

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

NOTICE IS HEREBY GIVEN that the California Architects Board (Board), is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the office of the **California Architects Board, 2420 Del Paso Road, Sequoia Room, Sacramento, California 95834, on August 6, 2012 at 9:30 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on August 6, 2012, or must be received by the Board at the hearing.

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

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret or make specific sections 5650 and 5651 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Amend Section 2614 – Examination Transition Plan

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

Existing regulations specify the transition plan for previous sections of the licensing examination to the current sections of the Landscape Architect Registration Examination (LARE). The proposed amendment of section 2614 permits current candidates to continue to take the current version of the LARE through June 2012. The proposed language outlines the transition plan effective with the first administration of the LARE, September 2012. In addition, the proposed language outlines the transition plan effective September 2012 for candidates who are not successful in passing all sections under the current LARE and who will be required to transition to the new LARE.

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the LARE, the licensing examination, to the Landscape Architects Technical Committee. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four (1-4) rather than five (A-E) sections and will move to a fully computerized model. Candidates in the exam process who have previously passed Sections C and D will receive transitional credit for Section 3. Candidates who have previously passed Sections D and E will receive transitional credit for Section 4. If a candidate passes either C or D but not both, the candidates must take and pass Section 3. If a candidate passes either D or E but not both, the candidate must take and pass Section 4.

BENEFITS ANTICIPATED FROM THE PROPOSED REGULATION

Please see 'Benefits of Regulation' under RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

This Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

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

None

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

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

None

Business Impact

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: N/A

Cost Impact on Representative Private Person or Business

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

Effect on Housing Costs

None

EFFECT ON SMALL BUSINESS

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/New Businesses

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

Benefits of Regulation:

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

This regulatory proposal establishes a legal provision for the transfer of previous LARE credit to the new LARE. The new LARE will add uniformity to test practices, increase the reliability of test results, increase relevance to modern practice, and increase accessibility for candidates to take the exam.

Existing regulations specify the transition plan for previous sections of the licensing examination to the current sections of the LARE. The proposed amendment of section 2614 permits current candidates to continue to take the current version of the LARE through June 2012. The proposed language outlines the transition plan effective with the first administration of the LARE, September 2012. In addition, the proposed language outlines the transition plan effective September 2012 for candidates who are not successful in passing all divisions under the current LARE and who will be required to transition to the new LARE.

CONSIDERATION OF ALTERNATIVES

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

The LATC did not consider other alternatives to the proposed regulation because this is the best way to carry out the transition plan needed to give examination credit to candidates who passed sections of the previously administered LARE to the current LARE format.

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

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

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

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person, named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below (or by accessing the website listed below).

CONTACT PERSON

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

Name: John Keidel
Address: California Architects Board
Landscape Architects Technical Committee
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The backup contact person is:

Name: Trish Rodriguez
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Landscape Architects Technical Committee
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Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.