

## NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

### NOTICE OF FINAL RULEMAKING

#### TITLE 4. PROFESSIONS AND OCCUPATIONS

#### CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

##### PREAMBLE

#### **1. Sections Affected**

R4-30-101.  
R4-30-106.  
R4-30-120.  
R4-30-121.  
R4-30-122.  
R4-30-123.  
R4-30-124.  
R4-30-126.  
R4-30-208.  
R4-30-212.  
R4-30-214.  
R4-30-221.  
R4-30-222.  
R4-30-224.  
R4-30-242.  
R4-30-244.  
R4-30-252.  
R4-30-254.  
R4-30-262.  
R4-30-264.  
R4-30-282.  
R4-30-284.  
R4-30-301.  
R4-30-304.

#### **Rulemaking Action**

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#### **2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific).**

Authorizing Statutes: A.R.S. § 32-106(A)(1), (5), (6), (9)  
A.R.S. § 32-106(F)

Implementing Statutes: A.R.S. § 32-106.02(A)  
A.R.S. § 32-122(A), (B)  
A.R.S. § 32-122.01(D), (E)  
A.R.S. § 32-124(A)

#### **3. The effective date of the rules:**

February 25, 2000

#### **4. A list of all previous notices appearing in the Register addressing the final rule.**

Notice of Docket Opening: 4 A.A.R. 1347, June 12, 1998  
Notice of Docket Opening: 4 A.A.R. 3545, October 30, 1998  
Notice of Proposed Rulemaking: 4 A.A.R. 3410, October 30, 1998  
Notice of Supplemental Proposed Rulemaking: 5 A.A.R. 995, April 9, 1999

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Notice of Public Information: 4 A.A.R. 4046, December 4, 1998

**5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: LaVern Douglas  
Address: 1990 West Camelback Road, #406  
Telephone: (602) 255-4053, ext. 209  
Fax: (602) 255-4051

**6. An explanation of the rule, including the agency's reasons for initiating the rule:**

The rules cover general and regulatory provisions for in-training designation and professional registration.

**7. A reference to any study that the agency relies on in its evaluation of or justification for the final rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**

None

**8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. A summary of the economic, small business, and consumer impact:**

No anticipated negative impact from these changes on registrants, small business, or consumers.

**10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

Minor grammatical and stylistic changes were made at the request of the Governor's Regulatory Review Council staff.

The following is a summary of the changes made as submitted in the supplemental proposed rulemaking package as a result of the January 22, 1999 public meeting:

R4-30-101(16)

The Board re-wrote the definition of "professional documents" for clarification purposes.

R4-30-120(A)

The Board re-wrote this rule to move the Board's selection for the pool of committee members to the beginning of the rule.

R4-30-214(A)

The Board deleted the clarifying sentence that explained the Board does not dictate minimum time requirements.

R4-30-252

The Board changed the term "Registration" for the heading to "Designation."

R4-30-301(3)

The Board deleted its initial change that would have allowed double sealing. The new rule will not allow double sealing. Additionally, the Board replaced a laundry list of items with the term "professional documents."

R4-30-301(18)

The Board added the phrase "in accordance with A.R.S. § 32-141(B)" after "responsible registrant in the first sentence.

R4-30-304

For clarification purposes the Board inserted the term "professional document" and added the requirement for inserting the registrant's number in electronic documents.

R4-30-304(D)

The Board deleted the word "preliminary" from the phrase "preliminary, not for construction."

R4-30-304(E)(3)

The Board eliminated the need for the date to be "in handwriting" to allow for computer dating.

**11. A summary of the principal comments and the agency response to them:**

Written comments were received from the American Institute of Architects and the Arizona Consulting Engineers Association (copy attached). After review of these comments at a public meeting held January 22, 1999, several modifications were made to the proposed rules and incorporated into the final rule package.

