

SECRETARY OF STATE  
FILING DATA

**Form For Filing  
Administrative Regulations**

FOR EMERGENCY  
REGULATIONS ONLY

Effective date \_\_\_\_\_

Expiration date \_\_\_\_\_

Agency Nevada State Board of Architecture

Interior Design and Residential Design

\_\_\_\_\_  
Governor's signature

Classification:    **PROPOSED**     **ADOPTED BY AGENCY**    **EMERGENCY**

**Brief description of action:** Proposed regulation R097-22. The intent of this regulation is to add a provision to accept reciprocity candidates applying for architecture registration who have earned an NCARB certificate through a Mutual Recognition Arrangement under Nevada Administrative Code (NAC) Chapter 623.

---

**Authority citation other than 233B**    NRS 623.140, NRS 623.210

**Notice date:** July 21, 2023

**Date of Adoption by Agency**

**Hearing date:** August 22, 2023

August 22, 2023

**APPROVED REGULATION OF THE STATE BOARD OF  
ARCHITECTURE, INTERIOR DESIGN AND  
RESIDENTIAL DESIGN**

**LCB File No. R097-22**

Filed September 29, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: § 1, NRS 623.140 and 623.210.

A REGULATION relating to professions; revising provisions relating to the waiver of certain examinations required for registration to practice architecture in this State for an applicant who is registered as an architect in another jurisdiction; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law prohibits a person from practicing architecture in this State unless the person holds a certificate of registration issued by the State Board of Architecture, Interior Design and Residential Design. (NRS 623.180, 623.360) Existing law authorizes the Board to waive all examinations required for such a certificate of registration if an applicant is registered as an architect in another jurisdiction where the qualifications required for such registration are equal to the qualifications required in this State. Under existing law, the Board is authorized to require an applicant who is seeking a waiver of required examinations to submit to the Board a certificate from the National Council of Architectural Registration Boards as satisfactory evidence of registration as an architect in another jurisdiction. (NRS 623.210)

Existing regulations establish the qualifications an applicant who is registered as an architect in another jurisdiction must satisfy to obtain a waiver of certain examinations required for a certificate of registration to practice architecture in this State. Such qualifications to obtain a waiver of those examinations include, without limitation, that: (1) at the date the application is submitted, the applicant qualifies to take the architect’s examination, including, without limitation, satisfying certain education and training requirements; (2) the applicant holds a current certification by the National Council of Architectural Registration Boards; and (3) the applicant has passed one examination prepared by the National Council or an examination considered equivalent by the Board. (NAC 623.410)

This regulation amends the qualifications to obtain a waiver of certain required examinations for a certificate of registration to practice architecture in this State to provide for the waiver of required examinations for applicants who have a certification from the National Council of Architectural Registration Boards pursuant to a Mutual Recognition Agreement between the National Council and a similar entity in a foreign country. Specifically, this regulation: (1) exempts such an applicant from the requirement that, at the date of application, the applicant qualifies to take the architect's examination; (2) includes a current certification that has resulted from such a Mutual Recognition Arrangement as a type of current certification by the National Council of Architectural Registration Boards; and (3) exempts applicants who are subject to a Mutual Recognition Arrangement from the requirement of passing certain examinations.

This regulation also amends certain other qualifications to obtain a waiver of certain required examinations for a certificate of registration to practice architecture for any applicant who is registered as an architect in another jurisdiction. Specifically, this regulation: (1) removes the inclusion of the seven-part national examination prepared by the National Council of Architectural Registration Boards as an examination that the applicant may pass to satisfy the requirement to have passed an examination prepared by the National Council or an examination considered equivalent by the Board; and (2) revises the acceptable qualifications concerning seismism.

**Section 1.** NAC 623.410 is hereby amended to read as follows:

623.410 1. Except as otherwise provided in paragraph (g), the Board will, in lieu of all examinations, accept satisfactory evidence of an applicant's registration and certification as an architect in another jurisdiction if the applicant has all of the following qualifications:

(a) Is of good moral character.

(b) ~~IAH~~ *Except for an applicant who is subject to a Mutual Recognition Arrangement, at the date of application, qualifies to take the architect's examination.*

(c) Holds a current certification by the National Council of Architectural Registration Boards, *including, without limitation, a current certification that has resulted from a Mutual Recognition Arrangement*, and the file which is maintained by the National Council shows that the applicant is in good standing. The applicant must request that the National Council transmit a copy of this file to the Board.

(d) ~~Has~~ *Except for an applicant who is subject to a Mutual Recognition Arrangement,*  
*has* passed the:

(1) