked not later than 60 days prior to the first day of the date set for the fundamentals examination and accompanied by payment of the fee in part 1800.0500, subpart 1.

Subp. 2. **Request for professional examination.** An applicant shall submit an application for admission to the principles and practice of geoscience examination in the geoscience discipline the applicant is seeking licensure in as explained in part 1800.3920, subpart 3. The application must be postmarked not later than 60 days prior to the date set for the professional examination and accompanied by payment of the fee in part 1800.0500, subpart 1. The application shall be made on a form provided by the board and shall include a detailed listing of geoscience experience gained. The experience listing shall include the name and current mailing address of the applicant's direct supervisor for each period of employment. The board shall provide the applicant an employment reference form which shall be signed, certified, and submitted to the board by the employer. A final official transcript of grades showing the date of award of the degree earned shall be submitted directly to the board by the educational institution, unless previously submitted. Upon approval of the application by the board, the applicant will be so notified in writing. The applicant shall submit one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct prior to obtaining the certificate and license.

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

CERTIFICATES

1800.4000 CERTIFICATES OF RECORD.

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

Statutory Authority: *MS s 326.06*

History: *21 SR 1427; 22 SR 90*

Posted: *July 7, 2011*

1800.4100 CERTIFICATE OF LICENSURE OR CERTIFICATION.

Subpart 1. **Licensure as professional engineer.** The board shall issue to each applicant who has successfully completed the fundamentals of engineering examination, unless the fundamentals of

engineering examination is waived as stated under part 1800.2800, and has successfully completed the professional practice examination, a certificate of licensure giving the licensee authority to practice engineering as defined by Minnesota Statutes, section 326.02, subdivision 3. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

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

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

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

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

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

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

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

Statutory Authority: *MS s 214.12; 326.06*

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

Posted: *July 7, 2011*

1800.4200 CERTIFICATION AND SIGNATURE ON PLANS.

Subpart 1. **Requirement.** The certification and signature on plans, specifications, plats, reports, etc., is mandatory, as provided by Minnesota Statutes, section 326.12, subdivision 3. A person in direct supervision of work as referred to in the foregoing subdivision is construed to mean the person whose professional skill and judgment are embodied in the document signed, and who assumes responsibility for the accuracy and adequacy thereof.

Subp. 2. **Stamp.** The board has designed a stamp which combines certification and a space for signature. The size of the stamp together with the size of letters and spacing of lines may be varied to suit individual requirements. The stamp may be imprinted directly on the tracing and signature affixed thereto thus eliminating the necessity of duplicate signatures on prints.

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

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

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

C. A professional engineer may engage in practice in any branch of engineering; provided, however, that a professional engineer who certifies and signs plans, specifications, or other documents may be required to establish, to the satisfaction of the board, that the work was performed according to recognized and acceptable engineering standards and practice.

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

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

Signature: _____ Typed or Printed Name: _____

Date _____ Reg. No. _____

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

Signature: _____ Typed or Printed Name: _____

Date _____ Reg. No. _____

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

Signature: _____ Typed or Printed Name: _____

Date _____ Reg. No. _____

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

Signature: _____ Typed or Printed Name: _____

Date _____ Reg. No. _____

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

Signature: _____ Typed or Printed Name: _____

Date _____ Reg. No. _____

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

Signature: _____ Typed or Printed Name: _____

Date _____ Reg. No. _____

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

Signature: _____ Typed or Printed Name: _____

Date: _____ Reg. No. _____

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

Statutory Authority: *MS s 214.12; 326.06*

History: *17 SR 1279; 18 SR 2174; 22 SR 90*

Posted: *July 7, 2011*

1800.4300 SEAL.

Each person may, upon licensure, also obtain a seal of a design approved by the board bearing the licensee's name and the legend, licensed architect, licensed professional engineer, licensed land surveyor, licensed professional landscape architect, licensed professional geologist, or licensed professional soil scientist. Plans, specifications, plats, reports, and other documents prepared by a licensee may be stamped with the seal during the life of a licensee's certificate if the certificate remains unrevoked, has not expired, or has not been suspended. The stamped seal may be used on documents in addition to the signed and dated certificate required under part 1800.4200.