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**12. Any other matters prescribed by statute that are applicable to the specific or to any specific rule or class of rules:**

None

**13. Incorporations by reference and their location in the rules:**

None

**14. Was this rule previously adopted as an emergency rule?**

No

**15. The full text of the rules follows:**

**ARTICLE 1. GENERAL PROVISIONS**

Section

- R4-30-101. Definitions
- R4-30-106. Fees
- R4-30-120. Complaint Review Process
- R4-30-121. Investigation of ~~violations~~ Violations
- R4-30-122. Issuance of ~~subpoenas~~ Subpoenas
- R4-30-123. Informal Compliance Procedures
- R4-30-124. Hearings
- R4-30-126. Service of Board Decisions; Rehearing of ~~Board's~~ Board Decisions

**ARTICLE 2. REGISTRATION PROVISIONS**

Section

- R4-30-208. ~~Educational~~ Education and Work Experience Requirements
  - R4-30-212. Architect in-Training ~~Designation~~ Registration Requirements
  - R4-30-214. Architect ~~Registration~~ registration requirements
  - R4-30-221. Engineering Branches Recognized
  - R4-30-222. Engineer-in-training ~~Designation~~ Registration Requirements
  - R4-30-224. Engineer Registration Requirements
  - R4-30-242. Geologist in-Training ~~Designation~~ Registration Requirements
  - R4-30-244. Geologist Registration Requirements
  - R4-30-252. Landscape Architect in-training ~~Designation~~ Registration Requirements
  - R4-30-254. Landscape ~~Architectural~~ Architect Registration Requirements
  - R4-30-262. Assayer in-training ~~Designation~~ registration requirements
  - R4-30-264. Assayer Registration ~~registration requirements~~
  - R4-30-282. Land Surveyor in-training ~~Designation~~ registration requirements
  - R4-30-284. Land Surveyor Registration Requirements
- Appendix A. Intern Development Program Guidelines

**ARTICLE 3. REGULATORY PROVISIONS**

Section

- R4-30-301. Rules of Professional Conduct
- R4-30-304. Use of Seals

**ARTICLE 1. GENERAL PROVISIONS**

**R4-30-101. Definitions**

1. No change.
2. No change.
3. "Bona fide employee" means:
  - a. ~~Any any~~ person employed by a town, city, county, state, or federal agency working under the direction or supervision of a registrant;
  - b. Any person employed by a business entity and working under the direct supervision of a registrant who is also employed by the same business entity; or
  - c. ~~Any any individual person~~ working under the direct supervision of a registrant who:
    - a. ~~1.~~ 1. Receives direct wages from the registrant; ~~or~~
    - b. 2. Receives contract compensation from the registrant; or
    - e. 3. Receives direct wages from the project prime professional who has a contract with another registrant, and whose work product is the responsibility of the latter registrant.
4. No change.
5. No change.
6. No change.

