

**RULES
OF
THE STATE BOARD OF ARCHITECTURAL
AND ENGINEERING EXAMINERS**

**CHAPTER 0120-01
REGISTRATION REQUIREMENTS AND PROCEDURES**

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0120-01-.01 DEFINITIONS. As used in this Chapter:

- (1) "BOARD" shall mean the Tennessee Board of Examiners for Architects and Engineers created by Chapter No. 263 of the "Public Act of 1979".
- (2) "NCEES" shall mean the National Council of Examiners for Engineering and Surveying.
- (3) "NCARB" shall mean the National Council of Architectural Registration Boards.
- (4) "CLARB" shall mean the Council of Landscape Architectural Registration Boards.

Authority: T.C.A. § 62-2-203(c). **Administrative History:** Original rule was certified May 3, 1974. Repeal and refiled October 2, 1978; effective January 29, 1979. Repeal and refiled January 14, 1980; effective February 28, 1980. Amendment filed December 9, 1991; effective January 23, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed September 15, 2015; effective December 14, 2015.

0120-01-.02 APPLICABILITY. Unless otherwise indicated, the provisions of this Chapter shall apply to all applicants for registration as an engineer, architect or landscape architect and for certification as an engineer intern.

Authority: T.C.A. § 62-2-203(c). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997.

0120-01-.03 INDIVIDUALS REGISTERED IN OTHER JURISDICTIONS.

- (1) Unless properly registered, individuals shall not make use of the title "engineer," "architect," "landscape architect," or any appellation thereof that gives the impression that the individual is an architect, engineer, or landscape architect in Tennessee. Individuals not registered in

(Rule 0120-01-.03, continued)

Tennessee but registered in other jurisdictions may use these titles so long as the jurisdiction in which they are registered is clearly specified so as not to mislead the public regarding their credentials. This clarification is not required on communications from an out-of-state office, provided that the individual is registered in that jurisdiction.

- (2) Individuals registered in other jurisdictions cannot offer or perform architectural, engineering, or landscape architectural services to the public in Tennessee unless they are either acting as consulting associates in accordance with T.C.A. § 62-2-103(2) or working under the responsible charge of a Tennessee registrant.

Authority: T.C.A. §§ 62-2-101, 62-2-103, and 62-2-203(c). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed March 13, 1997; effective May 27, 1997. Repeal filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance's Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015. Amendments filed October 28, 2017; effective January 26, 2017.

0120-01-.04 APPLICATIONS - GENERAL.

- (1) Applications for registration and certification are available on the Board website and upon request from the office of the Board.
- (2) Any application submitted which lacks required information or reflects a failure to meet any requirement will be held in "pending" status until satisfactorily completed within a reasonable period of time, not to exceed five (5) years from the date of application.
- (3) Any application submitted may be withdrawn; provided, however, that the application fee will not be refunded.
- (4) An individual who was previously registered in another jurisdiction but whose registration has expired may apply in Tennessee as a new exam applicant. The Board shall decide on a case-by-case basis if it shall accept exam(s) passed in another jurisdiction.
- (5) Individuals who are currently registered in another state may apply by comity in accordance with T.C.A. § 62-2-304.

Authority: T.C.A. §§ 62-2-203(c), 62-2-301, and 62-2-304. **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed June 10, 1982; effective July 26, 1982. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance's Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015. Amendments filed October 28, 2016; effective January 26, 2017.

0120-01-.05 APPLICATIONS - ENGINEER.

- (1) An applicant for registration as an engineer shall submit with the application a nonrefundable application fee of thirty dollars (\$30.00). An applicant who has passed the required examination(s) shall also pay a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.
- (2) An applicant for registration as an engineer by comity shall pay a nonrefundable application fee of fifty-five dollars (\$55.00) and, if approved, a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.

(Rule 0120-01-.05, continued)

- (3) The deadline for receipt of applications from candidates who must be examined prior to registration as an engineer shall be determined annually by the Board after the Board receives notification from the National Council of Examiners for Engineers and Surveyors (NCEES) of the dates of the examinations.

