Statutes and Regulations

Architects, Engineers, Land Surveyors, and Landscape Architects

October 2023

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

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Sec. 08.48.011. Board created. (a) There is created the State Board of Registration for Architects, Engineers, and Land Surveyors. The board shall administer the provisions of this chapter and comply with AS 44.62 (Administrative Procedure Act).

(b) The board consists of 11 members appointed by the governor having the qualifications as set out in AS 08.48.031. The board consists of two civil engineers, two land surveyors, one mining engineer, one electrical or mechanical engineer, one engineer from another branch of the profession of engineering, two architects, one landscape architect, and one public member.

(c) Notwithstanding (b) of this section,

(1) if no mining engineer who qualifies for appointment to the board is available to serve on the board, the governor may appoint a petroleum or chemical engineer to the seat designated for a mining engineer;

(2) if an electrical engineer occupies the seat designated for an electrical or mechanical engineer, the governor may appoint a mechanical engineer to the seat designated for an engineer from another branch of the profession of engineering; or

(3) if a mechanical engineer occupies the seat designated for an electrical or mechanical engineer, the governor may appoint an electrical engineer to the seat designated for an engineer from another branch of the profession of engineering.

Sec. 08.48.021. Appointments and terms. (a) The governor shall give each member of the board a certificate of appointment, and the member shall file with the lieutenant governor a written oath or affirmation for faithful discharge of the member's official duty.

(b) *[Repealed, Sec. 49 ch 94 SLA 1987].*

(c) For purposes of determining appointments and terms under AS 08.01.035, notwithstanding the reference in that section relating to eligibility for reappointment after serving a full or partial term,

(1) a member who has served all of two successive terms on the board may not be reappointed to the board unless two years have elapsed since the person last served on the board; and

(2) for purposes of (1) of this subsection, a person who serves for two years or more of a four-year term is considered to have served a full term.

Sec. 08.48.031. Qualifications. Each member of the board must have been a resident in the state for three consecutive years immediately preceding appointment and, except for the public member, must be registered and have a minimum of five years of professional practice in the member's respective field.

Sec. 08.48.041. Removal of members. The governor may remove a member of the board for misconduct, incompetency, or neglect of duty.

Sec. 08.48.051. Organization and meetings. The board shall hold at least four regular meetings each year. Special meetings may be held as the bylaws of the board provide. The board shall elect or appoint annually from its members the following officers: chair, vice-chair, and secretary.

Sec. 08.48.055. Executive Secretary of the Board; Investigator. (a) The department, in consultation with the board, shall employ two persons who are not members of the board. One shall serve as the executive administrator of the board. The other shall serve as investigator for the board. The executive administrator is the principal executive officer of the board and is in the partially exempt service under AS 39.25.120.

(b) The executive administrator of the board shall perform duties as prescribed by the board, including the review and approval of comity applications.

(c) The investigator employed under (a) of this section

(1) shall conduct investigations into alleged violations of this chapter and into alleged violations of regulations and orders of the board;

(2) shall, at the request of the board, conduct investigations based on complaints filed with the department or with the board; and

(3) is directly responsible and accountable to the board, except that only the department has authority to terminate the investigator's employment, and the department shall provide day-to-day and administrative supervision of the investigator.

Sec. 08.48.061. Finances. *[Repealed, Sec. 38 ch 13 SLA 2023].*

Sec. 08.48.071. Records and reports. (a) The following record of the board's proceedings and of all applications for registration or authorization shall be kept by the department under AS 08.01.050:

(1) the name, age, and last known address of each applicant;

(2) the date of application;

(3) the place of business of the applicant;

(4) the education, experience, and other qualifications;

(5) the type of examination required;

(6) whether the applicant was rejected;

(7) whether a certificate of registration or authorization was granted or endorsed;

(8) the date of the action of the board;

(9) other action taken by the board;

(10) other information that may be considered necessary by the board.

(b) The record of the board is prima facie evidence of the proceedings of the board, and a transcript, certified by the secretary, is admissible as evidence with the same effect as if the original were produced.

(c) *[Repealed, Sec. 6 ch 19 SLA 1998, June 28, 1998].*

(d) Board records and papers of the following class are of a confidential nature and are not public records: examination material for examinations not yet given, file records of examination problems, solutions, letters of inquiry and reference concerning applicants, board inquiry forms concerning applicants, investigation files if an investigation is still pending, and all other matters of a like confidential nature.

(e) The department shall, under AS 08.01.050, preserve the records under (a) of this section for the previous five years.

(f) The department shall assemble statistics relating to the performance of its staff and the performance of the board, including

(1) the number of architects, engineers, land surveyors, and landscape architects registered over a five-year period;

(2) the rate of passage of examinations required by the board;

(3) the number of applicants making application for registration as a professional architect, engineer, land surveyor, or landscape architect over a five-year period;

(4) an account of registration fees collected under AS 08.01.065;

(5) a measure of the correspondence workload of staff.

Sec. 08.48.091. Examinations. Examinations shall be held at least once each year at places determined by the board. A candidate failing an examination may apply for reexamination in accordance with regulations adopted by the board.

Sec. 08.48.101. Regulations; bylaws; code of ethics. (a) The board may adopt regulations and provide policy guidance to accomplish the purpose of this chapter by

(1) describing the contents of an examination;

(2) establishing the conduct of an examination;

(3) establishing a minimum score for passing an examination;

(4) establishing bylaws governing its meetings and activities;

(5) publishing a code of ethics or professional conduct for those registrants and entities authorized under AS 08.48.241;

(6) establishing continuing education requirements for registrants that must be completed before a certificate may be renewed; the continuing education requirements may not exceed standards established by a national accrediting body or other recognized professional organization;

(7) establishing the types of work and providing guidance on design of minor importance and other areas of overlapping jurisdiction among regulated professions, branches, and disciplines.

(b) *[Repealed, Sec. 6 ch 19 SLA 1998].*

Sec. 08.48.111. Power to revoke, suspend, or reissue certificate. The board may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant, corporation, limited liability company, or limited liability partnership, or limited partnership who is found guilty of (1) fraud or deceit in obtaining a certificate; (2) gross negligence, incompetence, or misconduct in the practice of architecture, engineering, land surveying, or landscape architecture; or (3) a violation of this chapter, a regulation adopted under this chapter, or the code of ethics or professional conduct as adopted by the board. The code of ethics or professional conduct shall be distributed in writing to every registrant and applicant for registration under this chapter. This publication and distribution of the code of ethics or professional conduct constitutes due notice to all registrants. The board may revise and amend its code and, upon doing so, shall immediately notify each registrant in writing of the revisions or amendments. The board may, upon petition of the registrant, corporation, limited liability company, limited liability partnership, or limited partnership reissue a certificate if a majority of the members of the board vote in favor of the reissuance.

Sec. 08.48.121. Disciplinary action and procedure. Any person may file with the investigator of the board a charge of fraud, deceit, gross negligence, incompetence, misconduct, or violation of this chapter, a regulation adopted under it, or the code of ethics of the board. The charge, constituting an accusation under AS 44.62 (Administrative Procedure Act), shall be in writing and sworn to by the person making it. A charge may be dismissed by the board or the investigator as unfounded or trivial.

Sec. 08.48.131. Injunction. The board may bring an action in the superior court to enforce compliance with this chapter or an order of the board or to enjoin a person from doing an act that violates this chapter.

Sec. 08.48.141. Legal counsel. The attorney general of the state shall act as legal advisor to the board and render legal assistance upon request of its chair.

ARTICLE 2.
REGISTRATION AND PRACTICE

Section

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Sec. 08.48.171. General requirements and qualifications for registration. An applicant for registration as an architect, engineer, land surveyor, or landscape architect must be of good character and reputation and shall submit evidence satisfactory to the board of the applicant's education, training, and experience. However, an applicant for registration as a land surveyor may not be required to submit evidence of more than eight years of any combination of education, experience, or training.

Sec. 08.48.181. Registration upon examination. Except as provided in AS 08.48.191, for registration as a professional architect, professional engineer, professional land surveyor, or professional landscape architect, a person shall be examined in this state in accordance with the regulations of procedure and standards adopted by the board under AS 44.62 (Administrative Procedure Act). The procedure and standards shall at least meet the requirements adopted by recognized national examining councils for these professions.

Sec. 08.48.191. Registration by comity or endorsement. (a) A person holding a certificate of registration authorizing the person to practice architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, or holding a certificate of qualification issued by the National Council of Architectural Registration Boards, may, upon application, be registered in accordance with the regulations of the board if the person's certificate was issued under requirements comparable to the requirements in this state.

(b) A person holding a certificate of registration authorizing the person to practice engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, may, upon application, be registered in accordance with regulations of the board if the person's certificate was issued under requirements comparable to those in this state.

(c) A person holding a certificate of registration authorizing the person to practice land surveying in a state, territory or possession of the United States, the District of Columbia, or a foreign country, may, upon application, be registered in accordance with the regulations of the board if the person's certificate was issued under requirements comparable to those in this state.

(d) A person holding a certificate of registration authorizing the person to practice landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, may upon application be registered under the regulations of the board if the person's certificate was issued under requirements comparable to those in this state. A person holding a certificate of qualification issued by the Council of Landscape Architectural Registration Boards may upon application be registered under regulations of the board.

Sec. 08.48.201. Application for registration. (a) Application for registration as a professional architect, a professional engineer, a professional land surveyor, or a professional landscape architect shall

(1) be submitted in the manner prescribed by the board;

(2) *[Repealed, Sec.14 ch 13 SLA 2023].*

(3) *[Repealed, Sec.14 ch 13 SLA 2023*.

(b) *[Repealed, Sec. 54 ch 37 SLA 1985].*

Sec. 08.48.211. Certificate of registration. (a) An applicant who fulfills the requirements set out by the board shall be awarded a certificate of registration authorizing the holder to offer or perform services or work for the public, or to certify or sign documents. Certificates of registration shall be designed as determined by the board.

(b) The certificate of registration is prima facie evidence that the person named in it is entitled to all rights and privileges of a professional architect, professional engineer, professional land surveyor, or professional landscape architect while the certificate remains unrevoked or unexpired.

Sec. 08.48.215. Retired status registration. (a) On retiring from practice and payment of an appropriate one-time fee, a registrant in good standing with the board may apply for the conversion of a certificate of registration to a retired status registration. The registrant may not practice architecture, engineering, land surveying, or landscape architecture in the state. A retired status registration is valid for the life of the registration holder and does not require renewal.

(b) An individual with a retired status registration may apply for a certificate of registration. Before issuing a certificate of registration under this subsection, the board may require the applicant to meet reasonable criteria as determined under regulations of the board. The criteria may include submission of continuing education credits and reexamination requirements.

Sec. 08.48.221. Seals. (a) Each registrant may obtain a seal of the design authorized by the board, bearing the registrant's name, registration number, and the appropriate legend for architect, engineer, land surveyor, or landscape architect. When a registrant issues final drawings, specifications, surveys, plats, plates, reports, or similar documents, the registrant shall stamp the documents with the seal and sign the seal. The board shall adopt regulations governing the use of seals by the registrant. An architect, engineer, land surveyor, or landscape architect

may not affix or permit a seal and signature to be affixed to an instrument after the expiration of a certificate or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of this chapter. The registrant, by sealing and signing the document, certifies that the document was prepared by or under the registrant's responsible charge and is within the registrant's field of practice or is design work of minor importance.

(b) Final drawings, specifications, surveys, plats, plates, reports, or similar documents containing the work of multiple fields of practice shall be sealed and signed by a registrant in each field of practice covered by the document. The registrant shall certify on the face of the document the extent of the registrant's responsibility for all work prepared under the registrant's seal.

Sec. 08.48.231. Expirations and renewals. To remain valid, certificates shall be renewed in accordance with AS 08.01.100. Notice of renewal dates, given under AS 08.01.050(a)(11), shall be transmitted to the registrant, corporation, limited liability company, limited liability partnership or limited partnership at least one month in advance of the date of the expiration of the certificate. If the certificate has been suspended or revoked, the board may take action independent of this section.

(b) The renewal of a certificate does not require reapplication if the certificate has not expired or has not been suspended or revoked.

(c) An expired certificate may be renewed under regulations adopted by the board establishing requirements for reexamination.

Sec. 08.48.241. Corporations, limited liability companies, and limited liability partnerships. (a) This chapter does not prevent a corporation, limited liability company, limited liability partnership or limited partnership from offering architectural, engineering, land surveying, or landscape architectural services; however, the corporation, limited liability company, limited liability partnership or limited partnership shall file with the board

(1) an application for a certificate of authorization on a form to be prescribed by the board and containing information required to enable the board to determine whether the corporation, limited liability company, limited liability partnership or limited partnership is qualified in accordance with the provisions of this chapter to offer to practice architecture, engineering, land surveying, or landscape architecture in this state;

(2) a certified copy of a resolution of the board of directors of the corporation, the managing members or manager of the limited liability company, the general partners of a limited liability partnership, or the general partners of a limited partnership designating persons holding certificates of registration under this chapter as responsible for the practice of architecture, engineering, land surveying, or landscape architecture by the corporation, limited liability company, limited liability partnership, or limited partnership in this state and providing that full authority to make all final architectural, engineering, land surveying, or landscape architectural decisions on behalf of the corporation, limited liability company, limited liability partnership, or limited partnership with respect to work performed by the corporation, limited liability company, limited liability partnership, or limited partnership in this state is granted by the board of directors of the corporation, the managing members or manager of the limited liability company, the general partners of the limited liability partnership, or the general partners of the limited partnership to the persons designated in the resolution; however, the filing of this resolution does not relieve the corporation, limited liability company, limited liability partnership, or limited partnership of any responsibility or liability imposed on it by law or by contract;

(3) a designation in writing setting out the name of one or more persons holding certificates of registration under this chapter who are in responsible charge of each major branch of the architectural, engineering, land surveying, or landscape architectural activities in which the corporation, limited liability company, limited liability partnership or limited partnership specializes in this state; if a change is made in the person in responsible charge of a major branch of the architectural, engineering, land surveying, or landscape architectural activities, the change shall be designated in writing and filed with the board within 30 days after the effective date of the change.

(b) Upon filing with the board the application for certificate of authorization, certified copy of resolution, affidavit, and designation of persons specified in this section, the board shall, subject to (c) of this section, issue to the corporation, limited liability company, limited liability partnership or limited partnership a certificate of authorization to practice architecture, engineering, land surveying, or landscape architecture in this state upon a determination by the board that

(1) the bylaws of the corporation, the articles of organization or operating agreement of the limited liability company, the partnership agreement of the limited liability partnership or the partnership agreement of the or limited partnership contain provisions that all architectural, engineering, land surveying, or landscape architectural decisions pertaining to architectural, engineering, land surveying, or landscape architectural activities in this state will be made by the specified architect, engineer, land surveyor, or landscape architect in responsible charge, or other registered architects, engineers, land surveyors, or landscape architects under the direction or supervision of the architect, engineer, land surveyor, or landscape architect in responsible charge;

(2) the application for certificate of authorization states the type of architecture, engineering, land surveying, or landscape architecture practiced or to be practiced by the corporation, limited liability company, limited liability partnership or limited partnership;

(3) the applicant corporation, limited liability company, limited liability partnership or limited partnership has the ability to provide architectural, engineering, land surveying, or landscape architectural services;

(4) the application for certificate of authorization states the professional records of the designated person who is in responsible charge of each major branch of architectural, engineering, land surveying, or landscape architectural activities in which the corporation, limited liability company, limited liability partnership or limited partnership specializes;

(5) the application for certificate of authorization states the experience, if any, of the corporation, limited liability company, limited liability partnership or limited partnership in furnishing architectural, engineering, land surveying, or landscape architectural services during the preceding five-year period;

(6) the applicant corporation, limited liability company, limited liability partnership or limited partnership meets other requirements related to professional competence in the furnishing of architectural, engineering, land surveying, or landscape architectural services as may be adopted by the board in furtherance of the objectives and provisions of this chapter.

(c) The board may, refuse to issue, or may suspend or revoke a certificate of authorization to a corporation, limited liability company, limited liability partnership, or limited partnership if the board finds that any of the corporation's officers, directors, or incorporators, any of the stockholders holding a majority of the stock of the corporation, any of the limited liability company's organizers, managers, or managing members, any of the limited liability partnership's general partners, or any of the limited partnership's general partners has committed misconduct or malpractice, or has been found personally responsible for misconduct or malpractice under the provisions of this chapter.

(d) The certificate of authorization must specify the major branches of architecture, engineering, land surveying, or landscape architecture of which the corporation, limited liability company, limited liability partnership, or limited partnership has designated a person in responsible charge as provided in this section. The certificate of authorization shall be conspicuously displayed in the place of business of the corporation, limited liability company, limited liability partnership, or limited partnership, together with the names of persons designated as being in responsible charge of the professional activities.

(e) If a corporation, limited liability company, limited liability partnership, or limited partnership that is organized solely by either a group of architects, a group of engineers, a group of land surveyors, or a group of landscape architects, each holding a certificate of registration under this chapter, applies for a certificate of authorization, the board may, in its discretion, grant a certificate of authorization to the corporation, limited liability company, limited liability partnership, or limited partnership based on a review of the professional records of the incorporators of the corporation, organizers of the limited liability company, partners who formed the limited liability partnership, or partners who formed the limited partnership in place of the required qualifications set out in this section. If the ownership of the corporation is altered, the membership of the limited liability company is altered, the partners of the limited liability partnership change, or the general partners of the limited partnership change, the corporation, limited liability company, limited liability partnership, or limited partnership shall apply for a revised certificate of authorization, based on the professional records of the owners of the corporation, the members of the limited liability company, the partners of the limited liability partnership, or the general partners of the limited partnership, if exclusively architects, engineers, land surveyors, or landscape architects, or otherwise under the qualifications required by 6 (b)(1) - (4) of this section.

(f) A corporation, limited liability company, limited liability partnership, or limited partnership authorized to offer architectural, engineering, land surveying, or landscape architectural services under this chapter, together with its directors, officers, managing members, manager, and partners for their own individual acts, is responsible to the same degree as the designated individual registrant, and shall conduct its business without misconduct or malpractice in the practice of architecture, engineering, land surveying, or landscape architecture as defined in this chapter.

(g) If the board, after a proper hearing, finds that a corporation, limited liability company, limited liability partnership or limited partnership holding a certificate of authorization has committed misconduct or malpractice, the board shall suspend or revoke the certificate of authorization. The board shall also suspend or revoke the certificate of registration of any registrant who, after a proper hearing, is found by the board to have participated in committing the misconduct or malpractice.

(h) Drawings, specifications, designs, and reports, when issued in connection with work performed by a corporation, limited liability company, limited liability partnership, or limited partnership under its certificate of authorization, shall be prepared by or under the responsible charge of and shall be signed by and stamped with the official seal of a person holding a certificate of registration under this chapter.

(i) *[Repealed, Sec. 54 ch 37 SLA 1985].*

(j) In this section,

(1) “manager” has the meaning given in AS 10.50.990;
(2) “managing member” has the meaning given in AS 10.50.990.

Sec. 08.48.251. Certain partnerships. This chapter does not prevent the practice of architecture, engineering, land surveying, or landscape architecture by a partnership if all of the members of the partnership are registrants under this chapter. In this section, "partnership" does not include a limited liability partnership or a limited partnership.

Sec. 08.48.265. Fees. The department shall set fees under AS 08.01.065 for examinations, registrations, certificates of authorization, and renewals of a certificate.

ARTICLE 3.
UNLAWFUL ACTS

Section

281. Prohibited practice
291. Violations and penalties
295. Civil penalty for unregistered or unauthorized practice

Sec. 08.48.281. Prohibited practice. (a) A person may not practice or offer to practice the profession of architecture, engineering, land surveying, or landscape architecture in the state, or use in connection with the person’s name or otherwise assume or advertise a title or description tending to convey the impression that the person is an architect, an engineer, a land surveyor, or a landscape architect, unless the person has been registered under the provisions of this chapter, or, in the case of a corporation, limited liability company, limited liability partnership, limited partnership, or limited liability partnership, unless it has been authorized under this chapter.

(b) Notwithstanding (a) of this section, this chapter does not prohibit the practice of landscape architecture by a person who is not registered to practice landscape architecture if the services being performed by the person are within the scope of practice authorized by another license that is held by the person.

Sec. 08.48.291. Violations and penalties. A person who practices or offers to practice architecture, engineering, land surveying, or landscape architecture in the state without being registered or authorized to practice in accordance with the provisions of this chapter, or a person presenting or attempting to use the certificate or the seal of another, or a person who gives false or forged evidence of any kind to the board or to a member of the board in obtaining or attempting to obtain a certificate, or a person who impersonates a registrant, or a person who uses or attempts to use an expired or revoked or nonexistent certificate, knowing of the certificate’s status, or a person who falsely claims to be registered and authorized to practice under this chapter, or a person who violates any of the provisions of this chapter, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than $10,000, or by imprisonment for not more than one year, or by both.

Sec. 08.48.295. Civil penalty for unregistered or unauthorized practice. (a) In addition to any other provision of law, if a person practices or offers to practice architecture, engineering, or land surveying in the state without being registered or authorized to practice in accordance with the provisions of this chapter, the board may enter an order levying a civil penalty.

(b) A civil penalty levied under this section may not exceed $5,000 for each offense. In levying a civil penalty, the board shall set the amount of the penalty imposed under this section after taking into account appropriate factors, including the seriousness of the violation, the economic benefit resulting from the violation, the history of violations, and other matters the board considers appropriate.

(c) Before issuing an order under this section, the board shall provide the person written notice and the opportunity to request, within 30 days of issuance of notice by the board, a hearing on the record.

(d) In connection with proceedings under (a) and (b) of this section, the board may issue subpoenas to compel the attendance and testimony of witnesses and the disclosure of evidence and may request the attorney general to bring an action to enforce a subpoena.

(e) A person aggrieved by the levy of a civil penalty under this section may file an appeal with the superior court for judicial review of the penalty under AS 44.62.560.

(f) If a person fails to pay a civil penalty within 30 days after entry of an order under (a) of this section, or if the order is stayed pending an appeal, within 10 days after the court enters a final judgment in favor of the board of an order appealed under (e) of this section, the board shall notify the attorney general. The attorney general may commence a civil action to recover the amount of the penalty.

(g) An action to enforce an order under this section may be combined with an action for an injunction under AS 08.48.131.

ARTICLE 4.
GENERAL PROVISIONS

Section

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321. Evidence of practice
331. Exemptions
341. Definitions
351. Short title

Sec. 08.48.311. Rights not transferable. The right to engage in the practice of architecture, engineering, land surveying, or landscape architecture is considered a personal and individual right, based on the qualifications of the individual as evidenced by the individual's certificate of registration, which is not transferable.

Sec. 08.48.321. Evidence of practice. A person practices or offers to practice architecture, engineering, land surveying, or landscape architecture who

(1) practices a branch of the profession of architecture, engineering, land surveying, or landscape architecture as defined in AS 08.48.341;

(2) by verbal claim, sign, advertisement, letterhead, card, or other means represents to be an architect, engineer, land surveyor, or landscape architect, or through the use of some other title implies that the person is an architect, engineer, land surveyor, or landscape architect; or

(3) holds out as able to perform or who does perform an architectural, engineering, land surveying, or landscape architectural service recognized by the professions covered by this chapter, and specified in regulations of the board, as an architectural, engineering, land surveying, or landscape architectural service.

Sec. 08.48.331. Exemptions. (a) This chapter does not apply to

(1) a contractor performing work designed by a professional architect, engineer, or landscape architect or the supervision of the construction of the work as a supervisor or superintendent for a contractor;

(2) workers in building trades crafts, earthwork, grounds keeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance of their customary duties;

(3) an officer or employee of the United States government practicing architecture, engineering, land surveying, or landscape architecture as required by the person's official capacity;

(4) an employee or a subordinate of a registrant if the work or service is done under the direct supervision of a registrant;

(5) associates, consultants, or specialists retained by a registrant, a partnership of registered individuals, a corporation, a limited liability company, a limited liability partnership or a limited partnership authorized to practice architecture, engineering, land surveying, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the registrant, the partnership, or a designated representative of the corporation, limited liability company, limited liability partnership, or limited partnership;

(6) a person preparing drawings or specifications for

(A) a building for the person's own use and occupancy as a single family residence and related site work for that building;

(B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;

(C) a building that is intended to be used only as a residence by not more than

(i) four families and that is not more than two stories high and the grounds of the building; or

(ii) two families and that is not more than three stories high and the grounds of the building, if the building is located in a municipality that has adopted a building or residential code that applies to the building and if the building complies with the building or residential code;

(D) a garage, workshop, or similar building that contains less than 2,000 square feet of floor space to be used for a private noncommercial purpose and the grounds of the building;

(7) a specialty contractor licensed under AS 08.18 while engaged in the business of construction contracting for work designed by an architect, engineer, or landscape architect that is within the specialty to be performed or supervised by the specialty contractor, or a contractor preparing shop or field drawings for work that the specialty contractor has contracted to perform;

(8) a person furnishing drawings, specifications, instruments of service, or other data for alterations or repairs to a building or its grounds that do not change or affect the structural system or the safety of the building, or that do not affect the public health, safety, or welfare;

(9) a person who is employed by a postsecondary educational institution to teach engineering, architectural, or landscape architectural courses; in this paragraph, “postsecondary educational institution” has the meaning given in AS 14.48.210;

(10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, limited liability partnership or limited partnership, who practices engineering, architecture, land surveying, or landscape architecture involved in the operation of the employer's business only, and further if neither the employee nor the employer offers engineering, architecture, land surveying, or landscape architecture services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy;

(11) a person while involved in revegetation, restoration, reclamation, rehabilitation, or erosion control for disturbed land that the board determines does not affect the public health, safety, or welfare;

(12) a person while maintaining or directing the placement of plant material that the board determines does not affect the public health, safety, or welfare;

(13) an employee, officer, or agent of a regulatory agency of the state or a municipality when reviewing drawings and specifications for compliance with the building codes of the state or a municipality if the drawings and specifications have been sealed and signed by an architect, engineer, land surveyor, or landscape architect or the preparation of the drawings and specifications is exempt under this section from the requirements of this chapter; in this paragraph, "building codes" includes codes relating to building, mechanical, plumbing, electrical, fire safety standards, and zoning;

(14) a person who is designing fire protection systems and is authorized by the Department of Public Safety to design fire protection systems.

(b) The requirement to be registered as a landscape architect under this chapter only applies to a person who practices an aspect of landscape architecture that the board has determined affects the public health, safety, or welfare.

Sec. 08.48.341. Definitions. In this chapter,

(1) “architect” means a professional architect;

(2) “board” means the State Board of Registration for Architects, Engineers and Land Surveyors;

(3) “building” means a structure used or intended for human occupancy;

(4) ““certificate of authorization” means a certificate issued by the board authorizing a corporation, a limited liability company, a limited liability partnership, or limited partnership to provide professional services in architecture, engineering, land surveying, or landscape architecture through individuals legally registered by the board;

(5) “certificate of registration” means a certificate issued by the board recognizing the individual named in the certificate as meeting the requirements for registration under this chapter;

(6) “department” means the Department of Commerce, Community, and Economic Development;

(7) “design of minor importance” means work that is incidental to the discipline of a registrant and is within the experience of the registrant, but does not include comprehensive design services of any particular building type, structure, building system, engineering system, or site development;

(8) “engineer” means a professional engineer;

(9) “land surveyor” means a professional land surveyor;

(10) “landscape architect” means a professional landscape architect;

(11) “limited liability company” means an organization organized under AS 10.50 or a foreign limited liability company; in this paragraph, "foreign limited liability company" has the meaning given in AS 10.50.990;

(12) “limited liability partnership” means a limited liability partnership or a foreign limited liability partnership, as those terms are defined in AS 32.06.995;

(13) “practice of architecture” means professional service or creative work in the design of buildings, the teaching of advanced architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional observation of construction of public or private buildings, works, or projects, and architectural review of drawings and specifications by regulatory agencies; “practice of architecture” may by regulation of the board include mechanical, electrical, or structural design of minor importance;

(14) “practice of engineering” means professional service or creative work, the adequate performance of which requires the specialized knowledge of applied mathematics and sciences, dealing with the design of structures, machines, equipment, utilities systems, materials, processes, works, or projects, public or private; the teaching of advanced engineering courses in institutions of higher learning; the direction of or the performance of engineering surveys, consultation, investigation, evaluation, planning, and professional observation of construction of public and private structures, works, or projects and engineering review of drawings and specifications by regulatory agencies;

“practice of engineering” may by regulation of the board include architectural building design of minor importance, but it does not include comprehensive architectural services;

(15) “practice of land surveying” means the teaching of land surveying courses at an institution of higher learning, or any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions of land, including the topography, alignment, and grades for streets, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys;

(16) “practice of landscape architecture” means professional services or creative work in the design of landscape, the adequate performance of which requires the specialized knowledge of applied mathematics and physical and social sciences; consulting on, evaluating, planning, and designing public and private landscape architecture projects; the teaching of advanced landscape architectural courses in institutions of higher learning; consultation and the direction or performance of preparing, filing, and administering related plans, drawings, specifications, permits, and other contract documents involving projects that direct, inform, or advise on the functional use and preservation of natural and built environments; the review of drawings and specifications by regulatory agencies; and minor architectural and engineering design work as authorized by the board under AS 08.48.101(a)(7);

(17) “professional architect” means a person registered as a professional architect by the board;

(18) “professional engineer” means a person registered as a professional engineer by the board;

(19) “professional land surveyor” means a person registered as a professional land surveyor by the board;

(20) “professional landscape architect” means a person registered as a profession landscape architect by the board;

(21) “responsible charge” means the direct control and personal supervision of work;

(22) “shop drawing” or “field drawing” means a drawing prepared by a contractor, subcontractor, or vendor that shows how a particular aspect of the work is to be fabricated and installed and demonstrates how an aspect of the work will satisfy the requirements of the construction document;

(23) “structure” means a system of materials and components that resists horizontal and vertical loads

(24) "fire protection system" means a fire alarm device or system or fire extinguishing device or system, or combination of both, that is designed and installed for detecting, controlling, or extinguishing a fire or otherwise alerting an occupant or the fire department, or both, that a fire has occurred;

(25) "limited partnership" has the meaning given in AS 32.11.900;

(26) "registrant" means a person registered by the board as a professional architect, engineer, land surveyor, or landscape architect.

Sec. 08.48.351. Short title. This chapter may be cited as the Architects, Engineers, Land Surveyors, and Landscape Architects Registration Act.