7. "Direct supervision" means a registrant's critical examination and evaluation of a bona fide employee's ~~the~~ work product, during and after the preparation, for purposes of compliance with applicable laws, codes, ordinances, and regulations pertaining to ~~the registrant's~~ professional practice.
8. No change.
  - a. No change.
  - b. No change.
  - c. No change.
  - d. No change.
9. No change.
10. "Good moral character and repute" is be established if the registration candidate:
  - a. Has not been convicted of a class 1 felony as defined in A.R.S. § 13-601(A);
  - ~~a. b.~~ Has not, within five years of application for registration, been convicted of a felony or misdemeanor if ~~the~~ such offense has a reasonable relationship to the functions of the employment or occupation category for which the ~~license or certificate registration or designation~~ is sought;
  - ~~b. c.~~ Has not, within 5 five years of application for registration, committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence or incompetence reasonably related to the candidate's proposed area of practice;
  - e. d. Is not currently incarcerated in a penal institution;
  - ~~d. e.~~ Has not engaged in fraud or misrepresentation in connection with ~~this~~ the application for registration or related examination;
  - e. f. Has not had a registration revoked or suspended for cause by this state or by any other jurisdiction, or surrendered a professional license in lieu of disciplinary action; ~~or~~
  - f. g. Has not practiced without the required registration in this state or in another jurisdiction ~~within the United States~~ within the 2 two years immediately preceding the filing of the application for registration: or
  - h. Has not, within 5 years of application for registration, committed an act that would constitute unprofessional conduct, as set forth in rule R4-30-301.
11. No change.
12. No change.
13. "Other misconduct" means the registrant:
  - a. Has been convicted of a class 1 felony;
  - ~~a. b.~~ Has been convicted of a felony or misdemeanor, if such offense has a reasonable relationship to the functions of the license registration;
  - ~~b. c.~~ No change.
  - e. d. Has had a professional license or registration suspended or revoked for cause by this state or by any other jurisdiction or has surrendered a professional license in lieu of disciplinary action; ~~or~~
  - ~~d. e.~~ Has knowingly acted in violation of, or knowingly failed to act in compliance with any provisions of the Act or rules of the Board or any state, municipal or county law, code, ordinance, or regulation, pertaining to the practice of the registrant's professional practice; or
  - e. f. No change.
14. No change.
15. No change.
16. "Professional documents" mean the professional work product of a registrant requiring professional judgement, design, analysis, or conclusions, including original plans, drawings, maps, plats, reports, written opinions, specifications, and calculations.
- ~~16.~~ 17. "Project Prime Professional" means the person registrant responsible for the coordination, continuity, and compatibility of each of the various collaborating professional's registrant's work (when retained by the project prime professional).
- ~~17-18.~~ No change.
- ~~18-19.~~ No change.
- ~~19-20.~~ No change.
- ~~20-21.~~ "State public body" means the State or a county, city, town, municipal corporation, authority or any other subdivision, agency or instrumentality ~~thereof~~ of such an entity, corporate or otherwise.
- ~~21-22.~~ No change.

**R4-30-106. Fees**

- A. ~~The triennial renewal fee is \$126.~~ The Board shall charge the following fees:
  1. The triennial renewal fee is \$126.
  2. The delinquent renewal fee is \$21.00 per year or any fraction of a year that the renewal is delinquent.
  3. A roster of registrants is \$15.00.
  4. A code or rule booklet is \$5.00.

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5. The computer printout fee per name is \$.10 (non-commercial use). The maximum charge is \$150.00 per run.
  6. The photocopy fee is \$.20 per page (non-commercial use).
  7. The replacement certificate fee is \$10.00.
  8. The recording medium copy fee is \$10.00 per recording.
  9. The local examination review fee is \$25.00.
  10. The returned check fee is \$25.00.
- B. ~~Payment of fees shall be in~~ A person paying fees shall remit them in United States dollars in the form of cash, check, or money order; however, if a check is returned for insufficient funds, repayment, including payment of the returned check charge, the person paying fees shall remit them in the form of ~~shall be made in cash, or by~~ money order, or certified check.
- C. Upon written request, the Board shall waive renewal fees for registrants ~~who are retired from active practice and who have attained the age of 65 or more years during the immediately preceding registration period.~~ whose registration is in inactive status.
- D. ~~No application~~ Application fee refunds are not ~~will be~~ allowed after the application has been assigned an application number and processing commences.