Authority: T.C.A. §§ 62-2-203(c), 62-2-301(a), and 62-2-404(b). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed January 29, 1987; effective March 15, 1987. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed May 20, 2004; effective August 3, 2004. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay of the effective date; new effective date May 1, 2015.

0120-01-.06 APPLICATIONS - ENGINEER INTERN.

An application for certification as an engineer intern shall be accompanied by a nonrefundable fee of fifteen dollars (\$15.00). An applicant who has passed the required examination and has met the other legal requirements shall receive a certificate.

Authority: T.C.A. §§ 62-2-203(c), 62-2-402(b), and 62-2-404(c)(2). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed June 9, 1981; effective July 24, 1981. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Repeal and new rule filed November 17, 2014; effective February 15, 2015. On January 27, 2015 the Tennessee Department of Commerce and Insurance's Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015. Emergency rule creating an 180-day of stay of the effective date of the amendment filed April 30, 2015; effective through October 27, 2015. Emergency rule expired October 27, 2015; reverted to rule filed November 17, 2014. Amendment filed September 15, 2015; effective December 14, 2015.

0120-01-.07 APPLICATIONS – ARCHITECT.

- (1) An applicant for registration as an architect shall submit with the application a nonrefundable application fee of thirty dollars (\$30.00). An applicant who has passed the required examination(s) shall also pay a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.
- (2) An applicant for registration as an architect by comity shall pay a nonrefundable application fee of fifty-five dollars (\$55.00) and, if approved, a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.

Authority: T.C.A. §§ 56-1-302(b), 62-2-203(c), 62-2-301(a), 62-2-307, and 62-2-504(e). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed June 9, 1981; effective July 24, 1981. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed November 28, 1984; effective February 12, 1985. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed February 26, 1999; effective May 12, 1999.

0120-01-.08 APPLICATIONS - LANDSCAPE ARCHITECT.

- (1) An applicant for registration as a landscape architect shall submit with the application a nonrefundable application fee of thirty dollars (\$30.00). An applicant who has passed the required examination(s) shall also pay a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.
- (2) An applicant for registration as a landscape architect by comity shall pay a nonrefundable application fee of fifty-five dollars (\$55.00) and, if approved, a biennial registration fee of one hundred forty dollars (\$140.00) and shall receive a certificate of registration.

Authority: T.C.A. §§ 56-1-302(b), 56-1-302(h), 62-2-203(c), 62-2-307, 62-2-301(a), and 62-2-804(d) and (e). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 28, 1984; effective February 12, 1985. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed March 14, 2005; effective May 28, 2005. Amendment filed December 11, 2012; effective March 11, 2013. Amendment filed November 17, 2015; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance's Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015.

0120-01-.09 REFERENCES.

- (1) References named in applications for registration must be acquainted with the technical ability of the applicant, but need not be residents of the State of Tennessee. A minimum of five (5) references for architect, engineer, and landscape architect applicants shall be submitted. References from relatives will not be considered. No reference will be considered if prepared more than two (2) years prior to the date of application.
- (2) Three (3) such references must be registered architects or engineers with registration and experience in the applicant's field(s) of experience; except, however, that applicants for registration as a landscape architect may use references who are registered engineers, architects or landscape architects.
- (3) A maximum of three (3) references shall be obtained from an employer listed by the applicant. The Board prefers references from both the applicant's current employer/supervisor and a past employer/supervisor, if available.
- (4) If a reference reply is uncomplimentary, derogatory, or unfavorable of the applicant, the applicant may be required to furnish additional references. If subsequent replies are unfavorable, the applicant will be scheduled for an interview with the Board for further consideration.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-301(a). **Administrative History:** Original rule filed May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed September 16, 2008; effective November 30, 2008. Amendment filed November 17, 2014; effective February 15, 2015. On January 27, 2015; the Tennessee Department of Commerce and Insurance's Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015. Amendments filed October 28, 2016; effective January 26, 2017.

0120-01-.10 EDUCATION AND EXPERIENCE REQUIREMENTS - ENGINEER.

- (1)
 - (a) Accredited engineering programs. An engineering curriculum of four (4) years or more which was accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET) (or its predecessor) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation, may be approved by the Board as being satisfactory.
 - (b) Nonaccredited engineering programs. An engineering curriculum of four (4) years or more which is a non-ABET accredited program shall be referred at the applicant's expense to a person or entity approved by the Board and qualified to evaluate equivalency to an ABET accredited engineering program for evaluation and recommendation. If the curriculum for the degree at the time of the applicant's graduation is substantially equivalent to ABET accreditation requirements, the application shall be reviewed in accordance with the requirements for applicants holding engineering degrees from institutions which do not have ABET accredited engineering programs in consideration of the factors outlined below.
 - (c) In reviewing applicants holding degrees from nonaccredited engineering programs, whether obtained in the United States or otherwise, which are substantially equivalent to degrees from ABET accredited programs, the Board may consider the following factors:
 1. Evidence of having obtained the statutory minimum acceptable progressive professional experience of a grade and character which indicates to the Board that the applicant may be competent to practice engineering; and
 2. At least five (5) references from individuals having knowledge of the applicant's technical competence as an engineer on projects of a grade and character which indicates to the Board that the applicant may be competent to practice engineering.
 - (d) Applicants meeting the above requirements shall be reviewed by the Board for determination of eligibility for either the Fundamentals of Engineering examination or the Principles and Practice of Engineering examination or for registration by comity.
 - (e) An engineering technology program, whether four (4) or two (2) years in length, is not considered by the Board to be an acceptable curriculum.
 - (f) Programs that allow credit for work experience and experiential learning (with the exception of cooperative education programs), or which are not part of an institution that is accredited or recognized as a degree-granting institution of higher learning within a national territory or in the United States, are not considered by the Board to be acceptable curricula.
 - (g) Engineering degrees from programs accredited by the Canadian Engineering Accreditation Board (CEAB) that were awarded in or after 1980 are considered substantially equivalent and do not require evaluation.
- (2) In general, "progressive experience in the practice of engineering" consists of engineering experience which is supervised by a registered professional engineer. The Board may grant toward experience requirements for registration as an engineer one (1) year of credit for graduation with a Master's degree (or higher) in engineering from an approved curriculum or up to one (1) year of qualified experience obtained in an established cooperative education program, which is carried out within the framework of an approved engineering curriculum, and which has been approved by the Board. At least one (1) year of engineering experience

(Rule 0120-01-.10, continued)

must be completed in the United States. Unless otherwise noted above, an applicant's engineering experience must be obtained after graduation with the qualifying degree and completed by the date of the examination.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-401. **Administrative History:** Original rule filed May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 20, 1989; effective January 4, 1990. Amendment filed December 9, 1991; effective January 23, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed July 19, 2002; effective October 2, 2002. Amendment filed March 14, 2005; effective May 28, 2005. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed December 18, 2007; effective March 1, 2008. Amendment filed September 16, 2008; effective November 30, 2008. Amendment filed September 11, 2009; effective December 10, 2009. Amendment filed March 9, 2011; effective June 7, 2011. Amendment filed November 15, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay of the effective date; new effective day May 1, 2015.

0120-01-.11 EDUCATION AND EXPERIENCE REQUIREMENTS - ARCHITECT.

- (1) For purposes of evaluating the education and experience of applicants for examination and registration as an architect, the Board may utilize the "Table of Equivalents" contained in Appendix "A" to Circular of Information No. 1, published in July 1983 by the National Council of Architectural Registration Boards (NCARB), except to the extent that such document conflicts with any applicable statute.
- (2) Accredited architecture programs. An architecture program which was accredited by the National Architectural Accrediting Board (NAAB) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation, may be approved by the Board as being satisfactory. For purposes of this paragraph, a state-supported school of architecture approved by the Tennessee Higher Education Commission is deemed to have an accredited degree curriculum.
- (3) Non-accredited architecture programs.
 - (a) For purposes of T.C.A. §§ 62-2-501(2) and 62-2-502(b), an architectural curriculum of four (4) years or more which is a non-NAAB accredited program shall be referred at the applicant's expense to a person or entity approved by the Board and qualified to evaluate equivalency to an NAAB accredited program for evaluation and recommendation. If the curriculum for the degree at the time of the applicant's graduation is equivalent to NAAB accreditation requirements, the application shall be reviewed in accordance with the requirements for applicants holding architecture degrees from institutions which do not have NAAB accredited architecture programs in consideration of the factors outlined below.
 - (b) In reviewing a non-accredited architectural curriculum, the Board may approve either an architectural curriculum of not less than four (4) years offered by a school of architecture as part of an architectural curriculum toward a NAAB accredited degree or its equivalent.
 - (c) In reviewing applicants holding degrees from non-accredited architecture programs, whether obtained in the United States or otherwise, which are substantially equivalent to degrees from NAAB accredited programs, the Board may consider the following factors:
 1. Evidence of having obtained the statutory minimum acceptable practical experience in architectural work, and

(Rule 0120-01-.12, continued)

2. At least five (5) references from individuals having knowledge of the applicant's technical competence as an architect.
- (4) For purposes of T.C.A. § 62-2-501(3), an approved "architecture-related curriculum" is an architectural engineering or architectural engineering technology curriculum accredited by the Accreditation Board for Engineering and Technology (ABET).
- (5) Effective December 1, 1984, an applicant for the required examination for registration as an architect must have completed the Intern-Architect Development Program (IDP) of the NCARB prior to registration.
- (6) An applicant for registration by comity shall submit proof acceptable to the board of having obtained the practical experience in architectural work required by T.C.A. §§ 62-2-501 and 62-2-502.
- (7) In general, "practical experience in architectural work" consists of architectural experience which is supervised by a registered architect and meets the requirements of T.C.A. § 62-2-503. Architecture teaching with full-time faculty status in a college or university offering an approved architectural curriculum of four (4) years or more may be considered, at the discretion of the Board, as practical experience in architectural work.
- (8) The Board shall review applicants meeting the above requirements for determination of eligibility for either the Architect Registration Examination prepared by NCARB or for registration by comity.

Authority: T.C.A. §§ 62-2-203(c), 62-2-501, 62-2-502, and 62-2-503. **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed July 19, 2002; effective October 2, 2002. Repeal and new rule filed March 14, 2005; effective May 28, 2005. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed December 18, 2007; effective March 1, 2008. Amendment filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay of effective date; new effective date May 1, 2015. Amendment filed September 15, 2015; effective December 14, 2015. Amendments filed October 28, 2016; effective January 26, 2017.

0120-01-.12 EDUCATION AND EXPERIENCE REQUIREMENTS - LANDSCAPE ARCHITECT.

The education and experience requirements for applicants for registration as a landscape architect shall be those prescribed in T.C.A. §§ 62-2-801, 62-2-802 and 62-2-803. All practical experience requirements must be completed prior to registration. Landscape architecture teaching with full-time faculty status in a college or university offering an approved landscape architectural curriculum of four (4) years or more may be considered, at the discretion of the Board, as practical experience in landscape architectural work.

Authority: T.C.A. §§ 62-2-203(c), 62-2-801, 62-2-802, and 62-2-803. **Administrative History:** Original rule filed May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed November 20, 1989; effective January 4, 1990. Amendment filed September 11, 2009; effective December 10, 2009. Amendment filed September 15, 2015; effective December 14, 2015.

0120-01-.13 EXAMINATIONS - GENERAL.

