

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the office of the **California Architects Board, Landscape Architects Technical Committee, 2420 Del Paso Road, Suite 105, Sacramento, California 95834, on May 12, 2014 at 11:00 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **May 12, 2014** or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the Board. Pursuant to the authority vested by Section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific Sections 5650 and 5651 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest/Policy Statement Overview

BPC Section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC Sections 5650 and 5651 entitle any person who meets the qualifications set forth in the article to an examination for a license to practice landscape architecture subject to the rules and regulations governing examinations.

16 CCR Section 2610 (Application for Examination) requires candidates who wish to register for the Landscape Architect Registration Examination (LARE), the national licensing examination, to file their application with the LATC 70 days prior to their requested examination date. This requirement was established in 1998 when the licensing examination was partially administered by the LATC, and it allowed the LATC preparation time before the administration of the examination. In December 2009, the Council of Landscape Architectural Registration Boards (CLARB) began administering

all sections of the LARE, eliminating the need for LATC to have additional preparation time prior to the examination date, and making 70 days an unnecessary amount of lead time to have applications received by. Currently, LATC needs approximately four to six weeks to process an application for eligibility. This proposal would change the 70-day registration requirement to 45 days.

B. Anticipated Benefits of Proposal

This proposal would increase the amount of time that candidates have to apply for the LARE, and change the registration deadline to be consistent with LATC's current application processing timeframe. This proposal also has the potential to expedite the pathway to licensure for prospective licensees.

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State

None

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement

None

Business Impact

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The following studies/relevant data were relied upon in making the above determination:

None

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses because it only affects candidates for examination and licensure.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment:

None

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834, or by contacting the individuals listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person, named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: John Keidel
Address: California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7233
Fax No.: (916) 575-7283
E-mail Address: John.Keidel@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
Address: California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7230
Fax No.: (916) 575-7283
E-mail Address: Trish.Rodriguez@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
ORIGINALLY PROPOSED LANGUAGE**

Amend Section 2610 of Division 26 of Title 16 of the California Code of Regulations to read as follows:

§ 2610. Application for Examination.

(a) Application for examination shall be made upon the form provided by the Board, accompanied by such evidence, statements, or documents as therein required.

(b) The application shall be filed with the Board at its office in Sacramento, California at least ~~seventy~~forty-five (~~70~~45) days prior to the date of the examination which the applicant wishes to take and shall be accompanied by the fee required by Section 5681(a) of the Code. Refunds of fees to applicants who are found to be ineligible to take the examination shall be made in accordance with Section 158 of the Code.

NOTE: Authority cited: Section 5630, Business and Professions Code. References cited: Sections 5650 and 5651 Business and Professions Code.

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS**

Hearing Date: **May 12, 2014**

Subject Matter of Proposed Regulation: **Application for Examination**

Sections Affected: **California Code of Regulations (CCR), Title 16, Division 26, Section 2610**

As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (Board). Business and Professions Code Section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

Specific Purpose of each adoption, amendment, or repeal:

1. Problem being addressed:

16 CCR Section 2610 (Application for Examination) requires candidates who wish to register for the Landscape Architect Registration Examination (LARE), the national licensing examination, to file their application with the LATC 70 days prior to their requested examination date. The administration format of the LARE has changed since the 70-day filing deadline was established and the LATC currently needs approximately 45 days to process an application for eligibility. Due to the reduction in lead time required to process applications, requiring applications to be filed with the LATC 70 days prior to their requested examination date is unnecessary and potentially slows the pathway to licensure for candidates.

2. Anticipated benefits from this regulatory action:

This proposal would increase the amount of time that candidates have to apply for the LARE, and change the registration deadline to be consistent with LATC's current application processing timeframe. This proposal also has the potential to expedite the pathway to licensure for prospective licensees.

Factual Basis/Rationale

16 CCR Section 2610 requires candidates who wish to register for the LARE to file their application with the LATC 70 days prior to their requested examination date. This requirement was established in 1998 when the licensing examination was partially administered by the LATC and allowed preparation time before the administration of the examination. In December 2009,

the Council of Landscape Architectural Registration Boards (CLARB) began administering all sections of the LARE, eliminating the need for LATC to have additional preparation time prior to the examination date, and making 70 days an unnecessary amount of lead time to have applications received by. Currently, LATC only needs approximately four to six weeks to process an application for eligibility. This proposal would change the 70-day registration requirement to 45 days.

Underlying Data

None

Business Impact

This regulation will not have a significant adverse economic impact on directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects candidates for examination and licensure.
- It will not create new business or eliminate existing businesses within the State of California because it only affects candidates for examination and licensure.
- It will not affect the expansion of businesses currently doing business within the State of California because it only affects candidates for examination and licensure.
- This regulatory proposal does not affect the health and welfare of California residents because the proposed changes will not be of sufficient magnitude to have such an effect.
- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.
- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

The Board has made an initial determination that no reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be

more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in the Notice.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

The only alternative considered was to maintain the status quo. This alternative was rejected as the current examination registration deadline is not consistent with current application processing timeframes.