**R4-30-120. Complaint Review Process**

- A. The Board shall select a pool of volunteers who have submitted resumes and letters of interest to voluntarily serve on enforcement advisory committees. The Board Executive Director shall appoint select registrants and public members from the pool of volunteers to serve on the enforcement advisory committees as needed. Each committee shall have as a minimum of 4 four registrants, at least 1 one of whom is registered in the same category or branch as the respondent, and 1 one public member. These The committees committee members shall be volunteers used by staff to who provide technical assistance to Board staff in the evaluation and the disposition investigation of complaints. Members are to be selected from volunteers submitting resumes and letter of interest.
- B. During the preliminary informal investigation of a complaint, registrants named as respondents ~~shall be offered an opportunity to~~ may appear before an enforcement advisory committee for an informal conference relating to the complaint. Respondents may elect to appear with or without counsel. ~~The committee will be comprised of registrants, at least one of which is registered in the same category and/or branch as the respondent, and a public member.~~ The committee shall attempt to assess the complaint and discuss the complaint with the respondent and others, if deemed necessary, and prepare a recommendation for the disposition of the complaint.
- C. No change.
- D. If a respondent chooses not to attend the informal conference the committee may meet and review information presented by staff and others and prepare a recommendation for disposition of the complaint.
- E. ~~The Board shall advise the~~ respondent ~~shall be advised~~ of the committee recommendation and ~~shall be offered~~ offer the respondent the opportunity to attend an informal compliance conference as outlined in R4-30-123 as part of the informal investigation.
- F. After the informal investigation has been completed, ~~and~~ if the committee recommendation supports a determination that the complaint is unfounded, the recommendation shall be forwarded to the Board for review and final disposition.
- G. In all cases where the advisory committee finds probable cause to believe that disciplinary action is warranted, the staff will attempt to obtain a signed consent ~~order agreement, for review by the Board.~~ The Board shall ~~be presented~~ review the committee recommendation, a staff recommendation, consent agreement, and, in the event a signed consent order agreement cannot be obtained, any counter proposal from the respondent.

**R4-30-121. Investigation of ~~violations~~ Violations**

If any information concerning a possible violation of the Act, or any of these rules ~~is should be~~ received or obtained by the Board or Board staff, an investigation shall be conducted prior to the initiation of formal proceedings. Investigative reports, enforcement advisory committee recommendations and other documents and materials relating to an investigation shall remain confidential until the matter is closed, until the issuance of a hearing notice ~~under pursuant to~~ A.R.S. § 32-128, or until the matter is settled by consent order; however, the Board shall inform the respondent that an investigation is being conducted and explain the general nature of the investigation. registrant will be informed and the public may obtain information. The public may obtain information that an investigation is being conducted and an explanation of the general nature of the investigation. The Board may refer investigative information to other public agencies as appropriate under the circumstances.

**R4-30-122. Issuance of ~~subpoenas~~ Subpoenas**

Any party desiring the Board or its hearing officers to issue a subpoena shall make application, stating the substance of the testimony expected of the witness or the relevancy of the evidence to be produced. If ~~the such~~ testimony or evidence appears to the Board or its hearing officer to be material and necessary, a subpoena shall be supplied. The affixing of the seal of the Board and the signature of the Chairman, ~~or~~ Secretary, Executive Director, or administrative law judge shall be sufficient attestation of the same. The party applying for the subpoena shall pay for service of the subpoena. Service of a subpoena shall be made at the expense of the party applying for it and shall be made in the manner provided by laws for service of subpoenas in civil actions. A party is considered served at the time of personal service or mailing of the document by certified mail that is addressed to the person's last known address.

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**R4-30-123. Informal Compliance Procedures**

- A. Upon notification of the ~~findings of an investigation by recommendations of~~ an enforcement advisory committee, a registrant may attend an informal compliance conference with Board staff. The registrant may appear ~~either~~ with or without counsel. The Board shall mail the notice ~~Notice of the compliance conference shall be mailed to the registrant~~ at least 15 days prior to the date of the conference. The purpose of the compliance conference ~~is shall be~~ to discuss informal settlement of the investigative matter. Upon completion of the interview, the Board's enforcement officer shall make recommendations to the Board.
- B. No change.

**R4-30-124. Hearings**

- A. All hearings before the Board, or an administrative law judge ~~Board appointed hearing officer, are shall be~~ held in accordance with A.R.S. § 32-128 and ~~the adjudicative proceedings article of the Administrative Procedures Act~~ A.R.S. Title 41, Chapter 6, Article 10, §§ 41-1061 through 41-1066.
- B. If the Respondent fails to answer the complaint or fails to appear at the hearing, the Board or administrative law judge may vacate the hearing. If a hearing is vacated, the Board may deem the acts and violations charged in the complaint admitted, and impose any of the sanctions provided by A.R.S. § 32-128.