- (1) If an applicant passes the required examination(s) and is not approved for registration, the applicant's application will be held pending. Such applicant may request to appear before the full Board at its next scheduled meeting.
- (2) An applicant's examination results may be invalidated and an applicant may be prohibited from taking the examination for a period of time as determined by the Board for violations of examination policies, procedures, and candidate agreements, including, but not limited to:
 - (a) Communicating with another examinee during administration of the examination;
 - (b) Copying another examinee's answers or permitting another examinee to copy one's answers;
 - (c) Possessing unauthorized devices or materials during the examination;
 - (d) Impersonating an examinee or permitting an impersonator to take the examination on one's behalf;
 - (e) Removing any secured examination materials from the examination room;
 - (f) Unauthorized disclosure of examination questions or content;
 - (g) Failure to cooperate with the Board's or any appropriate examination authority's investigation of examination irregularities;
 - (h) Disruptive or abusive behavior; or
 - (i) Other actions that would compromise the integrity or security of the examination.
- (3) Any licensure examination taken and passed in another jurisdiction by the examinee, while the examinee is barred from taking an examination in Tennessee, will not be acceptable for licensure purposes in Tennessee.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-301(a). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed December 11, 2012; effective March 11, 2013. Amendment filed September 15, 2015; effective December 14, 2015.

0120-01-.14 EXAMINATIONS - ENGINEER, ENGINEER INTERN.

- (1) The NCEES prepares the examinations administered to candidates for registration as an engineer or certification as an engineer intern. The use of materials, reference books, notes, calculators and equipment in such examinations shall be in accordance with instructions by the NCEES.
- (2) The passing score on both the "Fundamentals of Engineering" and "Principles and Practice of Engineering" examinations shall be determined by the NCEES and shall be reported as "pass" or "fail."

(Rule 0120-01-.14, continued)

- (3) A candidate who passes either the “Fundamentals of Engineering” examination or the “Principles and Practice of Engineering” examination may retain credit for passing such examination indefinitely.

Authority: T.C.A. §§ 62-2-203(c), 62-2-401(a), 62-2-405, and 62-2-405(c). **Administrative History:** Original rule filed May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed January 29, 1987; effective March 15, 1987. Amendment filed December 9, 1991; effective January 23, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed May 20, 2004; effective August 3, 2004. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed November 27, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance’s Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015.

0120-01-.15 EXAMINATIONS - ARCHITECT. Examinations administered to candidates for registration as an architect will be prepared by the NCARB.

Authority: T.C.A. § 62-204. **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980.

0120-01-.16 EXAMINATIONS - LANDSCAPE ARCHITECT. Written examinations prepared by CLARB will be offered to applicants for registration as a landscape architect.

Authority: T.C.A. § 62-204. **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980.

0120-01-.17 REPEALED.

Authority: T.C.A. § 62-2-203(c). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed September 16, 2008; effective November 30, 2008. Repeal filed November 17, 2015; effective May 1, 2015.

0120-01-.18 REPEALED.

Authority: T.C.A. § 62-2-203(c). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Repeal filed October 15, 1986; effective November 29, 1986.

0120-01-.19 REPEALED.

Authority: T.C.A. § 62-2-203(c). **Administrative History:** Original rule certified May 3, 1974. Repeal and new rule filed October 2, 1978; effective January 29, 1979. Repeal and new rule filed January 14, 1980; effective February 28, 1980. Amendment filed March 13, 1997; effective May 27, 1997. Repeal filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay; new effective date May 1, 2015.

0120-01-.20 REEXAMINATION - ENGINEER.

The “Principles and Practice of Engineering” examination is graded as a whole. A candidate for registration as an engineer who fails the examination must retake the examination in its entirety.

(Rule 0120-01-.20, continued)

Authority: T.C.A. §§ 62-2-203(c) and 62-2-405(c). **Administrative History:** Original rule filed January 14, 1980; effective February 28, 1980. Amendment filed June 9, 1981; effective July 24, 1981. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed November 28, 1984; effective February 12, 1985. Amendment filed January 29, 1987; effective March 15, 1987. Amendment filed December 9, 1991; effective January 23, 1992. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay; new effective date May 1, 2015.

0120-01-.21 REPEALED.

Authority: T.C.A §§ 62-2-203(c), 62-2-404, and 62-2-405(c). **Administrative History:** Original rule filed January 14, 1980; effective February 28, 1980. Amendment filed June 9, 1981; effective July 24, 1981. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed January 29, 1987; effective March 15, 1987. Amendment filed December 9, 1991; effective January 23, 1992. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay; new effective date May 1, 2015. Repeal filed September 15, 2015; effective December 14, 2015.