CHAPTER 36.
STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

Article

1. **Registration and Licensing (12 AAC 36.010 – 12 AAC 36.195)**
2. **Code of Professional Conduct (12 AAC 36.200 – 12 AAC 36.250)**
3. **Disciplinary Guidelines (12 AAC 36.300 – 12 AAC 36.330)**
4. **Continuing Education for Professional Land Surveyors (12 AAC 36.400 – 12 AAC 36.450)**
5. **Continuing Education for Professional Architects, Engineers, Land Surveyors, and Landscape Architects (12 AAC 36.500 – 12 AAC 36.550)**
6. **General Provisions (12 AAC 36.900 – 12 AAC 36.990)**

ARTICLE 1.
REGISTRATION AND LICENSING.

Section

10. Applications
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30. (Repealed)
40. Simplified application for reexamination
45. Postponements
50. Application deadlines
55. (Repealed)
60. Eligibility for architect examination and registration
61. Architect education requirements
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65. Eligibility for professional land surveyor examination
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68. Eligibility for landscape architect registration by examination
69. Standards for registration as a landscape architect
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103. Architect registration by comity
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112. Temporary military courtesy certificate of registration
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120. (Repealed)
130. (Repealed)
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145. Architectural, engineering, or surveying offices
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160. Duplicate certificate
165. Expired certificates
170. Fees
180. Seal
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190. Testing laboratory reports
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12 AAC 36.010. APPLICATIONS. (a) An application for examination or for registration by comity must be legible and filed with the board on a form prescribed by the board, accompanied by the application fee established in 12 AAC 02.110.

(b) An applicant will not be admitted to an examination or approved for registration until the applicant's qualifications are accepted by the board, the executive secretary of the board, or the board's designee.

(c) Except as provided in 12 AAC 36.060(a), the board will approve an application for examination or for registration by comity if

(1) the application form is complete;

(2) the applicable fees have been paid; and

(3) the board has verified, through all supporting documents, that the applicant meets the registration requirements under AS 08.48 and this chapter.

(d) Except as provided in 12 AAC 36.060(a), the board, the executive secretary of the board, or the board's designee will give conditional approval of an application for examination or for registration by comity pending receipt of missing documents, payment of applicable fees for examination or registration, or other corrections to the application if the

(1) application form is substantially complete and includes the applicant's notarized signature;

(2) application fee has been paid;

(3) board, executive secretary of the board, or the board's designee has determined that the applicant's qualifications as listed on the application form show that the applicant meets the registration requirements in AS 08.48 and this chapter;

(4) board, executive secretary of the board, or the board's designee has received all supporting documents required for board review of the application, as defined in (i) of this section; and

(5) board, executive secretary of the board, or the board's designee has determined that any missing supporting documents and the correction of other deficiencies in the application do not require board discretion to review and approve.

(e) If the board, the executive secretary of the board, or the board's designee gives conditional approval of an application, the board or person will write a statement of conditional approval; the statement will identify the missing supporting documents or other corrections required to complete the application; department staff shall change the conditional approval to "approval" when the missing documents and other corrections are received if the documents and corrections clearly show the information required by the board, executive secretary, or board's designee in its statement of conditional approval; if the missing supporting documents or corrections received required interpretation or discretion, department staff shall resubmit the application to the board for approval.

(f) Except as provided in 12 AAC 36.060(a), the board, the executive secretary of the board, or the board's designee will determine that an application is incomplete, and will notify the applicant, if the board, the executive secretary of the board, or the board's designee is not able to determine from the application form and supporting documents whether the applicant meets the registration requirements in AS 08.48 and this chapter.

(g) For an application determined to be incomplete under (f) of this section, department staff shall

(1) resubmit the application to the board for review if the applicant submits to the department additional application information; and

(2) maintain an incomplete application file for the application until it either is approved or denied by the board or is considered abandoned under 12 AAC 02.910.

(h) Except as provided in 12 AAC 36.060(a), the board will deny an application for examination or for registration by comity if the application does not meet the requirements in this section for approval, conditional approval, or a determination of incomplete application.

(i) In this section, "all supporting documents required for board review" means documentation of the applicant's education, work experience, and responsible charge experience, as required by AS 08.48 and this chapter except for

(1) official transcripts of the applicant's education if the applicant has

(A) an ABET accredited B.S. degree in the major branch of engineering for which the applicant is applying for registration;

(B) a B.S. degree in an ABET accredited curriculum in land surveying if the applicant is applying for registration as a land surveyor; or

(C) a LAAB accredited professional degree in landscape architecture if the applicant is applying for registration as a landscape architect;

(2) verification of a license or examination in another licensing jurisdiction;

(3) verification of successful completion of coursework as required by 12 AAC 36.110.

(j) The board, the executive secretary of the board, or the board's designee may approve an application for licensure by comity only if credentials are submitted by NCEES, NCARB, or CLARB record.

Authority: AS 08.01.050 AS 08.48.101 AS 08.48.191
AS 08.48.055 AS 08.48.171 AS 08.48.201

12 AAC 36.020. ABANDONED APPLICATIONS. Repealed 10/20/90.

12 AAC 36.030. REFUND WHEN APPLICATION WITHDRAWN. Repealed 6/3/89.

12 AAC 36.040. SIMPLIFIED APPLICATION FOR REEXAMINATION. (a) Except as provided in (c) of this section, an applicant who has failed an examination may apply for reexamination by written notice to the board, accompanied by the required examination fee, if applicable, stating that the applicant wishes to take the next examination to be offered for the profession for which the applicant has applied. The board will approve an applicant for the next applicable examination, as follows:

(1) NCEES Principles and Practices of Engineering Examination and the NCEES Principles and Practices of Surveying Examination, as follows:

(A) for the spring April examination, the filing deadline for the written notice to the board for reexamination is five days before the examination registration deadline set by NCEES;

(B) for the fall October examination, the filing deadline for the written notice to the board for reexamination is five days before the examination registration deadline set by NCEES;

(2) Alaska Land Surveying Examination (AKLS) to be held at least 45 days after receipt of the applicant's written notice;

(3) repealed 5/4/2013.

(b) Repealed 5/4/2013.

(c) An applicant may apply for reexamination under (a) of this section no more than four times within the five years after the date that the board approved the applicant's original application for examination. An applicant shall apply under 12 AAC 36.010 if the applicant has not passed the examination after five attempts or within five years after the date that the board approved the applicant's original application for examination, whichever comes first. This subsection does not apply to an applicant for reexamination for the Alaska Land Surveying (AKLS) examination.

Authority: AS 08.48.091 AS 08.48.101 AS 08.48.171

12 AAC 36.045. POSTPONEMENTS. The board will grant up to two postponements to an applicant who is scheduled to take the Alaska Land Surveying Examination if the applicant's request for postponement is filed with the board not later than 30 days after the date of the examination. An applicant who does not appear for an examination and does not qualify for a postponement is not eligible for a refund of the examination fee and must meet the reexamination application requirements in 12 AAC 36.040 to be scheduled for a later examination.

Authority: AS 08.48.101

12 AAC 36.050. APPLICATION DEADLINES. (a) Except as provided in (e) of this section and in 12 AAC 36.040, before the board will review an application for examination, and at least 30 days before the meeting of the board that is immediately before the examination date, the department must receive the applicant's

(1) completed application form;

(2) application fee established in 12 AAC 02.110;

(3) all supporting documents required for board review of the application, as defined in 12 AAC 36.010(i).

(b) If the board has given conditional approval of an application for examination under 12 AAC 36.010(d), department staff may not schedule the applicant for the examination unless

(1) the department receives all missing supporting documents and other required application corrections identified by the board at least five days before the deadline for examination registration set by NCEES; and

(2) neither the documents nor the corrections must be resubmitted to the board under 12 AAC 36.010(e) because they require interpretation or discretion.

(c) To be reviewed by the board, an application for registration by comity, and all supporting documents required for board review of the application, as defined in 12 AAC 36.010(i), must be received by the department at least 30 days before the meeting of the board.

(d) If an application deadline in (a) - (c) of this section would fall upon a Saturday, Sunday, or holiday, the deadline is extended to the next business day.

(e) An application, a supporting document, or a correction is considered filed with the department on the date of receipt by the department in the Juneau office. The board will, in its discretion, accept a supporting document or a correction after the deadline set in this section upon showing of good cause.

(f) Repealed 5/5/2023.

Authority: AS 08.48.101 AS 08.48.181

12 AAC 36.055. ARCHITECT REGISTRATION BY EXAMINATION. Repealed 10/29/2009.

12 AAC 36.060. ELIGIBILITY FOR ARCHITECT EXAMINATION AND REGISTRATION. (a) To be eligible for the architect registration examination required in 12 AAC 36.100(b), an applicant must submit

(1) an application showing that the applicant meets the education requirements specified in 12 AAC 36.061; and

(2) an NCARB Record.

(b) To be eligible for registration by examination as an architect in this state, an applicant must

(1) submit an application in compliance with 12 AAC 36.010;

(2) meet the education requirements specified in 12 AAC 36.061;

(3) complete the NCARB Architectural Experience Program (AXP);

(4) meet the cold regions design requirements set out under 12 AAC 36.110; and

(5) successfully pass the examinations required in 12 AAC 36.060 and 12 AAC 36.100.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

12 AAC 36.061. ARCHITECT EDUCATION REQUIREMENTS. (a) To be eligible for registration as an architect in this state, an applicant must

(1) have a professional degree in architecture from an academic institution accredited by the National Architectural Accrediting Board (NAAB) or certified by the Canadian Architectural Certification Board (CACB) not later than two years after the degree was received; only a bachelor of architecture or a master of architecture satisfies the requirements for a professional degree under this paragraph; four-year pre-professional degrees in architectural studies or post-professional degrees in a related field do not satisfy the requirements for a professional degree under this paragraph; or

(2) satisfy the minimum education requirements of the NCARB Education Guidelines as prescribed in the NCARB publication *NCARB Education Guidelines, May 2017* and adopted by reference.

(b) To verify compliance with (a) of this section, the board will only accept documentation from NCARB of the applicant's education credentials, and the applicant must have NCARB transmit its verification to the board by

(1) an NCARB Council Record if the applicant is applying for registration by examination; or

(2) an NCARB Council Certificate, if the applicant is applying for registration by comity.

Authority: AS 08.48.101 AS 08.48.171

Editor's note: The NCARB publication *NCARB Education Guidelines*, adopted by reference in 12 AAC 36.061(a)(2), may be obtained from NCARB at (202) 879-0520, by writing to the National Council of Architectural Registration Boards, 1401 H Street, N.W., Suite 500, Washington, D.C. 20005, or by requesting one online at https://www.ncarb.org.

12 AAC 36.062. ELIGIBILITY FOR FUNDAMENTALS OF ENGINEERING EXAMINATION. Repealed 5/25/2017.

12 AAC 36.063. ENGINEERING EDUCATION AND WORK EXPERIENCE REQUIREMENTS. (a) To be eligible for a professional engineering examination other than the structural engineering examination, an applicant must

(1) have passed the fundamentals of engineering examination or had these requirements waived under 12 AAC 36.090(a);

(2) apply for examination in a branch of engineering recognized by 12 AAC 36.990(17); and

(3) submit to the board satisfactory evidence that the applicant's education, work experience, or both are equivalent to the requirements set out in the following table of education and work experience requirements for a professional engineering examination:

TABLE OF EDUCATION AND WORK EXPERIENCE REQUIREMENTS FOR PROFESSIONAL ENGINEERING EXAMINATION

Description of Training	Equivalent Education in Years	Minimum Work Experience in Years	Total Years of Education and Work Experience
ABET accredited B.S. degree in engineering in the branch of engineering applied for listed in 12 AAC 36.990(a), and a master's or doctorate in engineering acceptable to the board	5	3	8
ABET accredited B.S. degree in engineering that is not in the branch of engineering applied for listed in 12 AAC 36.990(a), and a master's or doctorate in the branch of engineering applied for listed in 12 AAC 36.990(a) that is acceptable to the board	4	4	8
ABET accredited B.S. degree in engineering in the branch of engineering applied for listed in 12 AAC 36.990(a)	4	4	8
ABET accredited B.S. degree in engineering technology in the branch of engineering applied for listed in 12 AAC 36.990(a)	3	5	8
ABET accredited B.S. degree in a branch of engineering that is not the branch for which the applicant has applied	3	5	8
Master's degree in engineering acceptable to the board in the branch listed in 12 AAC 36.990(a) for which the applicant has applied or in a discipline substantially similar to the branch for which the applicant has applied	2	6	8
Doctorate degree in engineering acceptable to the board in the branch listed in 12 AAC 36.990(a) for which the applicant has applied or in a discipline substantially similar to the branch for which the applicant has applied	3	5	8
Master's or doctorate degree in engineering acceptable to the board	3	5	8

from a school which has an ABET accredited undergraduate engineering program in the branch for which the applicant has applied			
Non-ABET accredited B.S. degree in engineering in the branch applied for	3	6	9

(b) Education for initial registration must be in the branch of engineering in which the applicant seeks registration for full credit to be given. If the education is not in the branch of engineering in which the applicant seeks registration, the board will determine the amount of credit to be given based on comparability with the branch of engineering for which the applicant has applied for registration. An applicant with a foreign degree shall submit

(1) a transcript of the applicant's education and if the transcript is not in English, submit a translation into English and a signed and notarized affidavit by the translator of the accuracy of the translation; and

(2) an evaluation of the applicant's education from an agency approved by the board unless the applicant's education has been earned at a school accredited by an accreditation agency recognized by the board.

(c) The minimum work experience required for registration must include

(1) two years of responsible charge experience or the equivalent experience gained through a mentoring program, within the meaning given in 12 AAC 36.990(a) and this section; to receive full credit for responsible charge experience, an applicant must gain responsible charge experience while under the responsible control of a professional engineer registered in the United States in the branch of engineering for which the applicant has applied; the board will determine the amount of credit given for responsible charge experience gained under the responsible control of a professional engineer registered in the United States in another branch of engineering based on the comparability with the branch of engineering to which the applicant has applied; and

(2) experience gained under (j) of this section will be considered for credit only if it is gained after the applicant has completed education, work experience, or both that are equivalent to the requirements to be eligible for the fundamentals of engineering examination.

(d) For registration in more than one branch of professional engineering listed in 12 AAC 36.990, professional work experience used to qualify for registration in one branch of engineering will be evaluated by the board in considering an application for registration in another branch of engineering. Except as provided in (c) of this section, responsible charge or mentored experience must be entirely in the branch of engineering applied for and may not be counted as responsible charge experience in another branch of engineering or in land surveying.

(e) Education and work experience may not be accumulated concurrently. A maximum of 12 months' credit may be claimed for a calendar year.

(f) The board will accept a maximum of two years of credit for professional work experience used in securing registration in land surveying as experience in securing registration in civil or mining engineering.

(g) Work experience for initial registration must be in the branch of engineering in which the applicant seeks registration for full credit to be given. If the work experience is not in the branch of engineering in which the applicant seeks registration, the board will determine the amount of credit to be given based on comparability with the branch of engineering for which the applicant has applied for registration.

(h) The board will accept up to a maximum of two years of subprofessional work experience for up to one half of the work experience required for registration based on its meeting the definition of "subprofessional work" in 12 AAC 36.990.

(i) Repealed 5/5/2023.

(j) To meet the mentoring requirements of this section, an applicant must complete quarterly face-to-face meetings or videoconferences with a professional engineer registered in the United States and registered in the same discipline that the applicant is applying for. One quarter of responsible charge experience will be credited for every two quarters of documented mentoring program. An applicant shall

(1) prepare a report for each meeting on a form provided by the department, which includes

(A) a description of what topics were covered during the meeting;

(B) a statement indicating whether or not it was responsible charge work and if the work was performed according to industry standards;

(C) the professional engineer's seal and signature; and

(2) submit as a part of the final report a statement from the professional engineer, who served as the mentor, recommending the applicant for registration.

(k) Repealed 10/22/2023.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

12 AAC 36.064. ELIGIBILITY FOR FUNDAMENTALS OF LAND SURVEYING EXAMINATION. Repealed 5/25/2017.

12 AAC 36.065. ELIGIBILITY FOR PROFESSIONAL LAND SURVEYOR EXAMINATION. (a) To be eligible for the professional land surveyor examination, an applicant must

(1) have passed the fundamentals of land surveying examination; and

(2) submit to the board satisfactory evidence that the applicant's education, work experience, or both are equivalent to the requirements set out in the following table of education and work experience requirements for professional land surveyors:

TABLE OF EDUCATION AND WORK EXPERIENCE REQUIREMENTS FOR PROFESSIONAL LAND SURVEYORS

Classification	Education Credit Allowed In Years	Work Experience Credit Allowed In Years	Responsible Charge Under P.L.S. In a Land Surveying Capacity In Years	Total Years of Education and Work Experience Required
Graduate of an ABET accredited or board approved curriculum with a B.S. degree in land surveying and a master's or doctorate degree in land surveying	5	3	3	8
Graduate of an ABET accredited land surveying curriculum 4-year course	4	4	3	8
Graduate of a board approved land surveying curriculum 4-year course	4	4	3	8
Graduate of a 4-year degree with board approved courses meeting land surveying education standard under (h) of this section	2	6	3	8

(b) "Responsible charge of professional land surveying (P.L.S.)" means work as a supervisor under the responsible control of a land surveyor registered in the United States, and working in the "practice of land surveying" as described in AS 08.48.341. The remainder of the required work experience listed in (a) of this section must be derived from office or field work involving the activities listed in AS 08.48.341. Partial completion of a curriculum leading to a degree in land surveying will be considered by the board in determining applicable work experience. The board will determine the amount of credit given for responsible charge experience gained under the responsible control of a professional in engineering based on applicability to professional land surveying.

(c) The board will accept up to a maximum of two years of credit for professional work experience used in securing registration in civil or mining engineering as experience in securing registration in land surveying based on its applicability to professional land surveying.

(d) The board will accept up to a maximum of two years of subprofessional work experience for up to one half of the work experience required for registration based on its applicability to professional land surveying.

(e) An applicant with a foreign degree shall submit

(1) a transcript of the applicant's education and if the transcript is not in English, submit a translation into English and a signed and notarized affidavit by the translator of the accuracy of translation; and

(2) an evaluation of the applicant's education from an agency approved by the board unless the applicant's education has been earned at a school accredited by an accreditation agency recognized by the board.

(f) Education and work experience may not be accumulated concurrently. A maximum of 12 months' credit may be claimed for a calendar year.

(g) Repealed 10/29/2009.

(h) For the purpose of a four-year degree program with board approved courses under (a)(2) of this section, course work must meet the following land surveying education standard:

(1) at least 12 semester credits or the equivalent must be in mathematics and basic college level science courses, which must include calculus, physics, and statistics;

(2) at least 30 semester credits or the equivalent must be in geomatics and land surveying science and design courses, which must include practical field surveying, course in rectangular survey system, and of which at least six semester credits or the equivalent must be in boundary law courses; the geomatics and land surveying course work must include the study of geographic information system (GIS), global navigation satellite systems (GNSS), error analysis and adjustment, geodesy, and map projections.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

12 AAC 36.066. VERIFICATION OF LAND SURVEYOR WORK EXPERIENCE. (a) In support of an application for examination or registration as a land surveyor, an applicant shall arrange for verification of the work experience as required in 12 AAC 36.065 to be submitted to the board. Verification of work experience must be on a form prescribed by the board and must be completed and submitted directly to the board by the licensed employer who is verifying the applicant's experience.

(b) Department staff shall open a file for retention of completed work verification forms for an individual who has not yet submitted an application for examination or registration as a land surveyor if the individual

(1) submits a written request to open a work verification file; and

(2) attaches the file opening fee established in 12 AAC 02.110.

(c) Department staff shall maintain a work verification file for five years from the date that an individual completes the requirements of (b) of this section. Before the end of that five years, an individual may request that the department maintain a work verification file for an additional five years by again completing the requirements of (b) of this section.

(d) A work verification form received for an individual will be reviewed by the board only after that individual submits an application for registration as a land surveyor.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.201

Editor's note: The address to send the materials required in (b)(1) and (2) of this section is Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Board of Registration for Architects, Engineers, and Land Surveyors, P.O. Box 110806, Juneau, AK 99811-0806.

12 AAC 36.067. DATE OF EXPERIENCE. An applicant for registration as an engineer by examination who meets the requirements of 12 AAC 36.063(c)(1), or an applicant for registration as land surveyor by examination who meets the requirements of 12 AAC 36.065(b) may project up to three months of professional or subprofessional work within the meaning given in 12 AAC 36.990(a) from the time of application to the date of the examination.

Authority: AS 08.48.101 AS 08.48.171

12 AAC 36.068. ELIGIBILITY FOR LANDSCAPE ARCHITECT REGISTRATION BY EXAMINATION. (a) To be eligible for the professional landscape architect registration examination required in 12 AAC 36.100(e), an applicant must submit

(1) a complete application on a form provided by the department; and

(2) except as provided in (c) and (i) of this section, satisfactory evidence that the applicant's education and work experience are equivalent to the requirements set out in the following table of education and work experience for professional landscape architect:

TABLE OF EDUCATION AND WORK EXPERIENCE REQUIREMENTS FOR PROFESSIONAL LANDSCAPE ARCHITECT

Classification	Education Credit Allowed In Years	Work Experience Credit Allowed In Years	Total Years of Education and Work Experience
LAAB accredited professional degree in landscape architecture and a master's or doctorate degree in landscape architecture	5 - 6	2 - 3	8
LAAB accredited professional degree in landscape architecture	4 - 5	3 - 4	8
Non-LAAB accredited professional degree in landscape architecture and a master's or doctorate degree in landscape architecture	4	4	8
Non-LAAB accredited professional degree in landscape architecture	3	5	8
Non-LAAB accredited B.S./B.A. degree in landscape architecture	1 - 3	8 - 10	10
Course work in LAAB accredited landscape architecture curriculum – no degree	1 - 3	7 - 10	10
Course work in non-LAAB accredited landscape architecture program – no degree (Minimum of one year credit hours)	1	11 - 12	12

(b) Education for initial examination must be in the field of landscape architecture for full credit to be given. If the education is not in the field of landscape architecture, the board will determine the amount of credit to be given based on course work comparability with the field of landscape architecture as required by Landscape Architectural Accreditation Board (LAAB) for accredited programs. An applicant with a foreign degree shall submit

(1) a transcript of the applicant's education and if the transcript is not in English, submit a translation into English and a signed and notarized affidavit by the translator of the accuracy of the translation; and

(2) an evaluation of the applicant's education from an agency approved by the board unless the applicant's education has been earned at a school accredited by an accreditation agency recognized by the board.

(c) To receive full credit for work experience, an applicant must

(1) gain experience while under the responsible control of a professional landscape architect registered in the United States, or

(2) successfully complete a mentoring program that meets the requirements of (f) – (h) of this section.

(d) Education and work experience may not be accumulated concurrently. A maximum of 12 months' credit may be claimed for a calendar year.

(e) Work experience for initial examination must be in the field of landscape architecture for full credit to be given. If the work experience is not in the field of landscape architecture, the board will determine the amount of the credit to be given based on comparability within the field of landscape architecture practice.

(f) To meet the mentoring requirements of this section, an applicant

(1) who holds a 5-year LAAB accredited professional degree in landscape architecture must complete three years of quarterly face-to-face meetings with a professional landscape architect registered in the United States;

(2) who holds a 4-year LAAB accredited professional degree in landscape architecture must complete four years of quarterly face-to-face meetings with a professional landscape architect registered in the United States.

(g) On a form provided by the department, an applicant shall submit a report for each meeting under (f) of this section, including

(1) a description of the applicant's work experience and topics reviewed during the meeting;

(2) a statement indicating whether

(A) the work experience reviewed was responsible charge experience;

(B) the work experience was directly applicable to professional landscape architectural work; and

(C) the work was performed according to industry standards; and

(3) the signature, date, and seal of the professional landscape architect who served as the applicant's mentor.

(h) An applicant who completes a mentoring program under (f) of this section must submit a final report that includes a statement from the professional landscape architect who served as the mentor recommending the applicant for registration under AS 08.48 and this chapter.

(i) Upon submission of evidence of graduation from an LAAB accredited curriculum in landscape architecture, an applicant for examination as a landscape architect may sit for the examination as early as can be scheduled after graduation.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

12 AAC 36.069. STANDARDS FOR REGISTRATION AS A LANDSCAPE ARCHITECT. In accordance with AS 08.48.331(b), and except as exempted in AS 08.48.331(a), design or creative work involving any of the following constitutes the practice of an aspect of landscape architecture that affects the public health or safety and thus requires registration as a landscape architect:

(1) investigation, selection, and allocation of land and water resources for appropriate uses;

(2) formulation of feasibility studies and graphic and written criteria to govern the planning, design, and management of land and water resources;

(3) preparation, review, and analysis of land use master plans, subdivision plans, and preliminary plats;

(4) determining the location and siting of improvements, including buildings and other features, as well as the access and environs for those improvements;

(5) design of land forms and land form elements, storm water drainage, soil conservation and erosion control methods, pedestrian and vehicular circulation systems, and related construction details;

(6) consultation, planning, designing, or responsible supervision in connection with the development of land areas for preservation, restoration, remediation, stabilization, and enhancement;

(7) design of non-habitable structures for aesthetic and functional purposes, such as pools, walls, and structures for outdoor living spaces, for public and private use;

(8) determination of proper land use as it pertains to

(A) natural features;

(B) ground cover, use, nomenclature, and arrangement of plant material adapted to soils and climate;

(C) naturalistic and aesthetic values;

(D) settings and approaches to structures and other improvements; and

(E) the development of outdoor space in accordance with ideals of human use and enjoyment;

(9) design with a priority to ensure equal access to all public goods and services through the use of barrier-free and inclusive design in compliance with 42 U.S.C. 12101 - 12213 (Americans with Disabilities Act);

(10) consultation, planning, designing, or responsible supervision relative to natural drainage and the consideration, determination, and solution of inherent problems of the land relating to erosion, wear and tear, blight, or other hazards to include the implementation of low-impact development and green infrastructure designs;

(11) design of land forms and land form elements relative to recreation and facilities, parks and playgrounds, and related construction details;

(12) consultation, planning, designing, or responsible supervision in connection with urban renewal, multimodal transportation, urban design, and neighborhood planning;

(13) consideration of the health, safety, and welfare of the public.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.201
AS 08.48.171 AS 08.48.191 AS 08.48.331

12 AAC 36.070. POSTPONEMENTS. Repealed 5/5/2023.

12 AAC 36.075. ELIGIBILITY FOR STRUCTURAL ENGINEERING REGISTRATION BY EXAMINATION. (a) To be eligible for registration as a structural engineer, an applicant must

(1) submit a completed application on a form provided by the department;

(2) be currently registered as a professional engineer in this state;

(3) have successfully passed the examination required in 12 AAC 36.100(g);

(4) have at least two years of structural engineering work experience that must

(A) be gained after obtaining a professional engineering license;

(B) demonstrate progressive experience, knowledge, and project responsivities relating to the design of structural systems;

(C) be obtained under the responsible charge of

(i) a registered professional structural engineer;

(ii) a registered professional engineer practicing structural design to the standard of a professional structural engineer in a jurisdiction without separate licensure requirements for structural engineers; or

(iii) a mentoring registered professional structural engineer engaged with the applicant through a mentoring program;

(D) include practical design experience in one or more of the following areas:

(i) buildings or structures of at least 45 feet, or two stories, in height, located in a region of moderate or high seismic risk;

(ii) seismic rehabilitation or retrofitting of an existing building or structure located in a region of moderate or high seismic risk; or

(iii) structural design of any other structure of comparable structural complexity as set out in (i) or (ii) of this subparagraph; and

(5) submit evidence to the board's satisfaction that the applicant's experience meets the requirements as set out in (4) of this subsection.

(b) to be eligible for the structural engineering examination required in 12 AAC 36.100(g), an applicant must be currently registered as a professional engineer in this state.

12 AAC 36.080. AUTHORIZATION TO TAKE EXAMINATION. Notification of the applicant's authorization to take the examination will be made at least 30 days before the examination.

Authority: AS 08.48.101

12 AAC 36.090. WAIVER OF FUNDAMENTALS OF ENGINEERING EXAMINATION. (a) An applicant for registration as a professional engineer by examination or comity who has not passed the fundamentals of engineering examination need not take that examination if satisfactory evidence, as verified by registered engineers, is submitted to the board documenting that applicant has at least 20 years of professional engineering experience.

(b) An applicant for registration as a professional engineer by examination or comity who is currently registered as a professional engineer in a province or territory of Canada is not required to demonstrate having passed the fundamentals of engineering examination.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.100. REQUIRED EXAMINATIONS. (a) An applicant for registration must pass the appropriate examinations designated in this section.

(b) Unless an applicant is registered by comity under AS 08.48.191(a), an applicant for architect registration must pass the NCARB Architect Registration Examination (ARE).

(c) An applicant for registration as an engineer must pass the NCEES Principles and Practices of Engineering Examination for the branch of engineering for which the applicant has applied. This subsection applies to an applicant for registration by examination and to an applicant for registration by comity.

(d) An applicant for registration as a land surveyor must pass the professional land surveyor examination, that includes

(1) the NCEES Principles and Practices of Surveying;

(2) a state examination covering laws, procedures, and practices concerning land surveying in this state; and

(3) the NCEES Fundamentals of Surveying.

(e) Unless an applicant is registered by comity under AS 08.48.191(d), an applicant for registration as a landscape architect must pass the CLARB Landscape Architectural Registration Examination (LARE). The administration and grading of the examination must have been conducted in accordance with CLARB's standards in effect at the time of examination. In place of passing the CLARB registration examination, a candidate for registration must satisfy one of the following:

(1) successful completion before 1970 of a written examination in landscape architecture prepared by a CLARB member and ten years of experience in landscape architecture after licensure;

(2) successful completion between January 1, 1970 and December 31, 1975 of a written examination prepared by a CLARB member;

(3) successful completion of the British Columbia Society of Landscape Architects' written examination, five years of experience in landscape architecture after licensure and satisfaction of the education and experience requirements;

(4) successful completion of the California P.E.L.A., satisfaction of the licensure, education, and experience requirements, as well as successful completion of LARE, sections D and E, or the CLARB Reciprocity Validation Examination;

(5) for an applicant initially licensed in British Columbia or Ontario without successfully completing the LARE, satisfaction of the following:

(A) ten years of experience in landscape architecture, at least seven years of which must occur after licensure;

(B) successful completion of the CLARB Reciprocity Validation Examination.

(f) In addition to meeting the applicable requirements of this section, an applicant for registration by examination, except an applicant for registration as a land surveyor, must pass the state written jurisprudence examination covering the applicable provisions of AS 08.48 and this chapter. The applicant must obtain a passing score of at least 90 percent on the examination. The examination is an open-book examination. The department will mail the examination and study materials to the applicant. Within 30 days after mailing, the applicant must return the completed examination to the department. If the applicant returns the completed examination by mail, the department will consider the postmark date to be the return date.