**R4-30-126. Service of Board Decisions; Rehearing of ~~Board~~ Board's Decisions**

- A. Except as provided in subsection (G), any party ~~to an appealable agency action or in~~ a contested case before the Board who is aggrieved by a decision rendered in the matter a case may file with the Board, not later than ~~ten~~ 30 days after service of the decision, a written motion for rehearing or review of the decision specifying the particular grounds for the motion thereof. A decision shall be deemed to have been served when personally delivered or mailed by certified mail to the party's last known address of record with the agency residence or place of business. The filing of a motion for rehearing is a condition precedent to the right of appeal provided in A.R.S. § 32-128(H).
- B. A motion for rehearing under this rule may be amended at any time before it is ruled on by the Board. A response may be filed within ~~ten~~ 15 days after service of ~~such the~~ motion or amended motion by any other party. The Board may require the filing of written briefs upon the issues raised in the motion and may provide for oral argument. The filing of a motion for rehearing or review suspends the operation of the Board's order and allows the registrant to practice in his or her profession pending denial or granting of the motion, and pending the decision of the Board on the rehearing or review if the motion is granted.
- C. No change.
1. No change.
  2. No change.
  3. No change.
  4. No change.
  5. No change.
  6. No change.
  7. No change.
- D. No change.
- E. Not later than ~~ten~~ 30 days after a decision is rendered, the Board may on its own ~~initiative~~ motion order a rehearing or review of its decision for any reason for which it might have granted a rehearing or review of its decision on motion of a party listed in subsection (C). After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing for a reason not stated in the motion. In either case the order granting ~~such~~ a rehearing shall specify the grounds for the rehearing therefor.
- F. No change.
- G. ~~If, in a particular decision~~ the Board makes specific findings that the immediate effectiveness of ~~such~~ a decision is necessary for ~~immediate~~ preservation of the public welfare; health, or safety and that a rehearing or review of the decision is impracticable, unnecessary or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without opportunity for rehearing, any application for judicial review of the decision shall be made within the time limits permitted for applications for judicial review of the Board's final decisions.

**ARTICLE 2. REGISTRATION PROVISIONS**

**R4-30-208. ~~Educational~~ Education and Work Experience ~~Requirements~~**

- A. No change.
1. The Board shall grant credit according to the following ~~Full educational credit shall be granted in accordance with the following:~~
    - a. No change.
    - b. No change.
    - c. No change.

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- d. No change
- e. No change.
- f. No change.
- g. No change.
- h. No change.
- i. No change.
- j. No change.

2. The Board shall grant all other educational credit according to the following: ~~All other educational credit shall be granted according to the following:~~

- a. Credit ~~No credit~~ shall not be granted for course work obtained in the United States or its possessions unless attained at an institution of higher education accredited by an accrediting agency recognized by the U.S. Department of Education.
- b. No change.
- c. Credit ~~No credit~~ shall not be given for general education courses in excess of the number of hours allowed in the pertinent program identified in subsection (A). ~~of this Rule.~~
- d. No change.
- e. An applicant shall ~~may~~ be granted both education and work experience for the same period provided the total months credit granted in a period does not exceed the number of months in that period
- f. No change.

**B.** ~~Work experience shall be credited~~ The Board shall credit work experience as follows:

- 1. One hundred and 30 hours or more of work per month is equal to 1 ~~one~~ month of work experience.
- 2. Between 85 ~~eighty five~~ hours and 129 hours of work per month is equal to 1/2 ~~one half~~ month of work experience.
- 3. The Board shall not grant ~~No credit shall be granted~~ for less than 85 ~~eighty five~~ hours of work experience in a month.
- 4. Experience shall be substantiated by the employer before the Board grants the credit, ~~may be granted.~~

**R4-30-212. Architect-in-training Designation Registration Requirements**

**A.** No change.

**B.** No change.

- 1. No change.
- 2. No change.
- 3. No change.
- 4. No change
- 5. No change.
- 6. No change.
- 7. No change.
- 8. No change.
- 9. No change.