0120-01-.22 REEXAMINATION - ARCHITECT.

- (1) Policy. Reexamination of candidates for registration as an architect will be permitted in accordance with the policy prescribed by the NCARB.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-504. **Administrative History:** Original rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed February 26, 1999; effective May 12, 1999.

0120-01-.23 REEXAMINATION - LANDSCAPE ARCHITECT.

- (1) Policy. Reexamination of candidates for registration as a landscape architect will be permitted in accordance with the policy prescribed by the CLARB.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-804(e). **Administrative History:** Original rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 28, 1984; effective February 12, 1985. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed December 9, 1991; effective January 23, 1992. Amendment filed March 14, 2005; effective May 28, 2005. Amendment filed December 11, 2012; effective March 11, 2013.

0120-01-.24 DUPLICATE CERTIFICATES OF REGISTRATION.

- (1) Upon written request from an architect, engineer, or landscape architect, accompanied by a fee of twenty-five dollars (\$25.00), a new certificate of registration to replace any lost, destroyed or mutilated certificate will be issued.
- (2) Upon written request from an engineer intern, accompanied by a fee of fifteen dollars (\$15.00), a new certificate to replace any lost, destroyed or mutilated certificate will be issued.
- (3) All replacement certificates issued pursuant to this rule will be marked "duplicate."

(Rule 0120-01-.24, continued)

Authority: T.C.A §§ 62-2-203(c) and 62-2-305. **Administrative History:** Original rule filed January 14, 1980; effective February 28, 1980. Amendment filed November 18, 1983; effective December 18, 1983. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997.

0120-01-.25 RENEWAL OF REGISTRATION.

- (1) All certificates of registration issued to engineers, architects and landscape architects are subject to biennial renewal (every two (2) years) in accordance with the provisions of T.C.A. § 56-1-302(b).
- (2) An architect, engineer or landscape architect may renew a current, valid registration by submitting a renewal form approved by the board, the required renewal fee, and evidence of having completed the number of professional development hours (PDH's) required by rule 0120-05-.04.
- (3) Fees for biennial renewal of certificates of registration shall be as follows:

Engineer	\$140.00
Architect	\$140.00
Landscape Architect	\$140.00
- (4) The penalty fee for late renewal shall be in the amount of ten dollars (\$10.00) for each month or fraction of a month which lapses during the six (6)-month late renewal period before payment is tendered.
- (5) Retirement Status.
 - (a) A registered certificate holder (over age 62) may place the registrant's certificate, if in good standing, in retirement status during the biennial license renewal cycle by filing a form designated by the Board. No fee shall be required. Such registrant shall renew the registrant's certificate by so notifying the Board.
 - (b) A registrant holding a retired certificate may refer to oneself as an engineer, architect, or landscape architect, including on correspondence and business cards, provided that the word "retired" is used in conjunction with the title. However, a holder of a retired certificate may not engage in or offer to engage in the practice of engineering, architecture or landscape architecture as defined by T.C.A. § 62-2-102. Practice or offer to practice in violation of this subparagraph shall be considered to be misconduct and may subject the registrant to disciplinary action by the Board.
 - (c) A registrant holding a retired certificate may not engage in any activity constituting the practice or offer to practice of engineering, architecture or landscape architecture in the State of Tennessee without first notifying the Board, in writing, as to a change to "active" status, satisfying the continuing education requirements of rule 0120-05-.08(d), and paying the biennial registration renewal fee.
- (6) Inactive Status.
 - (a) A registrant may place the registrant's certificate, if in good standing, in inactive status during the biennial license renewal cycle by filing a form designated by the Board. No fee shall be required to establish inactive status. The registrant with an inactive certificate is still required to pay the biennial registration renewal fee.

(Rule 0120-01-.25, continued)

- (b) A registrant holding an inactive certificate shall follow the requirements pertaining to payment or non-payment of the professional privilege tax established in T.C.A. § 67-4-1701 *et. seq.*, in accordance with T.C.A. § 67-4-1702(b).
- (c) A registrant holding an inactive certificate may not engage in any activity constituting the practice or offer to practice engineering, architecture, or landscape architecture in the State of Tennessee without first notifying the Board, in writing, as to a change to “active” status and satisfying the continuing education requirements of Rule 0120-05-.08(d).