(g) An applicant for registration as a structural engineer must pass the NCEES Principles and Practices of Engineering Structural Examination unless applying for registration by comity under 12 AAC 36.108.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.103. ARCHITECT REGISTRATION BY COMITY. (a) Under AS 08.48.191(a), the board, the executive secretary of the board, or the board's designee may issue a certificate of registration as an architect to an applicant who

(1) documents education and passage of the NCARB Architect Registration Examination;

(2) documents work experience that satisfies the requirements of this section;

(3) has completed the cold regions design requirements of 12 AAC 36.110; and

(4) has completed a jurisprudence questionnaire prepared by the board covering the provisions of AS 08.48 and this chapter.

(b) An applicant for a certificate of registration as an architect by comity must submit

(1) an application for registration by comity in compliance with 12 AAC 36.010, including the applicable fees established in 12 AAC 02.110; and

(2) verification of a current registration to practice architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that is based on education, experience, and examination requirements that the board determines were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued;

(3) repealed 3/28/2019.

(c) An applicant for a certificate of registration as an architect by comity under this section must submit a council record issued by NCARB to verify the applicant's qualifications, including

(1) examination results;

(2) education;

(3) experience; and

(4) registration in another licensing jurisdiction.

(d) If an architect who provides a reference letter under (e) of this section does not possess a seal, the architect must provide an explanation to the board,

(1) providing that architect's registration number; and

(2) certifying that the registration of that architect is current.

(e) Notwithstanding (c) of this section, an applicant who received an initial certificate of registration as an architect on or before July 13, 2011 may submit two letters of reference verifying the applicant's experience as a registered architect for five years or more in a state, territory, or possession of the United States, the District of Columbia, or a foreign country instead of the NCARB council record. Each letter must be signed and sealed by an architect who is legally registered as a professional architect in a state, territory, or possession of the United States, the District of Columbia, or a foreign country.

(f) An application that does not clearly demonstrate the qualifications for issuance of a certificate of registration under (a) of this section must be reviewed and approved by the board.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.191

12 AAC 36.104. STRUCTURAL ENGOINEER REGISTRATION BY COMITY. (a) An applicant for registration as a structural engineer by comity must

(1) submit verification of current registration to practice structural engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, that is based upon education, experience, and examination requirements that, in the opinion of the board, are at least equivalent to the requirements as set out in AS 08.48 and this chapter at the time the applicant's registration was issued in the other jurisdiction;

(2) have passed one of the following structural engineering examinations:

(A) the NCEES PE Structural Examination;

(B) the NCEES Structural Engineering II and Washington or California Structural III examinations;

(C) the NCEES Structural Engineering I and NCEES Structural Engineering II; or

(D) the Western States 16-hour Structural Examination;

(3) have completed the cold regions design requirements of 12 AAC 36.110;

(4) have completed a jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.01 - 08.03, 12 AAC 02, AS 08.48 and this chapter;

(5) meet the requirements for a professional engineering registration set out in 12 AAC 36.063(a)(3) plus an additional two years of experience working under the supervision of a registered professional engineer practicing structural engineering; and

(6) submit evidence of work experience by means of

(A) a letter bearing the signature and seal of the engineer responsible for the supervision of the applicant, verifying that applicant has been practicing structural engineering for two years; or

(B) two current letters of reference bearing the signatures and seals of professional engineers who meet the requirements of (b)(1) or (2) of this section, verifying that applicant has been practicing structural engineering as a registered professional engineer for at least five years before submitting an application under this section.

(b) Evidence of work experience and letters of references required under (a)(6)(A) and (B) of this section must be provided by

(1) a registered professional structural engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country; or

(2) a registered professional engineer practicing structural design to the standard of a professional structural engineer.

(c) If the letter provided by an engineer to meet the requirements of (a)(6)(A) or (B) of this section does not possess a seal, the engineer must provide an explanation to the board, providing the engineer's registration number and certifying that the registration of that engineer is current.

(d) An applicant for registration as a structural engineer by comity may submit a council record issued by NCEES to verify the applicant's qualifications, including

(1) the applicant's examination results;

(2) records of the applicant's education; and

(3) verification of the applicant's registration in another licensing jurisdiction.

Authority: AS 08.48.101 AS 08.48.201

12 AAC 36.105. ENGINEER REGISTRATION BY COMITY. (a) Under AS 08.48.191(b), the board, the executive secretary of the board, or the board’s designee may issue an engineering certificate of registration to an applicant who

(1) documents education and passage of examinations that meet the requirements of (b) or (h) of this section;

(2) documents work experience that satisfies the requirements of (c) of this section;

(3) has completed the cold regions design requirements of 12 AAC 36.110; and

(4) has completed a jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.48 and this chapter.

(b) An applicant for engineering registration by comity must

(1) submit verification of current registration to practice engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that was based upon education, experience, and examination requirements that, in the opinion of the board, were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued or at least equivalent to the

requirements under (h) of this section; the applicant must have passed an NCEES engineering examination in the same branch of engineering that is being applied for, as required by 12 AAC 36.100(c); and

(2) have passed the fundamentals of engineering examination or had this requirement waived under 12 AAC 36.090.

(c) An applicant for engineering registration by comity must

(1) have at least 24 months of responsible charge experience in the branch of professional engineering listed in 12 AAC 36.990(17) for which the applicant has applied, as verified by the signature and seal, except as provided in (g) of this section, of the engineer who has supervised the applicant and who was, at the time of providing the supervision,

(A) legally registered as a professional engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country; and

(B) either

(i) registered as a professional engineer in that branch of engineering or a related branch of engineering approved by the board; or

(ii) practicing in the branch for which the applicant has applied, if the licensing jurisdiction where the supervising engineer was registered as a professional engineer does not register engineers in specific branches of engineering; or

(2) if the applicant has been practicing engineering as a registered engineer for five years or more in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, provide two current letters of reference verifying that experience; each letter must be signed and sealed, except as provided in (g) of this section, by an engineer who is

(A) legally registered as a professional engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country; and

(B) practicing the specific branch of engineering for which the applicant has applied or a related branch of engineering approved by the board.

(d) Repealed 7/19/2009.

(e) An applicant for engineering registration by comity may submit a council record issued by NCEES to verify the applicant's qualifications, including

(1) examination results;

(2) education; and

(3) registration in another licensing jurisdiction.

(f) Repealed 7/19/2009.

(g) If an engineer who provides a work experience verification under (c)(1) of this section or a reference letter under (c)(2) of this section does not possess a seal, the engineer must provide an explanation to the board,

(1) providing that engineer's registration number and branch of engineering; and

(2) if that engineer is providing a reference letter, certifying that the registration of that engineer is current.

(h) An applicant who has passed the NCEES Structural Engineering I Examination, NCEES Structural Engineering II Examination, or the NCEES PE Structural Examination may be granted a civil engineering registration.

(i) An application that does not clearly demonstrate the qualifications for issuance of a certificate of registration under (a) of this section must be reviewed and approved by the board.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.106. REGISTRATION IN ADDITIONAL BRANCHES OF ENGINEERING. Repealed 5/5/2023.

12 AAC 36.107. LAND SURVEYOR REGISTRATION BY COMITY. (a) Under AS 08.48.191(c), the board may issue a land surveyor registration to an applicant who

(1) documents education, experience, and passage of examinations that meet the requirements of (b) of this section;

(2) documents work experience that satisfies the requirements of (c) of this section; and

(3) has passed the examination identified in 12 AAC 36.100(d).

(b) An applicant for land surveyor registration by comity must submit verification of current registration to practice land surveying in another licensing jurisdiction which was based upon education, experience, and examination requirements that, in the opinion of the board, were at least comparable to the requirements of AS 08.48 and this chapter at the time the applicant's out of state registration was issued.

(c) An applicant for land surveyor registration by comity

(1) must have at least 36 months of responsible charge experience verified by a registered land surveyor who has supervised the applicant; or

(2) must, if the applicant is registered and has been practicing land surveying for five years or more, provide two current letters of reference from registered land surveyors.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.108. APPLICATION FOR REGISTRATION AS A STRUCTURAL ENGINEER. Repealed 5/5/2023.

12 AAC 36.109. LANDSCAPE ARCHITECT REGISTRATION BY COMITY. (a) Under AS 08.48.191(d), the board, the executive secretary of the board, or the board's designee may issue a landscape architecture certificate of registration to an applicant who

(1) documents education and passage of examinations that meet the requirements of (b) of this section;

(2) documents work experience that satisfies the requirements of (c) of this section;

(3) completes the cold regions design requirements of 12 AAC 36.110; and

(4) completes a jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.48 and this chapter.

(b) An applicant for a certificate of registration as a landscape architect by comity must submit

(1) an application for registration by comity in compliance with 12 AAC 36.010, including the applicable fees established in 12 AAC 02.110;

(2) verification of a current registration to practice landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that is based on education, experience, and examination requirements that the board determines were substantively equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued; and

(3) either

(A) verification of not less than 24 months of responsible charge experience as a landscape architect, as defined under AS 08.48.341, or as verified by the signature and seal, except as provided in (c) of this section, by the landscape architect who supervised the applicant and who at the time of providing supervision, was legally registered as a professional landscape architect in a state, territory, or possession of the United States, or a foreign country; or

(B) if the applicant has been practicing landscape architecture for five years or more in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, two letters of reference verifying that experience; each letter must be signed and sealed, except as provided in (c) of this section, by a landscape architect who is legally registered in a state, territory, or possession of the United States, territory, the District of Columbia, or a foreign country.

(c) An applicant for a certificate of registration as a landscape architect by comity under this section may submit a council record issued by CLARB to verify the applicant's

(1) examination results;

(2) education; and

(3) registration in another licensing jurisdiction.

(d) If a landscape architect who provides work experience verification under (b)(2) of this section or reference letters under (b)(3) of this section does not possess a seal, the landscape architect must provide an explanation to the board

(1) providing that landscape architect's registration number; and

(2) for a landscape architect providing reference letters, providing certification that the registration of that landscape architect is current.

(e) An application that does not clearly demonstrate the qualifications for issuance of a certificate of registration under (a) of this section must be reviewed and approved by the board.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.110. COLD REGIONS DESIGN REQUIREMENT. (a) An applicant for registration as an architect, engineer, or landscape architect must have successfully completed a board-approved university-level course in cold regions design or its equivalent.

(b) Repealed 3/28/2019.

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191

AS 08.48.171

12 AAC 36.111. PRACTICE OF LAND SURVEYING. Repealed 8/30/2007.

12 AAC 36.112. TEMPORARY MILITARY COURTESY CERTIFICATE OF REGISTRATION. (a) The board will issue a temporary military courtesy certificate of registration to an active duty military member or spouse of an active duty military member of the armed forces of the United States to practice as an architect, engineer, land surveyor, or landscape architect who meets the requirements of AS 08.01.063 and this section not later than 30 days after the board receives a completed application.

(b) An applicant for a temporary military courtesy certificate of registration under this section

(1) must submit an application on a form provided by the department;

(2) must submit the documentation required under (c) of this section;

(3) must pay the temporary license application fee and fee for a temporary license set out under 12 AAC 02.105;

(4) must submit a copy of

(A) the applicant's current active duty military orders showing assignment to a duty station in this state; or

(B) if the applicant is the spouse of an active duty military member, the applicant's spouse's current active duty military orders showing assignment to a duty station in this state;

(5) must submit verification of a current license or registration to practice architecture, engineering, land surveying, or landscape architecture in a licensing or registering jurisdiction of the United States that is not suspended, revoked, or otherwise restricted; and

(6) may not have been convicted of a crime that affects the applicant's ability to practice architecture, engineering, land surveying, or landscape architecture competently and safely, as determined by the board.

(c) The executive secretary or the executive secretary's designee shall issue a temporary military courtesy certificate of registration under AS 08.01.063

(1) to practice architecture to an applicant who

(A) submits a council record issued by NCARB verifying the applicant's qualifications, including

(i) examination results;

(ii) education;

(iii) experience; and

(iv) licensure or registration in another licensing or registering jurisdiction; and

(B) has completed the cold regions design requirements required under 12 AAC 36.110;

(2) to practice engineering to an applicant who

(A) submits an NCEES council record with a Model Law Engineer or Model Law Structural Engineer designation verifying the applicant's qualifications, including

(i) examination results that meet the requirements of 12 AAC 36.105(b)(1);

(ii) education;

(iii) experience;

(iv) licensure or registration in another licensing or registering jurisdiction; and

(B) has completed the cold regions design requirements required under 12 AAC 36.110;

(3) to practice land surveying to an applicant who

(A) submits a council record issued by NCEES verifying the applicant's qualifications, including

(i) examination results that meet the requirements of 12 AAC 36.107(b);

(ii) education that meets the requirements of 12 AAC 36.107(b);

(iii) experience that meets the requirements of 12 AAC 36.107(c); and

(iv) licensure or registration in another licensing or registering jurisdiction; and

(B) has passed the state land surveyor examination identified in 12 AAC 36.100(d)(3);

(4) to practice landscape architecture to an applicant who

(A) submits a council record issued by CLARB verifying the applicant's qualifications, including

(i) examination results;

(ii) education;

(iii) experience; and

(iv) licensure or registration in another licensing or registering jurisdiction; and

(B) has completed the cold regions design requirements required under 12 AAC 36.110.

(d) A temporary military courtesy certificate of registration issued to an active duty military member or spouse of an active duty military member under this section will be issued for a period of 180 days and may be renewed for one additional 180-day period, at the discretion of the board.

(e) While practicing under a temporary military courtesy certificate of registration issued under this section, the holder of the temporary military courtesy certificate of registration must comply with the standards of practice set out in AS 08.48 and this chapter.

(f) The board may refuse to issue a temporary military courtesy certificate of registration for the same reasons that it may deny, suspend, or revoke a certificate of registration under AS 08.48.111.

Authority: AS 08.01.062 AS 08.48.101 AS 08.48.171
AS 08.01.063 AS 08.48.111 AS 08.48.191

12 AAC 36.115. RETIRED STATUS REGISTRATION. (a) An individual holding a retired status registration under AS 08.48.215 may use the title "architect", "engineer", "land surveyor", or "landscape architect", as appropriate, but may not indicate that the individual is practicing or soliciting to practice architecture, engineering, land surveying, or landscape architecture in the state.

(b) The board will issue an active certificate of registration to an individual who holds a retired status registration if the applicant

(1) submits a completed application for reactivation on a form provided by the department;

(2) pays the biennial registration renewal fees established in 12 AAC 02.110;

(3) seeking an active certificate of registration as a professional architect, engineer, land surveyor, or landscape architect meets, at the time that application is made, the continuing education requirements applicable under 12 AAC 36.510 – 12 AAC 36.550; and

(4) meets the requirements of 12 AAC 36.165(b), if the individual has held a retired status registration for more than five years.