**C.** A candidate shall ~~take and pass~~ successfully complete the architect-in-training examination ~~administered~~ designated by the Board and provided by the National Council of Architectural Registration Boards. ~~A candidate shall receive a minimum score of 75% as established by the Board on each section (division) of the architect-in-training examination to complete successfully this requirement.~~

**R4-30-214. Architect ~~registration~~ Registration requirements**

**A.** A candidate shall provide evidence of diverse work experience, which that is of a character acceptable to the Board, that includes, but is not limited to, each of the following areas:

- 1. Programming
- 2. Site and Environmental Analysis
- 3. Schematic Design
- 4. Engineering Systems
- 5. Building Cost Analysis
- 6. Code Research
- 7. Design Development
- 8. Construction Documents
- 9. Specifications and Material Research
- 10. Document Checking and Coordination
- 11. Bidding and Contract Negotiation
- 12. Construction Phase - Office
- 13. Construction Phase - Field Observation
- 14. Project Management
- 15. Office Management

~~A.B.~~ A candidate shall ~~take and pass~~ successfully complete the professional architect examination ~~administered designated~~ by the Board and provided by the National Council of Architectural Registration Boards. ~~A candidate shall receive a minimum score of 75% as established by the Board on each section (division) of the professional examination to complete successfully this requirement.~~

~~B.C.~~ Candidates seeking registration under the provisions of A.R.S. § 32-126(A) and registered by 36-hour examination prior to December 1965 in states or U.S. territories other than Alaska, California, Colorado, Guam, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah, or Washington, or by education and experience only, shall ~~be required to take and pass~~ successfully complete a seismic structural technology examination ~~administered designated~~ by the Board and provided by the National Council of Architectural Registration Boards. ~~Board. A candidate shall receive a minimum score of 75% as established by the Board on this examination to successfully complete this requirement.~~

**R4-30-221. Engineering Branches Recognized**

A. The Board shall recognize the branches of engineering described below for purposes of review of experience, selection of examination, definition of examination areas, and definition of demonstrated proficiency areas to be inscribed on the seal. The categories branches do not limit the areas of a registrant's practice of engineering. (See ~~R4-30-301.A. Paragraphs 10, 11 and 12~~ R4-30-301(10), (11), and (12)).

1. No change.
2. No change.
3. No change.
4. No change.
5. No change.
6. No change.
7. No change.
8. No change.
9. No change.
10. No change.
11. No change.
12. No change.
13. No change.
14. No change.
15. No change.
16. No change.

B. No change.

**R4-30-222. Engineer-in-training Designation registration requirements**

A. To qualify for admission to the in-training examination solely on the basis of education, a candidate ~~shall~~ must be a graduate of a 4-year engineering program accredited at the time of graduation by the Accreditation Board for Engineering and Technology (ABET) or an equivalent predecessor organization.

B. No change.

1. No change.
2. No change.
3. No change.
4. No change.
5. No change.
6. No change.
7. No change.
8. No change.
9. No change.
10. No change.
11. No change.

C. A candidate shall ~~take and pass~~ successfully complete the engineer-in-training examination ~~administered designated~~ by the Board and provided by the National Council of Examiners for Engineers and Surveyors. ~~A candidate shall receive a minimum score of 70% as established by the Board on the examination to complete successfully this requirement.~~

**R4-30-224. Engineer Registration Requirements**

A. No change.

B. A candidate shall ~~take and pass~~ successfully compete the professional engineer examinations offered in the candidate's branch of engineering ~~administered designated~~ by the Board.

C. No change.

~~D.~~ A candidate shall receive a minimum score of 70% as established by the Board on the examination or, if a structural candidate, on each part of the examination to complete successfully this requirement.