Authority: T.C.A. §§ 62-2-203(c) and (d), 62-2-307(c), 67-4-1701, and 67-4-1702. **Administrative History:** Original rule filed January 14, 1980; effective February 28, 1980. Amendment filed June 10, 1982; effective July 26, 1982. Amendment filed October 15, 1986; effective November 29, 1986. Amendment filed November 20, 1989; effective January 4, 1990. Amendment filed October 21, 1992; effective December 5, 1992. Amendment filed January 19, 1995; effective April, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed May 20, 2004; effective August 3, 2004. Amendment filed March 9, 2007; effective May 23, 2007. Amendment filed December 11, 2012; effective March 11, 2013. Amendment filed September 15, 2015; effective December 14, 2015. Amendments filed October 28, 2016; effective January 26, 2017.

0120-01-.26 REPEALED..

Authority: T.C.A. § 62-2-203(c). **Administrative History:** Original rule filed November 20, 1989; effective January 4, 1990. Repeal filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance filed a 75-day stay of the effective date; new effective day May 1, 2015.

0120-01-.27 NOTIFICATION TO THE BOARD.

- (1) A registrant or applicant for registration shall notify the Board in writing within thirty (30) calendar days of any change of name, mailing address, e-mail address, or phone number. Registrants and applicants are encouraged to notify the Board of a change of employment.

Authority: T.C.A. §§ 62-2-203(c) and 62-2-207. **Administrative History:** Original rule filed March 13, 1997; effective May 27, 1997. Repeal and new rule filed November 17, 2014; effective February 15, 2015. On January 27, 2015, the Tennessee Department of Commerce and Insurance’s Division of Regulatory Boards filed a 75-day stay of the effective date; new effective date May 1, 2015.

0120-01-.28 MILITARY APPLICATIONS – SPOUSES – EXPIDITED REGISTRATION.

- (1) An applicant for registration meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
 - (a) Be issued a certificate of registration upon application and payment of all fees required for the issuance of such registration if, in the opinion of the Board, the requirements for licensure of such other state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the Board determines that the applicant’s registration does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including – but not limited to - education, training, or experience, in order to meet the requirements for the certificate of registration to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular certificate of registration of the same type which shall allow such person to perform services as if fully registered for a set period of time that is determined to be sufficient by the Board for the applicant to complete such requirements.

(Rule 0120-01-.28, continued)

1. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full certificate of registration shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full certificate of registration had been issued at that time, provided that the applicant is otherwise qualified.
 2. A temporary permit shall be issued for a period no longer than the length of a renewal cycle for a full certificate of registration of the same type.
 3. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.
 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full certificate of registration, then the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full certificate of registration of the same type.
- (2) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any certificate of registration issued by the Board if such military education, training, or experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such certificate of registration.
- (3) (a) Any registrant who is a member of the national guard or a reserve component of the armed forces of the United States called to active duty whose registration expires during the period of activation shall be eligible to be renewed upon the registrant being released from active duty without:
1. Payment of late fees or other penalties; or
 2. Obtaining continuing education credits when:
 - (i) Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or
 - (ii) The person performs the registered occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board.
- (b) The certificate of registration or permit shall be eligible for renewal pursuant to this paragraph for six (6) months from the person's release from active duty.
- (c) Any person renewing under this paragraph shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any certificate of registration pursuant to this paragraph.

Authority: T.C.A. §§ 62-2-203(c) and (d) and 4-3-1304(d), (e), and (f). **Administrative History:** Original rule filed May 21, 2015; effective August 19, 2015.

0120-01-.29 REPEALED.

Authority: T.C.A. §§ 4-5-208(a)(2) and 62-2-203(c). **Administrative History:** Emergency rule filed April 30, 2015; effective through October 27, 2015. Emergency rule expired October 27, 2015; rule 1020-01-.29 is no longer effective. Repeal filed September 15, 2015; effective December 14, 2015.