Authority: AS 08.48.101 AS 08.48.215

12 AAC 36.120. EXPERIENCE CREDIT. Repealed 9/30/78.

12 AAC 36.130. DATE OF EXPERIENCE. Repealed 9.30.78

12 AAC 36.135. REVIEW OF APPLICATION FOR CORPORATE, LIMITED LIABILITY COMPANY, OR LIMITED LIABILITY PARTNERSHIP AUTHORIZATION. An applicant who meets the requirements established by the board in this section has demonstrated the necessary qualifications for a certificate of authorization for corporate, limited liability company, or limited liability partnership practice. An applicant who does not meet the requirements on this checklist or whose responses on the application form do not clearly show that the applicant is qualified to receive a certificate of authorization will not be issued a certificate unless the board further reviews the application and determines that the applicant meets the qualifications in AS 08.48.241 for a certificate of authorization. A certificate of authorization for corporate, limited liability company, or limited liability partnership practice will be issued to an applicant who submits

(1) a completed form for application that includes the

(A) name and address of the corporation, limited liability company, or limited liability partnership;

(B) type of architecture, engineering, land surveying, or landscape architecture practiced by the corporation, limited liability company, or limited liability partnership;

(C) name and current state registration number of the registrant who will be in responsible charge for the activities of the corporation, limited liability company, or limited liability partnership in this state of each branch of practice requiring registration under AS 08.48;

(D) names of the majority stockholders of the corporation, the names of the members holding a majority interest of a limited liability company, or the names of the partners of a limited liability partnership; and

(E) signature and title of an agent authorized by the corporation, limited liability company, or limited liability partnership, to apply for corporate, limited liability company, or limited liability partnership authorization under this chapter;

(2) the corporation, limited liability company, or limited liability partnership certification fee in 12 AAC 02.110;

(3) a certified copy of a resolution of the board of directors of the corporation, the managing members or manager of the limited liability company, or the general partners of the limited liability partnership that

(A) designates an individual or individuals with a current registration in this state as responsible for each field of practice; and

(B) provides that full authority to make all final practice decisions on behalf of the corporation, limited liability company, or limited liability partnership for work performed by the corporation, limited liability company, or limited liability partnership in this state is granted by the board of directors of the corporation, the managing members or manager of the limited liability company, or the general partners of a limited liability partnership to the

individual designated in the resolution as responsible for the relevant field of practice. The individual or individuals in responsible charge of a discipline may grant other employees, who are registered in that discipline, the authority to seal drawings on behalf of the corporation, limited liability company, or limited liability partnership. This does not relieve the individual or individuals in responsible charge from responsibility for the work delegated to the other employee;

(4) a copy of the bylaws of the corporation, the articles of organization or operating agreement of the limited liability company, or the partnership agreement of the limited liability partnership showing that the corporation, limited liability company, or limited liability partnership has complied with the requirements in AS 08.48.241(b)(1);

(5) repealed 8/19/2006;

(6) a statement of the experience of the corporation, limited liability company, or limited liability partnership in each field of practice of architecture, engineering, land surveying, or landscape architecture during the five years before the date of application;

(7) a certified statement on a form provided by the board, stating that each licensee designated in responsible charge for each branch of practice acknowledges and agrees to that designation by the corporation, limited liability company, or limited liability partnership; the statement must include each responsible charge licensee's

(A) state registration number;

(B) registration expiration date;

(C) professional seal; and

(D) signature.

Authority: AS 08.48.101 AS 08.48.241

12 AAC 36.140. ARCHITECTURAL CURRICULA APPROVED BY THE BOARD. Repealed 9/30/78.

12 AAC 36.145. ARCHITECTURAL, ENGINEERING, OR SURVEYING OFFICES. (a) Each office maintained for the preparation of drawings, specifications, reports, or other professional work that will require a professional seal must have a registrant assigned to, and regularly employed in, that office who has direct knowledge and supervisory control of the employees of that office.

(b) While a registrant is required, the office need not have a registrant in every discipline offered by that entity. A registrant in an office of the entity may be in responsible charge of the work done in another office for the discipline in which they are registered. To offer a service, at least one registrant licensed in that discipline must be regularly employed by the entity.

(c) For the purposes of this section,

(1) "regularly employed" means in the office at least 20 hours per week;

(2) "entity" means a sole practitioner, partnership, corporation, limited liability company, limited liability partnership, or governmental agency.

Authority: AS 08.48.101 AS 08.48.111 AS 08.48.221

12 AAC 36.150. ENGINEERING CURRICULA APPOVED BY THE BOARD. Repealed 9/30/78.

12 AAC 36.160. DUPLICATE CERTIFICATE. A duplicate certificate will be issued by the department upon written request and payment of the duplicate license fee established in 12 AAC 02.105.

Authority: AS 08.01.065 AS 08.48.101 AS 08.48.265

12 AAC 36.165. EXPIRED CERTIFICATES. (a) A certificate of registration or corporate, limited liability company, or limited liability partnership authorization that is not renewed for a period of five years expires at the end of that period.

(b) An expired certificate of registration may be reinstated by

(1) applying for reinstatement on a form provided by the department, paying the appropriate fee in 12 AAC 02.110, and providing verification of having passed an examination that

(A) meets the applicable requirements of 12 AAC 36.100;

(B) the applicant for registration of an expired engineer certificate took to qualify for registration in this state before April 1967; or

(C) the applicant took to qualify for registration in another licensing jurisdiction; or

(2) reapplying to the board for registration by comity as required by 12 AAC 36.103 - 12 AAC 36.109 and paying the appropriate fee.

(c) An expired certificate of corporate, limited liability company, or limited liability partnership authorization may not be reinstated. A corporation, limited liability company, or limited liability partnership whose certificate of corporate, limited liability company, or limited liability partnership authorization has expired must apply for a new certificate of corporate, limited liability company, or limited liability partnership authorization under AS 08.48.241.

(d) Repealed 1/20/2002.

(e) An applicant for reinstatement of an expired certificate of registration shall meet the requirements of 12 AAC 36.110(a) unless the applicant was originally registered in the state based on an acceptable treatise.

(f) Notwithstanding (b) of this section, the board may require an applicant for reinstatement who has been sanctioned for any of the conduct described in 12 AAC 36.320 in the ten years preceding the application for reinstatement to be re-examined under 12 AAC 36.100.

Authority: AS 08.01.100 AS 08.48.231 AS 08.48.241
AS 08.48.101

12 AAC 36.170. FEES. All fees under AS 08.48 and this chapter, including application, examination, registration, renewal, late renewal penalty, and continuing education extension period fees are established in 12 AAC 02.105 and 12 AAC 02.110.

Authority: AS 08.01.065 AS 08.48.101 AS 08.48.265
AS 08.01.100

12 AAC 36.180. SEAL. (a) The seal authorized for use by a professional architect, landscape architect, land surveyor, or structural engineer must be of the following design that corresponds to the individual's profession or a substantially similar electronic or digital representation of that design; the license number noted on the seal must be only the numeric characters of the registrant's license number and exclude alpha characters:

(b) The seal authorized for use by professional engineers must be of the following design or a substantially similar electronic or digital representation of the design:

The seal must reflect the branch of engineering two-character identifier (XX) authorized by the board; this identifier shall be placed before the registrant's license number as shown in the examples; the license number noted must be only the numeric characters of the registrant's license number and exclude alpha characters.

Branch of Engineering Identifier

AG – Agricultural engineer	IN – Industrial engineer
EC – Chemical engineer	ME – Mechanical engineer
CE – Civil engineer	MM – Metallurgical and Materials engineer
CS – Control systems engineer	EM – Mining and Mineral Processing engineer
EE – Electrical engineer	NM – Naval architecture and Marine engineer
EV – Environmental engineer	NU – Nuclear engineer
FP – Fire protection engineer	EP – Petroleum engineer

(c) The seal authorized for use by professional land surveyors is of the following design or a substantially similar electronic or digital representation of the design:

(d) The seal authorized for use by professional landscape architects is of the following design or a substantially similar electronic or digital representation of the design:

(e) The seal authorized for use by structural engineers is of the following design or a substantially similar electronic or digital representation of the design:

The seal must reflect the branch identification authorized by the board. This identification is to be placed below the registrant's name and preceding the registrant's number on the seal.

Authority: AS 08.48.101 AS 08.48.221

12 AAC 36.185. USE OF SEALS. (a) A registrant may

(1) not sign or seal a drawing or document dealing with professional services in which the registrant is not qualified to sign or seal by virtue of education, experience, and registration;

(2) approve and seal only design documents and surveys that are safe for public health, property, and welfare in conformity with accepted architecture, engineering, land surveying, and landscape architecture standards in Alaska;

(3) seal only final drawings, surveys, reports, and required construction documents for which the registrant is qualified to seal and for which the registrant claims responsibility;

(4) not knowingly allow the use of his or her seal by another person on a document that the registrant has neither prepared nor reviewed personally;

(5) not use the seal or a reproduction of the seal of another registrant on a document, regardless of the intended use of the document;

(6) not sign a name other than his or her own name over a seal, and may not forge the signature of the individual to whom the seal was issued by the board; and

(7) not sign or seal drawings, documents, or other professional work for which the registrant does not have direct professional knowledge and direct supervisory control.

(b) If portions of drawings, documents, or other professional work are prepared by other registered professionals, a registrant may seal only that portion of the work for which the registrant has direct professional knowledge and direct supervisory control.

(c) Repealed 10/31/2019.

(d) The registrant shall include the date each time the registrant signs and seals a document by electronically or manually inserting the date within the seal or within two inches of the seal.

(e) The registrant, by sealing final drawings, takes responsibility for related discipline specifications included in the final drawings, unless under AS 08.48.221 the registrant certifies on the face of the document the extent of the registrant's responsibility.

(f) An electronic image of a signature may be used on the seal if the registrant or the owner of the documents retains an original copy of the documents, accessible for later reference, that has either

(1) an original hand signature over the seal; or

(2) software in place that will automatically remove or modify the electronic image of the signature if the document is modified.

(g) The registrant shall include on all documents that are required to be signed and sealed

(1) its business name, physical address, and telephone number;

(2) the project name or identification;

(3) the project address or location; and

(4) the certificate of authorization number issued to the corporation, limited liability company, or limited liability partnership to practice architecture, engineering, land surveying, or landscape architecture, if applicable.

(h) On documents where multiple entities that are authorized to practice architecture, engineering, land surveying, or landscape architecture are indicated, the registrant shall clearly identify the sole proprietor, partnership, corporation, limited liability company, limited liability partnership, or other authorized entity responsible for the work.

(i) Drawings, engineering surveys, reports, and construction documents regarding the structural systems of a significant structure must be sealed by a registered structural engineer.

Authority: AS 08.48.101 AS 08.48.111 AS 08.48.221

12 AAC 36.190. TESTING LABORATORY REPORTS. Reports issued by testing laboratories shall be prepared by or under the supervision of a registered engineer and signed or sealed by him whenever such reports go beyond the tabulation of test data (compositions of material, breaking stress, etc.) by

(1) interpreting the data to draw conclusions as to the characteristics of a civil engineering structure or parts of one;

(2) expressing engineering judgment in the form of recommendations derived from the results of the test; or

(3) performing design work in the preparation of plans, specifications and other instruments requiring registration as an engineer.

Authority: AS 08.48.101

12 AAC 36.195. SITE ADAPTATION AND FIELD ALTERATIONS OF SEALED DOCUMENTS. Except as specified in this section, a person may not alter, or contribute to the altering of, any document that has been sealed by a registrant authorized under AS 08.48. A registrant may site adapt or field alter in this state sealed documents prepared by another registrant of the same discipline if the registrant

(1) has written permission

(A) to adapt or alter the sealed documents from the registrant who sealed the original sealed documents; or

(B) from the legal owner of the original sealed documents; the legal owner of the original sealed documents must have written proof of ownership of the sealed documents from the registrant who sealed the documents;

(2) reviews the sealed documents and makes all necessary revisions to bring the sealed documents into compliance with applicable codes, regulations, and job-specific requirements;

(3) affixes to the calculations of the

(A) site adapted documents a sealed certification, "I certify that I have reviewed the relevant calculations for the site adapted documents in accordance with 12 AAC 36.185", or the registrant shall independently prepare and seal all calculations for site adapted documents; or

(B) field altered documents a sealed certification, "I certify that I have reviewed the relevant calculations for field altered documents in accordance with 12 AAC 36.185 and that the alterations will have no significant effect on other design considerations of the originally sealed documents", or the registrant shall independently prepare and seal all additional calculations for field adapted documents;

(4) reissues the sealed documents after review with the title block and seal of the registrant performing the site adaptation, or in the case of field altered documents have provided additional sealed drawings with the title block and seal of the registrant performing the work; and

(5) maintains professional control over the use of the site-adapted or field altered sealed documents as if they were any other original sealed documents of the registrant and maintains the sealed documents on file.

Authority: AS 08.48.101 AS 08.48.221

ARTICLE 2.
CODE OF PROFESSIONAL CONDUCT.

Section

200. Ethical standards
205. Scope of practice for engineers
210. Professional conduct
220. Conflict of interest
225. (Repealed)
230. Solicitation of employment

232. Offer to practice
235. Advertising
240. (Repealed)
245. Full disclosure
250. Standards of practice for land surveyors

12 AAC 36.200. ETHICAL STANDARDS. (a) In order to establish and maintain a high standard of integrity, skill, and practice in the professions of architecture, engineering, and land surveying, or landscape architecture, and to safeguard the life, health, property, and welfare of the public, 12 AAC 36.200 - 12 AAC 36.245 are binding upon every individual holding a certificate of registration as an architect, engineer, land surveyor, or landscape architect, and upon all partnerships, corporations, limited liability companies, or limited liability partnerships, or other legal entities authorized to offer or perform architectural, engineering, land surveying, or landscape architectural services in this state.

(b) A registrant shall act with complete integrity in professional matters.

(c) A registrant may not practice architecture, engineering, land surveying, or landscape architecture if the registrant's professional competence is substantially impaired.

Authority: AS 08.48.101 AS 08.48.111

12 AAC 36.205. SCOPE OF PRACTICE FOR ENGINEERS. A person who holds a current certificate of registration as an engineer in the state may practice in that branch or branches of engineering, as defined in 12 AAC 36.990(a), for which the engineer holds a registration, even if the engineering practice includes activities that are included in another branch of engineering defined in 12 AAC 36.990(a).

Authority: AS 08.48.101 AS 08.48.341

12 AAC 36.210. PROFESSIONAL CONDUCT. (a) A registrant

(1) must at all times recognize that a registrant’s primary obligation is to protect the safety, health, property, and welfare of the public in the performance of his or her professional duties;

(2) must, if the registrant’s professional judgment is overruled creating circumstances in which the safety, health, property, and welfare of the public are endangered, notify his or her employer, client, and other proper authority of the situation and possible consequences as may be appropriate;

(3) may perform assignments only if the registrant’s associates, consultants, and employees are qualified by education, training, or experience and, if required, registered in the specific technical branches or fields involved;

(4) shall be completely truthful in all professional reports, statements, or testimony, and shall include in them all relevant and pertinent information known to the registrant;

(5) may not knowingly associate with, or permit the use of his or her name or firm name in a business venture by a person or firm that the registrant knows or has reason to believe is engaging in business or professional practices in a fraudulent or dishonest manner;

(6) shall inform the board if he or she has knowledge or reason to believe that another person or firm might be in violation of AS 08.48, or a regulation adopted under it, and shall cooperate with the board by furnishing all further information or assistance required;

(7) may not offer or make a payment or gift to a government official, whether elected or appointed, with the intent of influencing the official’s judgment in connection with a prospective or existing project in which the registrant is interested;

(8) may not knowingly design, lay out, certify, approve, or otherwise imply or certify as suitable or fit for use a project in violation of applicable federal, state, or local laws relating to the practice of architecture, engineering, land surveying, or landscape architecture;

(9) may not deliberately make a materially false statement or deliberately fail to disclose a material fact requested in connection with an application for registration or renewal of a registration issued under AS 08.48;

(10) shall make every reasonable effort to provide professional services in a complete and efficient manner so as not to unduly delay a project.

(b) If, in the course of a registrant’s work on a project, the registrant becomes aware of a decision made by his or her employer or client, against the registrant’s advice, which violates applicable state or municipal building laws and as a result of which the finished project will, in the registrant’s judgment, materially and adversely affect the safety of the public the registrant shall

(1) report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws; and

(2) refuse to consent to the decision.