**R4-30-242. Geologist-in-training Designation Registration Requirements**

- A. No change.
- B. To qualify for admission to the in-training examination, a candidate who is not a graduate of a 4-year degree program as specified in subsection (A) ~~of this Rule~~ shall have at least 4 years of education or experience or both directly related to the practice of geology. Experience directly related to the practice of geology of a character satisfactory to the Board shall include but not be limited to the following:
  - 1. No change.
  - 2. No change.
  - 3. No change.
  - 4. No change.
  - 5. No change.
  - 6. No change.
  - 7. No change.
- C. A candidate shall ~~take and pass~~ successfully complete the geologist-in-training examination ~~administered~~ designated by the Board and provided by the Association of State Boards of Geology. ~~A candidate shall receive a minimum score of 70% as established by the Board on the examination to complete successfully this requirement.~~

**R4-30-244. Geologist Registration Requirements**

A candidate shall ~~take and pass~~ successfully complete the professional geologist examination ~~administered~~ designated by the Board and provided by the Association of State Boards of Geology. ~~A candidate shall receive a minimum score of 70% as established by the Board on the examination to complete successfully this requirement.~~

**R4-30-252. Landscape Architect-in-training Designation Registration Requirements**

- A. No change.
- B. No change.
  - 1. No change.
  - 2. No change.
  - 3. No change.
  - 4. No change.
  - 5. No change.
  - 6. No change.
  - 7. No change.
  - 8. No change.
- C. A candidate shall ~~take and pass~~ successfully complete the landscape architect-in-training examination ~~administered~~ designated by the Board and provided by the Council of Landscape Architectural Registration Boards. ~~A candidate shall receive a minimum score of 75% as established by the Board on each examination subject to complete successfully this requirement.~~

**R4-30-254. Landscape Architect Registration Requirements**

A candidate shall ~~take and pass~~ successfully complete the professional landscape architect examination ~~administered~~ designated by the Board and provided by the Council of Landscape Architectural Registration Boards. ~~A candidate shall receive a minimum score of 75% as established by the Board on each examination subject to complete successfully this requirement.~~

**R4-30-262. Assayer-in-training Designation registration requirements**

- A. To qualify for admission to the in-training examination solely on the basis of education, a candidate ~~shall~~ must be a graduate of a 4-year degree program with a major in chemistry, metallurgy or other science directly related to the analysis of metals and ores at a college or university accredited at the time of graduation by a regional accrediting agency recognized by the Arizona Board of Regents.
- B. To qualify for admission to the in-training examination, a candidate who is not a graduate of a 4-year degree program with a major in chemistry, metallurgy or other science directly related to the analysis of metals and ores at an accredited college or university specified in subsection (A) ~~of this Rule~~, shall have at least 4 years of education or experience or both directly related to the practice of assaying. Experience directly related to the practice of assaying of a character satisfactory to the Board shall include but not be limited to the following:
  - 1. No change.
  - 2. No change.
  - 3. No change.
  - 4. No change.
  - 5. No change.
  - 6. No change.
  - 7. No change.
  - 8. No change.

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- C. A candidate shall ~~take and pass~~ successfully complete the assayer-in-training examination administered and provided by the Board. A candidate shall receive a minimum score of 70% as established by the Board on the examination to complete ~~successfully this requirement.~~

**R4-30-264. Assayer Registration ~~registration requirements~~**

A candidate shall ~~take and pass~~ successfully complete the professional assayer examination administered and provided by the Board. A candidate shall receive a minimum score of 70% as established by the board on the examination to complete ~~successfully this requirement.~~

**R4-30-282. Land Surveyor-in-training Designation ~~registration requirements~~**

- A. No change.  
B. No change.  
1. No change.  
2. No change.  
3. No change.  
4. No change.  
5. No change.  
6. No change.  
7. No change.  
8. No change.  
9. No change.  
10. No change.  
11. No change.  
12. No change.  
C. The candidate shall ~~take and pass~~ successfully complete the land surveyor-in-training examination ~~administered~~ designated by the Board and provided by the National Council of ~~Engineering Examiners~~ Examiners for Engineers and Surveyors. A candidate shall receive a minimum score of 70% as established by the Board to complete ~~successfully this requirement.~~

**R4-30-284. Land Surveyor Registration Requirements**

The candidate shall ~~take and pass~~ successfully complete the professional land surveyor examination. Part One of the professional examination is ~~administered~~ designated by the Board and provided by the National Council of ~~Examiners for Engineering and Surveying~~ Examiners for Engineers and Surveyors. Part Two of the professional examination is ~~administered~~ designated and provided by the Board. A candidate shall receive a minimum score of 70% as established by the Board on each part of the examination to complete ~~successfully this requirement.~~

