

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Labor, Licensing, and Regulation
(DLS Control No. 15-406)**

Overview and Legal and Fiscal Impact

This regulation alters an equivalency matrix to more clearly reflect the ways in which an applicant may qualify to become an architect licensed by the State Board of Architects.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Labor, Licensing, and Regulation:

Board of Architects: General Regulations: COMAR 09.21.01.04

Legal Analysis

Background

In order to qualify for licensure as an architect, in addition to other requirements, an applicant must generally hold a degree in architecture from a school of architecture that is located in the United States and that, within two years after the applicant's graduation, holds accredited status from the National Architectural Accrediting Board or from a foreign school of architecture that the national board determines is comparable to an accredited school of architecture in the United States. An applicant must also pass an examination, unless exempted, and have practical work experience or additional academic training in architecture that the national board considers appropriate. An individual who does not hold a degree may still be eligible to receive a license if the individual has practical work experience and academic training in architecture that the board considers appropriate.

Summary of Regulation

The regulation alters the wording in § B to clarify and provide more specificity regarding the requirements for professional education equivalency by:

- referring, in a more specific manner, to the “professional education degree requirements” in § A;

- substituting the requirement to “comply with the education requirements” for the former reference to the requirement to “accumulate a total of five educational equivalency credits that may be earned”; and
- renaming the “Equivalency Matrix” to be the “Education Equivalency Matrix.”

The regulation also reorganizes the matrix to depict the various paths that an applicant may follow to gain eligibility to take the examination for licensure early. To complete a path, an applicant must obtain the education required under the left column “Type of Degree or Educational Experience” and the work experience under the right column “Work Experience for Educational Equivalency.” An applicant must comply with other specifications for the experience requirements and may seek approval by the board of a combination not listed in the matrix.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The Department of Labor, Licensing, and Regulation cites § 3-208(a)(1) of the Business Occupations and Professions Article as statutory authority for the regulation. This provision authorizes the board to adopt any regulation to carry out the title. Although not necessary to justify the action, § 3-303(c) of the Business Occupations and Professions Article contains the requirements for licensure and requires the board to exempt an applicant from the degree requirement if the applicant has practical work experience and academic training in architecture that the board considers appropriate.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

Technical Corrections and Special Notes

The regulation includes an incorrect cross-reference to “§ .05 of this regulation.” The Department of Legislative Services has recommended, and the department has agreed, to revise the submission to reflect the correct cross-reference “Regulation .05 of this chapter.”

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulation has minimal or no impact on State or local governments. The regulation clarifies the education equivalency matrix for the State Board of

Architects. The Department of Legislative Services concurs and notes that the education equivalency matrix specifies combinations of academic training and work experience that are acceptable for licensure by the board for candidates who lack an accredited degree (assuming all other requirements, such as passing an examination, are also met).

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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