Authority: AS 08.48.101 AS 08.48.111

12 AAC 36.220. CONFLICT OF INTEREST. (a) A registrant

(1) shall attempt to avoid all conflicts of interest with his or her employer or client, but, if some conflict is unavoidable a registrant shall promptly inform his or her employer or client of the registrant's business association, interests, or circumstances that could influence the registrant's judgment or the quality of the registrant's service to the employer or client;

(2) may not accept financial or other compensation from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed to and agreed to by all interested parties or their authorized agents;

(3) may not solicit or accept financial or other valuable consideration from a supplier for specifying a supplier's product, unless the registrant is the vendor or supplier of the specified product and has fully disclosed that fact to the client; and

(4) may not solicit or accept gratuities from other parties dealing with the registrant's client or employer in connection with the work for which the registrant is responsible.

(b) If a registrant is in public service as a member, advisor, or employee of a government body, the registrant may not review work previously performed by the registrant or the registrant's former private sector employer.

Authority: AS 08.48.101(a) AS 08.48.111

12 AAC 36.225. PUBLIC SERVICE. Repealed 8/29/87.

12 AAC 36.230. SOLICITATION OF EMPLOYMENT. (a) A registrant may not pay, solicit, nor offer, directly or indirectly, a bribe or commission for professional employment, except for payment of the usual commission for securing salaried position through a licensed employment agency.

(b) Deleted 11/18/83.

(c) A registrant may not falsify or permit misrepresentation of his or her associates' academic or professional qualifications. A registrant may not misrepresent or exaggerate his or her degree of responsibility in or for the subject matter of prior assignments. A registrant shall accurately represent his or her qualifications as required by 12 AAC 36.245(2).

(d) Brochures or other presentations incident to a registrant's solicitation of employment may not, with the intent and purpose of enhancing the registrant's qualifications and work, misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or the registrant's past accomplishments.

Authority: AS 08.48.101 AS 08.48.111

Editor's Note: As of Register 88, Jan. 1984, 12 AAC 36.230(b) was deleted by the regulations attorney under AS 44.62.125(b)(6) and in accordance with a Stipulation and proposed Final Judgment filed on November 18, 1983 by the Board of Architects, Engineers and Land Surveyors and the United States Department of Justice in the United States District Court for the District of Alaska in United States v. Alaska Board of Registration for Architects, Engineers and Land Surveyors, Civil Action No. A82-423 CIV. This Stipulation and proposed Judgment were filed because 12 AAC 36.230(b) was in violation of section 1 of the Sherman Antitrust Act [15 U.S.C. § 1 (1977)]. The proposed Final Judgment which may become final on or soon after January 16, 1984 will, also prohibit further enforcement of any ban or board policy against competitive bidding.

12 AAC 36.232. OFFER TO PRACTICE. For the purposes of AS 08.48.281, 08.48.291, 08.48.295, and 08.48.321, an "offer to practice" architecture, engineering, land surveying, or landscape architecture includes

(1) a response to a request for proposals (RFP) that contains information that could be used to qualify as a potential provider of services;

(2) a proposal in which a monetary value is suggested as the acceptable payment for services offered; or

(3) an acceptance of employment for the purpose of providing service or work described in the "practice of architecture", "practice of engineering", "practice of land surveying", or "practice of landscape architecture" in AS 08.48.341

Authority: AS 08.48.101 AS 08.48.281 AS 08.48.295
AS 08.48.111 AS 08.48.291 AS 08.48.321

12 AAC 36.235. ADVERTISING. A registrant may not advertise his or her services in a deceptive or untruthful manner.

Authority: AS 08.48.101(a) AS 08.48.111

12 AAC 36.240. IMPROPER CONDUCT. Repealed 8/29/87.

12 AAC 36.245. FULL DISCLOSURE. A registrant

(1) may not issue a statement, criticism, or argument on professional matters connected with the public interest which are inspired or paid for by an interested party, unless the registrant has prefaced the comment by disclosing the identity of the party and the existence of any pecuniary interest;

(2) shall accurately represent to a prospective or existing client or employer his or her qualifications and scope of responsibility in connection with work for which the registrant is claiming credit; and

(3) may not solicit or accept a professional contract from a governmental body on which a principal or officer of the registrant's organization serves as a member, except upon public disclosure of all pertinent facts and circumstances, consent of appropriate public authority, and compliance with all other applicable laws.

Authority: AS 08.48.101(a) AS 08.48.111

12 AAC 36.250. STANDARDS OF PRACTICE FOR LAND SURVEYORS. A person who holds a current certificate of registration as a land surveyor shall at a minimum perform work that meets the Alaska Society of Professional Land Surveyors, *ASPLS Standards of Practice Manual – 2013*, Chapter 2, adopted by reference.

Authority: AS 08.48.101 AS 08.48.341

Editor's note: The Alaska Society of Professional Land Surveyors, *ASPLS Standards of Practice Manual – 2013*, Chapter 2, adopted by reference in 12 AAC 36.250, may be obtained by writing to the Alaska Society of Professional Land Surveyors, P.O. Box 112835, Anchorage, AK 99511-2835; Internet address: http://www.alaskapls.org/sop2013.html

ARTICLE 3.
DISCIPLINARY GUIDELINES.

Section

300. Purpose of disciplinary guidelines
310. Violations
320. Disciplinary guidelines
330. Definitions for disciplinary guidelines

12 AAC 36.300. PURPOSE OF DISCIPLINARY GUIDELINES. To ensure that the board's disciplinary policies are known and are administered consistently and fairly, the disciplinary guidelines in 12 AAC 36.310 - 12 AAC 36.330 are established.

Authority: AS 08.48.101(a) AS 08.48.111

12 AAC 36.310. VIOLATIONS. A person who, after a hearing under the Administrative Procedure Act (AS 44.62), is found to have violated a provision of AS 08.48 or this chapter, is subject to the disciplinary penalties listed in AS 08.01.075, including public notice of the violation and penalty in appropriate publications.

Authority: AS 08.48.101 AS 08.48.111

12 AAC 36.320. DISCIPLINARY GUIDELINES. (a) Nothing in this section prohibits the board from imposing greater or lesser penalties than those described, depending on the circumstances of a particular case.

(b) The board will, in its discretion, issue a public reprimand in connection with a disciplinary action taken under AS 08.48 and this chapter.

(c) The board will, in its discretion, revoke a registration or certificate in cases of

(1) gross negligence;

(2) incompetence that caused the life, health, or safety of a member of the public to be placed in jeopardy of death or injury;

(3) fraud or deceit in obtaining or attempting to obtain a registration or certificate.

(d) The board will, in its discretion, suspend a registration or certificate for up to three years, followed by probation if the board considers it appropriate in cases of

(1) incompetence that caused property to be placed in jeopardy of loss or injury;
(2) incompetence that caused the design or engineering of a project to be unusable or unsafe;
(3) incompetence that caused a land survey to be unusable; or
(4) incompetence that caused undue harm.

(e) The board, in its discretion, will suspend a registration or certificate for up to two years in cases of
(1) incompetence involving violation of AS 08.48 and 12 AAC 36; or
(2) misconduct that caused undue harm by action or nonaction.

(f) The board will, in its discretion, suspend a registration or certificate for up to one year in cases of misconduct which caused no undue harm.

(g) The board may impose a disciplinary sanction if, after registration in this state, the registrant has had a disciplinary action taken with respect to a license, registration, or certificate to practice engineering, architecture, land surveying, or landscape architecture in another state or territory of the United States, or a province or territory of Canada, unless such action was caused by the failure of the registrant to pay fees to that state, territory, or province.

(h) In a board proceeding involving a disciplinary sanction under (g) of this section, certified copies of the final findings of fact, conclusions of law, an order of the authority taking the prior disciplinary action is prima facie evidence of the disciplinary action taken and the grounds for such action.

Authority: AS 08.48.101 AS 08.48.111

12 AAC 36.330. DEFINITIONS FOR DISCIPLINARY GUIDELINES. In 12 AAC 36.320

(1) "fraud or deceit in obtaining a registration or certificate" includes

(A) giving false statements or facts or forging letters of work experience or letters of reference related to an application form or renewal notice; or

(B) intentional misrepresentation of the number of hours, months, or years of employment on an application or renewal notice;

(2) "gross negligence" means the intentional or reckless failure to perform the registrant's duties and responsibilities according to AS 08.48 or this chapter, resulting in

(A) the life, health, or safety of a member of the public being placed in jeopardy of death or injury; or

(B) a person's property being placed in jeopardy of loss or injury;

(3) "incompetence" means lacking the ability, knowledge, skills, or professional judgment to discharge the professional duties of a registrant as required by law;

(4) "misconduct" means the failure to perform a registrant's responsibilities according to AS 08.48 and this chapter, if the failure does not constitute gross negligence.

Authority: AS 08.48.101 AS 08.48.111

ARTICLE 4.
CONTINUING EDUCATION FOR PROFESSIONAL LAND SURVEYORS.

Section

400. (Repealed)
410. (Repealed)
420. (Repealed)
430. (Repealed)
440. (Repealed)
450. (Repealed)

12 AAC 36.400. PURPOSE OF CONTINUING EDUCATION. Repealed 7/13/2011.

12 AAC 36.410. CONTINUING EDUCATION REQUIREMENTS. Repealed 7/13/2011.

12 AAC 36.420. COMPUTATION OF CONTINUING EDUCATION CREDIT. Repealed 7/13/2011.

12 AAC 36.430. EXEMPTIONS. Repealed 7/13/2011.

12 AAC 36.440. RECORD KEEPING AND REVIEW OF RECORDS. Repealed 7/13/2011.

12 AAC 36.450. DEFINITIONS. Repealed 7/13/2011.

Editor's note: As of 7/13/2011, Register 199, the substance of former 12 AAC 36.400 – 12 AAC 36.450 appears in 12 AAC 36.500 – 12 AAC 36.550.

ARTICLE 5.
CONTINUING EDUCATION FOR PROFESSIONAL ARCHITECTS, ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS.

Section

500. Purpose of continuing education
510. Continuing education requirements
520. Computation of continuing education credit
530. Exemptions
540. Record keeping and review of records
550. Definitions

12 AAC 36.500. PURPOSE OF CONTINUING EDUCATION. The purpose of the continuing education program is to maintain a continuing level of competency and standards for professional architects, engineers, land surveyors, and landscape architects, in order to promote the public health, safety, and welfare within this state.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.510. CONTINUING EDUCATION REQUIREMENTS. (a) Unless exempted under 12 AAC 36.530, a registrant shall meet the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 as a condition of the renewal, reinstatement, or reactivation of the registrant's registration.

(b) Unless exempted under 12 AAC 36.530, a registrant seeking renewal, reinstatement, or reactivation of the registrant's registration shall submit, on a form provided by the department, a certification that the registrant has met the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550.

(c) To renew a professional architect, engineer, land surveyor, or landscape architect registration, a registrant shall obtain a minimum of 24 professional development hours during the 24 months immediately preceding that registration period.

(d) To reinstate a lapsed professional architect, engineer, land surveyor, or landscape architect registration, a registrant seeking reinstatement shall obtain a minimum of 24 professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration unless the registrant meets the requirements of 12 AAC 36.530(e) and obtains eight professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration, except as provided in AS 08.01.100(d).

(e) Repealed 10/15/2023.

(f) A professional architect, engineer, land surveyor, or landscape architect holding multiple registrations in the state is required to earn at least the minimum number of professional development hours of continuing education as those required for a single registration holder.

(g) Continuing education courses or activities are not pre-approved by the board, but must be in technical and professional subjects related to the scope of practice of the registrant.

(h) Repealed 10/15/2023.

(i) A registrant who also holds a registration as a professional architect, engineer, land surveyor, or landscape architect in another licensing jurisdiction may meet the requirements of 12 AAC 36.510 – 12 AAC 36.550 by establishing that the registrant has met the mandatory continuing education requirements for renewal of the professional architect, engineer, land surveyor, or landscape architect registration in the other licensing jurisdiction, if the mandatory continuing education requirements of the other jurisdiction are substantially similar to or exceed those of 12 AAC 36.510 – 12 AAC 36.550 at the time that continuing education credit is claimed.

(j) To reactivate a retired professional architect, engineer, land surveyor, or landscape architect registration, a professional architect, engineer, land surveyor, or landscape architect seeking reactivation must obtain 24 professional development hours during the 24 months immediately preceding the application for reactivation of the professional architect, engineer, land surveyor, or landscape architect registration unless the registrant meets the requirements of 12 AAC 36.530(e) and obtains eight professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration, except as provided in AS 08.01.100(d).

(k) If an applicant for renewal of an architect, engineer, land surveyor, or landscape architect registration fails to meet the continuing education requirements of (c) of this section on or before December 31 of the current biennium,

the applicant may request an extension to complete the required professional development hours. This extension does not function as a license extension and the registrant cannot practice during this period. The applicant must

(1) submit a completed application for biennial registration renewal on a form provided by the department;

(2) pay the biennial registration renewal and continuing education extension fees established in 12 AAC 02.110;

(3) complete the required professional development hours before the first January 31st of the new biennium; and

(4) submit a continuing education audit form with documentation, acceptable to the board, showing completion of the required continuing education.

Authority: AS 08.48.071 AS 08.48.101 AS 08.48.341

12 AAC 36.520. COMPUTATION OF CONTINUING EDUCATION CREDIT. (a) The board has final authority with respect to the acceptance of courses, activities, credits, professional development hour values, and other methods of earning continuing education credits. Continuing education credit is computed as follows:

(1) credit for college approved courses is based upon course credit established by the college and contingent upon receipt of a passing grade; for college approved courses,

(A) one unit of college semester credit equals 45 professional development hours;

(B) one unit of college quarter credit equals 30 professional development hours;

(2) credit for qualifying courses or activities including seminars, in-house workshops, and other professional presentations is based on one professional development hour for each hour of attendance;

(3) each hour of teaching equals two hours of credit for teaching under (1) and (2) of this subsection, full-time faculty may not claim teaching credit associated with the registrant's regular duties;

(4) credit for published papers, articles, or books is

(A) based on one professional development hour for each hour of professional preparation of the paper, article, or book; and

(B) based on one professional development hour for each hour of technical or peer review of the paper, article, or book;

(5) up to eight hours annually may be credited for participation in each professional and technical organization; credit may be claimed for a year of service as an officer or in active participation in a committee of the organization, based on one professional development hour for every two hours of service or participation in each organization;

(6) up to 10 professional development hours may be credited for each patent awarded;

(7) up to eight professional development hours may be credited for successfully completing a course or activity that has content areas focusing on ethics or business-related activity, improving a registrant's business practice or operations, or advancing professionally related skills and practices as applicable to the practice of the registrant;

(8) up to one professional development hour may be credited for each hour of outreach activity the registrant completes;

(9) up to four hours annually may be credited for structured self-study in the subject for which the registrant holds a registration;

(10) not more than 12 professional development hours may be claimed on a single calendar day;

(11) fractions of hours are rounded down to the nearest half hour.

(b) Repealed 10/15/2023.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.530. EXEMPTIONS. (a) A professional architect, engineer, land surveyor, or landscape architect is exempt from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 for the first biennial registration renewal period following initial issuance of the professional architect, engineer, land surveyor, or landscape architect registration.

(b) A registrant is exempt from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 for renewal of the professional architect, engineer, land surveyor, or landscape architect registration for the biennial registration period immediately following a period of service by the registrant on active duty in the armed forces of the United States exceeding 120 consecutive days within a 12-month period.

(c) A registrant who is in retired status under 12 AAC 36.115 is exempt from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 during the time the registrant is retired, except that a retired registrant who wishes to return to active practice as a professional architect, engineer, land surveyor, or landscape architect must meet the requirements of 12 AAC 36.115, including continuing education requirements applicable under 12 AAC 36.510(j).