**ARTICLE 3. REGULATORY PROVISIONS**

**R4-30-301. Rules of Professional Conduct**

- ~~A.~~ All registrants shall comply with the following standards of professional conduct:
1. A registrant shall not submit any materially false statements or fail to disclose any material facts requested in connection with an application for registration or subpoena.
  2. No change.
  3. A registrant shall not sign, stamp, or seal any ~~plans, drawings, prints, land surveys, reports, specifications, or other~~ professional documents not prepared by the registrant or a bona fide employee.
  4. No change.
  5. No change.
  6. No change.
  7. No change.
  8. No change.
  9. No change.
  10. No change.
  11. No change.
  12. No change.
  13. No change.
    - a. No change.
    - b. No change.
  14. No change.
  15. No change.
  16. No change.
  17. No change.

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18. A registrant who is designated as a responsible registrant under A.R.S. § 32-141(B) shall be responsible for the firm or corporation's compliance with the Board's statutes and rules, and shall be responsible for non-registrant employees' compliance with the Board's statutes and rules in the performance of the nonregistrant employee's duties for the firm or corporation. The Board may impose disciplinary action on the responsible registrant for any violation of the Board's statutes or rules that are committed by the non-registrant employee, or firm or corporation.

19. A registrant shall comply with any subpoena issued by the Board or its designated administrative law judge.

~~B. A violation of any provision of this Section constitutes evidence of gross negligence, misconduct or professional incompetence.~~

**R4-30-304. Use of Seals**

A. A permanently legible imprint of the registrant's seal and signature shall appear on the following:

1. ~~Each~~ On each sheet of drawings or maps; ~~when several master sheets are reproduced into a single set of finished drawings or maps, on each of the master sheets;~~
2. Each of the master sheets when reproduced into a single set of finished drawings or maps;
- ~~2-3. On either~~ Either the cover, title, index page, or 1st sheet of each set of project specifications;
- ~~3-4. On the~~ The cover, index page, or 1st sheet of addenda or change orders to specifications;
- ~~4-5. On the~~ The cover, index page, or 1st sheet of bound details when prepared to supplement project drawings or maps;
- ~~5-6. On the~~ The cover, index, table of contents page, or 1st sheet of reports, specifications, and other professional documents prepared by a registrant or their bona fide employee; and
- ~~6-7. On shop~~ Shop drawings requiring professional services or work as described in the Act. Examples of shop drawings not requiring seals are those showing only:
  - a. Sizing and dimensioning information for fabrication purposes; ~~or~~
  - b. Construction techniques or sequences; ~~or~~
  - c. No change.
  - d. No change.

B. No change.

~~C. When this rule requires that a document be sealed, such a seal must be placed on the document before it is submitted to:~~

- ~~1. The client, unless the document is marked "preliminary" and/or "not for construction" and/or "not for recording," or~~
- ~~2. Any regulatory or review body unless the document is marked "preliminary" and/or "not for construction" and/or "not for recording."~~

C. If a professional document is stored, filed, or provided to a client, regulatory body or any other person for any reason by computer disk, tape, cd, or any other electronic form, the registrant shall mark each professional document "electronic copy of final document, original sealed document with" and identify the registrant's name and registration number.

D. A registrant shall sign, date and seal a professional document before the document is submitted to a client, contractor, any regulatory or review body, or any other person, unless the document is marked "preliminary" or "not for construction."

~~D. E.~~ For purpose of subsection (A), all original documents shall include:

1. ~~An~~ Include an original seal imprint or computer-generated seal ~~that which~~ matches the seal on file at the Board's ~~Board~~ office;
2. ~~An~~ Include an original signature that does not ~~in any way~~ obscure either the registrant's printed name or registration number; ~~or and~~
3. The ~~Include, in handwriting,~~ date the document was sealed.

~~E. F.~~ Methods of transferring a seal other than an original seal imprint or a computer generated seal are not acceptable.