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Posted: *July 7, 2011*

1800.4500 INVESTIGATOR.

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

Statutory Authority: *MS s 326.06*

Posted: *July 7, 2011*

1800.4600 PROFESSIONAL CORPORATIONS.

Professional corporations and foreign professional corporations are required to file periodic reports with the board in accordance with Minnesota Statutes, section 319A.21.

Statutory Authority: *MS s 326.06*

Posted: *July 7, 2011*

EXEMPT CLASSES OF BUILDINGS**1800.5000 PURPOSE.**

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

Statutory Authority: *MS s 326.06*

Posted: *July 7, 2011*

1800.5100 DEFINITIONS.

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

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

Statutory Authority: *MS s 326.06*

History: *21 SR 1427*

Posted: *July 7, 2011*

1800.5200 GENERAL REQUIREMENT AND EXCEPTIONS.

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

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

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

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

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

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

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

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

Subp. 4. **Classes of buildings exceptions.** Any new construction or new addition to a building in the specified MSBC occupancy classes and consistent with the size, dwelling unit, and number of stories

and basement thresholds specified in part 1800.5900, provided that an exemption under this subpart shall not apply:

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

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

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

Statutory Authority: *MS s 326.06*

History: *21 SR 1427*

Posted: *July 7, 2011*

1800.5300 PLANS SUPPLIED TO BUILDING OFFICIALS.

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

Statutory Authority: *MS s 326.06*

Posted: *July 7, 2011*

1800.5400 NONAPPLICABILITY OF EXEMPTIONS.

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

Statutory Authority: *MS s 326.06*

History: *17 SR 1279*

Posted: *July 7, 2011*

1800.5500 NONEXCLUSIVITY OF RULES.

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

Statutory Authority: *MS s 326.06*

History: *21 SR 1427*

Posted: *July 7, 2011*

1800.5600 SEVERABILITY.

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

Statutory Authority: *MS s 326.06*

History: *14 SR 1427*

Posted: *July 7, 2011*

1800.5700 [Repealed, 21 SR 1427]

Posted: *July 7, 2011*

1800.5800 [Repealed, 32 SR 367]

Posted: *July 7, 2011*

1800.5900 CLASSES OF BUILDINGS.

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

Classifications	Elements that must be met to be exempt*
Assembly (as defined by the MSBC under occupancy group A2: Dining and drinking less than 50 persons)	Not greater than one story with no basement; and Seating for not more than 20 persons; and Not greater than 1,000 gross square footage (GSF)
Business (as defined by the MSBC under occupancy group B)	Not greater than two story with a basement; and Not greater than 2,250 GSF
Factory (as defined by the MSBC under occupancy group F2)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Mercantile (as defined by the MSBC under occupancy group M)	Not greater than two story with a basement; and Not greater than 1,500 GSF

Residential (as defined by the MSBC under occupancy group R)	Apartment houses/condominiums (three units or less), dwellings, lodging houses, attached single-family dwellings/townhomes, and congregate residences (each accommodating ten persons or less)
Storage (as defined by the MSBC under occupancy group S1: Aircraft hangars and helistops)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Storage (as defined by the MSBC under occupancy group S2 except for parking garages, open or enclosed)	Not greater than one story with no basement; and Not greater than 5,000 GSF
Utility (as defined by the MSBC under occupancy group U except for fences higher than 8', tanks and towers, and retaining walls with over 4' of vertical exposed face)	Not greater than one story with no basement; and Not greater than 1,000 GSF

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

Statutory Authority: *MS s 326.06*

History: *32 SR 367*

Posted: *July 7, 2011*