(d) A registrant may request an exemption from the continuing education requirements of 12 AAC 36.510 – 12 AAC 36.550 by submitting a written request to the board that describes the reasons for the request and includes supporting documentation. If the board finds good cause, the board will grant an exemption under this subsection to a registrant who is experiencing a physical disability, serious illness, family emergency, or other extenuating circumstance.

(e) A professional architect, engineer, land surveyor, or landscape architect is partially exempt from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 if that individual has been registered as a professional architect, engineer, land surveyor, or landscape architect for a duration of 30 or more years in a NCEES, NCARB, or CLARB recognized jurisdiction. The individual must complete eight hours per biennial licensing period.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.540. RECORD KEEPING AND REVIEW OF RECORDS. (a) A professional architect, engineer, land surveyor, or landscape architect shall maintain records that may be used to verify professional development hours claimed under 12 AAC 36.510 – 12 AAC 36.550. These required records include

(1) a log showing the course or activity claimed, the sponsoring organization, the duration of the course or activity, the activity title and description of content; and

(2) a board-approved continuing education structured report for publishing, teaching, presenting, active participation in professional and technical societies, in-house programs, patents, outreach activities, and structured self-study.

(b) Records required under (a) of this section must include sufficient detail to permit verification during an audit, and must be maintained for at least four years from the date that the course or activity was completed.

(c) The board may request at any time that a registrant provide proof of compliance with the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550. A registrant must provide a copy of the records required under (a) of this section to the board not later than 30 days after receipt of a request for the records.

(d) Audits of compliance of registrant continuing education requirements will be conducted in accordance with 12 AAC 02.960.

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.550. DEFINITIONS. In 12 AAC 36.500 – 12 AAC 36.550, unless the context requires otherwise,

(1) “college” includes a community college and a university;

(2) "continuing education unit" means a unit of credit customarily used for continuing education courses; for purposes of this paragraph, one continuing education unit equals 10 contact hours in an approved continuing education course;

(3) repealed 10/15/2023;

(4) repealed 10/15/2023;

(5) “professional development hour” means not less than 50 minutes of instruction or presentation in a continuing education course or activity that meets the requirements of 12 AAC 36.510;

(6) "ethics or business-related course or activity" means a qualifying course or activity with content areas related to

(A) awareness of ethical concerns and conflicts;

(B) familiarity with the codes of conduct;

(C) understanding of standards of practice;

(D) project management and risk-management; or

(E) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the registrant's field and methods of practice;

(7) "outreach activity" includes active participation in educational outreach activities pertaining to professional licensure or the architecture, engineering, land surveying, or landscape architecture professions that involve K - 12 or higher education students;

(8) "qualifying course or activity"

(A) means a course or activity

(i) with a clear purpose and objective; and

(ii) that will maintain, improve, or expand the skills and knowledge relevant to the registrant's field of practice;

(B) does not include regular duties;

(9) "structured self-study" means time spent engaging in self-guided professional development.

Authority: AS 08.48.101 AS 08.48.341

ARTICLE 6.
GENERAL PROVISIONS.

Section

900. Current address
910. Board member absences
920. Board bylaws
990. Definitions

12 AAC 36.900. CURRENT ADDRESS. A registrant shall maintain a current, valid mailing address on file with the division at all times. The latest mailing address on file for an active, inactive, or lapsed registration or certificate is the appropriate address for official communications, notifications, and service of legal process.

Authority: AS 08.48.101

12 AAC 36.910. BOARD MEMBER ABSENCES. (a) The board may recommend to the governor that a member be removed from the board if that member has three or more unexcused absences from regularly scheduled board meetings in a 24-month period.

(b) Before the close of each regularly scheduled board meeting, the board will determine whether a member's absence from that meeting is excused or unexcused. An absence will be considered excused if it is pre-approved by the chair of the board or due to an emergency.

Authority: AS 08.01.020 AS 08.48.041 AS 08.48.101

12 AAC 36.920. BOARD BYLAWS. The board will conduct its meetings and activities under the bylaws established by the board in the pamphlet entitled *"Bylaws,"* dated May 2014, adopted by reference.

Authority: AS 08.48.101

Editor's note: The pamphlet entitled *"Bylaws"* adopted by reference in 12 AAC 36.920 may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, State Board of Registration for Architects, Engineers, and Land Surveyors, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; phone (907) 465-1676.

12 AAC 36.990. DEFINITIONS. (a) For the purposes of this chapter and AS 08.48, unless the context requires otherwise

(1) "advanced courses" means courses in institutes of higher learning beyond the second academic year;

(2) "board" means the State Board of Registration for Architects, Engineers, and Land Surveyors;

(3) "chemical engineering" means the branch of professional engineering that embraces studies and activities relating to applied chemistry, both industrial and nonindustrial, concerned with chemical materials, their composition, locations, transportation, and storage; chemical and physical-chemical processes naturally occurring or artificially operated, their matter and energy changes, the conditions of temperature, concentration and media for those changes, including apparatus and analytical control; chemical products, their quality, quantity, applications, uses, and values; preparation of materials for public or industrial use, including water supply, waste abatement, and pollution control; and the organizational and economic aspects of these studies and activities;

(4) "civil engineering" means the branch of professional engineering that embraces studies and activities relating to research, design, and construction of fixed works, other than significant structures, for irrigation, drainage, waterpower, water supply and treatment, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, sewerage, refuse disposal, foundations, structures, and bridges, and the organizational and economic aspects of these studies and activities;

(5) "design" means the original and unique application of basic aesthetic, mathematical and physical and chemical principles to provide an acceptable solution of a problem or project;

(6) repealed 8/26/98;

(7) "ABET" means Accreditation Board for Engineering and Technology;

(8) "electrical engineering" means the branch of professional engineering that embraces studies and activities relating to generation, transmission and utilization of electrical energy, fire detection and alarm systems, control systems, electronic systems, and to telecommunications systems and facilities, including the design of electrical, electronic and magnetic circuits and components, and the technical control of their operation and of the design of

electrical, fire alarm gear, control, electronic and telecommunications gear, and the organizational and economic aspects of these studies and activities;

(9) "mechanical engineering" means the branch of professional engineering that embraces studies and activities relating to the generation, transmission and utilization of energy in the thermal and mechanical form; engineering issues relating to the production of tools, machinery and their products; mechanical processes, heating, air conditioning, refrigeration, product transport, fire and smoke suppression, and plumbing; and the research, design, production, operation, control, and the organizational and economic aspects of these studies and activities;

(10) "mining and mineral processing engineering" means the branch of professional engineering that embraces studies and activities relating to the exploration, location, and recovery of mineral commodities, and the research, design, construction, and development of structures, devices, and facilities of production, and the organizational and economic aspects related to these studies and activities;

(11) repealed 7/26/97;

(12) "NCARB" means the National Council of Architectural Registration Boards;

(13) "NCEES" means the National Council of Examiners for Engineering and Surveying

(14) "petroleum engineering" means the branch of professional engineering that embraces studies or activities relating to the exploration, location, and recovery of natural fluid hydrocarbons, and the research, design, production, operations of devices, facilities of production, and the organizational and economic aspects of these studies and activities;

(15) repealed 9/30/78;

(16) repealed 9/30/78;

(17) "professional engineering" includes the branches of

(A) agricultural engineering;

(B) chemical engineering;

(C) civil engineering;

(D) control systems engineering;

(E) electrical engineering;

(F) environmental engineering;

(G) fire protection engineering;

(H) industrial engineering;

(I) mechanical engineering;

(J) metallurgical and materials engineering;

(K) mining and mineral processing engineering;

(L) naval architecture and marine engineering;

(M) nuclear engineering;

(N) petroleum engineering;

(O) structural engineering;

(18) "professional work" means the time the applicant has been occupied in architecture, engineering, land surveying, or landscape architecture work of higher grade and responsibility than that of subprofessional work;

(19) "responsible charge of work in the field" means the direction of work, the successful accomplishment of which rested upon the applicant, where the applicant has to decide questions of methods of execution and suitability of materials without relying upon advice or instructions from his superiors and where the applicant has to supply solutions to deficiencies in plans or has to correct errors in designs without first referring them to higher authority for approval, except where the approval is a matter of form;

(20) "responsible charge experience" as it pertains to "work in the office" means undertaking investigations or carrying out assignments, that demand resourcefulness and originality, or making plans, writing specifications, and directing drafting and computations for the design of architectural, engineering, landscape architecture, or land surveying work with only rough sketches, general information and field measurements for reference;

(21) "state" means the State of Alaska;

(22) "subprofessional work" means time spent working in design support or construction related employment;

(23) "specialty contractor" means the same as in AS 08.18.171;

(24) "registration by comity" means registration by recognition of the applicant’s credentials accepted by another jurisdiction;

(25) "registrant" means an individual architect, engineer, land surveyor, landscape architect, corporation, limited liability company, or limited liability partnership, registered or issued a certificate of authorization under this chapter;

(26) "A.S. degree" means an associate of science degree;

(27) "B.S. degree" means a bachelor of science degree;

(28) "M.S. degree" means a master of science degree;

(29) repealed 5/25/2017;

(30) "responsible control" means that amount of control over and detailed knowledge of the content of technical submissions during their preparation as is ordinarily exercised by registered engineers, land surveyors, and landscape architects applying the required professional standard of care.

(31) "CLARB" means Council of Landscape Architect Registration Boards;

(32) "LAAB" means Landscape Architectural Accreditation Board;

(33) repealed 5/5/2023;

(34) "agricultural engineering" means the branch of professional engineering that embraces studies and activities related to facility engineering of plant, animal, and commodity environments and structures; machinery involving power, electrical and electronic machines, controls and sensors; natural resource engineering involving soil, water and plant systems; process engineering involving food, feed, fiber, fuel products; and the organizational and economic aspects of these studies and activities;

(35) "control systems engineering" means the branch of professional engineering that embraces studies and activities relating to sensor technologies and measurement; signals and transmission, final control elements regarding valves, pressure relieving devices, and other final control elements, control systems analysis and implementation; and the organizational and economic aspects of these studies and activities;

(36) "environmental engineering" means the branch of professional engineering that embraces studies and activities relating to wastewater, storm water, potable water, and water resources; ambient air, emissions sources, and control strategies; solid, hazardous, and special waste; environmental assessments, remediation, and emergency response and applicable codes, standards, regulations, guidelines; and the organizational and economic aspects of these studies and activities;

(37) "fire protection engineering" means the branch of professional engineering that embraces studies and activities relating to fire protection analysis, fire protection management, fire science and human behavior, fire protection systems, fire building systems, and the organizational and economic aspects of these studies and activities;

(38) "industrial engineering" means the branch of professional engineering that embraces studies and activities relating to facilities engineering and planning involving facility requirements, design alternatives, material handling techniques and equipment, systems analysis and design including processes, costing and performance measurement, logistics including production planning and control, distribution and storage and warehousing methods, methods to measure work, workstation design and analysis, ergonomics and safety, quality engineering and control, and the organizational and economic aspects of these studies and activities;

(39) "metallurgical and materials engineering" means the branch of professional engineering that embraces studies and activities relating to the production of metals, metal objects, materials, testing procedures, metal processing, failure analysis procedures and the development of metal alloys, the research, design, construction, and development of devices and facilities of production, and the organizational and economic aspects of these studies and activities;

(40) "naval architecture and marine engineering" means the branch of professional engineering that embraces the studies and activities relating to the mechanics of rigid and deformable bodies, exterior loads on military, public, commercial or private vessels or marine facilities, structural designs, applications, and considerations, vibration considerations including local, vortex induced, flow induced, and global vibrations, intact and damaged hydrostatic stability, methods and procedures, dynamic stability in waves, hydrodynamics, wind and waves, hull forms and design, marine engineering involving thermodynamics, internal fluid flow, propulsion and power generators, machine design, HVAC/refrigeration and electrical systems, materials corrosion and corrosion control, navigation and vessel control, hull outfitting, weight engineering, shipbuilding and repair engineering, rules and regulations, human factors, and safety systems, and the organizational and economic aspects of these studies and activities;

(41) "nuclear engineering" means the branch of professional engineering that embraces the studies and activities relating to nuclear power systems and science, nuclear components and systems, construction, operational regulations, emergency planning, licensing regulation, codes and standards, nuclear fuel and waste management, nuclear radiation, protection, radiation shielding, interaction of radiation with matter, nuclear criticality, kinetics, neutronics, and nuclear measurements and instruments, and the organizational and economic aspects of these studies and activities;

(42) "structural engineering" means the practice of engineering that embraces the studies and activities relating to the investigation, evaluation, analysis, design and construction of buildings, bridges, and other structures such as walls, columns, slabs, beams, trusses, or similar members requiring force-resisting and load bearing members and their connections, or similar members used singly or as a part of a larger structure, and the organizational and economic aspects of these studies and activities;

(43) "engineering surveys"

(A) means work performed by a professional engineer to measure and assess structures, machines, equipment, utility systems, materials, processes, and public or private works;

(B) does not include the practice of land surveying.

(44) "significant structures" means

(A) hazardous facilities; in this paragraph, "hazardous facilities" means structures housing, supporting, or containing sufficient quantities of toxic or explosive substance to be of danger to the safety of the public if released;

(B) special occupancy structures; in this paragraph, "special occupancy structures" means

(i) buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300;

(ii) buildings and other structures containing an elementary school, secondary school, or day care facility with an occupant load greater than 250;

(iii) buildings and other structures containing adult education facilities, such as colleges and universities, with an occupant load greater than 500;

(iv) medical facilities with 50 or more resident, incapacitated patients;

(v) jails and detention facilities; and

(vi) all buildings or structures with an occupant load greater than 5,000;

(C) essential facilities that have a ground area of more than 4,000 square feet and are more than 20 feet in mean roof height above average ground level; in this paragraph "essential facilities" means

(i) hospitals and other medical facilities having surgery and emergency treatment areas;

(ii) fire and police stations;

(iii) tanks or other structures containing, housing, or supporting water or fire suppression material or equipment required for the protection of essential or hazardous facilities or special occupancy structures;

(iv) emergency vehicle shelters and garages;

(v) structures and equipment in emergency preparedness centers;

(vi) standby power-generating equipment for essential facilities;

(vii) structures and equipment in government communication centers and other facilities requiring emergency response;

(viii) aviation control towers, air traffic control centers, and emergency aircraft hangars; and

(ix) buildings and other structures having critical national defense functions;

(D) structures exceeding 100 feet in height above average ground level;

(E) buildings that are customarily occupied by human beings and are four stories or 45 feet or more above average ground level; and

(F) bridges having a total span of more than 200 feet and piers having a surface area greater than 10,000 square feet;

(45) "AXP" means the Architect Experience Program administered by NCARB and constitutes the record keeping system for verifying an intern-architect's fulfillment of the education and training standards established by NCARB;

(46) repealed 10/22/2023;

(47) "mentoring program" means a program in which a corresponding licensee reviews a mentee's work on a regular basis to ensure that the work meets the standard of care of that discipline and confirms that the mentee is developing experience and responsible charge experience.

(b) For purposes of this chapter, "department" means the Department of Commerce, Community, and Economic Development.

(c) For the purposes of AS 08.48.331(a)(14), “designing fire detection or suppression systems” includes those studies and activities related to the installation, maintenance, and inspection of those systems, including the direction of or the performance of fire protection systems surveys, consultation, investigation, evaluation, planning, and observations of construction and the organizational and economic aspects of those studies and activities.

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181 AS 08.48.191 AS 08.48.331