

**TITLE 16. CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

**NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
Examination Transition Plan, § 2614**

**NOTICE IS HEREBY GIVEN** that the California Architects Board (Board) is proposing to take the action described in the Informative Digest.

**Public Hearing**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under Contact Person in this Notice.

**Comment Period**

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 not later than **Tuesday, December 27, 2022**, or must be received by the Board at the hearing, should one be scheduled.

**Availability of Modifications**

The Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals 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 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:** Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC), the Board is considering amending article 1 of division 26 of title 16 of the California Code of Regulations (CCR).<sup>1</sup> This regulatory proposal will interpret and make specific the language in BPC sections 5650 and 5651, concerning the Examination Transaction Plan.

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<sup>1</sup> All CCR references are to title 16 unless otherwise noted.

## **Informative Digest:**

As a result of a 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). BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary to carry out the provisions under the Landscape Architects Practice Act (Chapter 3.5 of Division 3 of the BPC). BPC section 5650 describes the qualifications for eligibility for the licensing examination. BPC section 5651 requires that the Board administer a written examination that ascertains the professional qualifications of all applicants for licenses to practice landscape architecture. BPC section 5652 authorizes the LATC to issue a landscape architecture license upon successful completion of the licensing examination.

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the Landscape Architect Registration Examination (LARE), the licensing examination, to the LATC. In December 2023, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice.

Currently, there is no transition plan in place to give examination credit to candidates who passed sections of the previously administered LARE.

This proposal would amend CCR section 2614 to correct minor errors on previous subdivisions (c), (d), and (e) and add subdivision (g)(1) – (3) to address the problem of a lack of a transition plan. By adding subdivision (g), the proposed regulation would set forth the requirements to grant examination credit to those candidates who passed sections of the previously administered LARE after the new LARE is administered starting in December of 2023. Specifically, candidates in the exam process who have previously passed sections 1 and 4 will receive transitional credit for the LARE section titled “Construction Documentation and Administration.” If the candidate passes only section 1 or section 4, but not both, the candidate must take the new LARE section titled

The Board is proposing the following changes:

### **Amend CCR Section 2614 – Examination Transition Plan**

CCR section 2614 is being amended to correct minor errors in the transition charts in subdivisions (c)(1), (d)(1) and (e)(1) and establish a transition plan to give examination credit for those candidates who passed sections of previously administered landscape architect licensing examinations for the LARE that will be administered starting in December of 2023.

## **Policy Statement Overview/Anticipated Benefits of Proposal**

The Board seeks to correct minor errors in existing subdivisions of CCR 2614 and add language to establish a transition plan to give examination credit to candidates who passed sections of the previously administered LARE after the LARE is restructured in 2023 provided certain requirements are met. Specifically, the proposed amendments of CCR section 2614 permit current candidates to continue to take the current version of the LARE through August 2023 and sets forth the requirements that a candidate must meet to receive examination credit once the new LARE version is administered starting in December of 2023.

For additional benefits, see benefits of the regulation under the “Results of Economic Impact Assessment/Analysis.”

## **Consistency and Compatibility with Existing State Regulations**

During the process of developing these regulations and amendments, the Board has conducted a search of similar regulations on this topic and has concluded that these regulations are 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 business, including the ability of California businesses to compete with businesses in other states, because it only affects candidates for examination and licensure.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impact 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 have a significant

adverse impact on small businesses because it only affects candidates for examination and licensure.

### **Results of Economic Impact Assessment/Analysis:**

#### **Impact on Jobs/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 because it only affects candidates for examination and licensure.

#### **Benefits of Regulation:**

The Board has determined that this regulatory proposal may benefit the public health, safety, and welfare by facilitating the process by which candidates for licensure determine they have taken and successfully passed the required sections of the updated examinations for licensure.

This regulatory proposal establishes a plan for the transfer of previously earned LARE credit to the new LARE that will be administered starting in December of 2023. The new LARE will add uniformity to test practices, increase the reliability of test results, increase relevance to modern practice, and increase accessibility for candidates to take the exam.

Existing regulations specify the transition plans which gave examination credit for passing previous sections of the licensing examination and eliminating the requirement to pass equivalent sections of the LARE being administered at that time. The proposed amendments to section 2614 permit current candidates to continue to take the current version of the LARE until December of 2023. The proposed language outlines the transition plan to give examination credit effective with the first administration of the LARE in December 2023.

This regulatory proposal does not affect worker safety and the state's environment because it only affects candidates for examination and licensure.

### **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.

To date, the following options were considered by the Board and rejected:

The Board considered keeping the status quo; however, this alternative was rejected because this would not address how and if candidates who take the previous LARE would be able to receive credit for sections passed under the previously administered LARE after the new LARE format is administered.

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, the initial statement of reasons, and the information upon which the proposal is based, may be obtained upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the Contact Person 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:	Kourtney Nation
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7233
Fax No.:	(916) 575-7283
E-Mail Address:	kourtney.nation@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone No.: (916) 575-7231  
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Website Access: Materials regarding this proposal can be found on LATC's website under [Proposed Regulation](http://www.latc.ca.gov/general_information/publications/) (www.latc.ca.gov/general\_information/publications/).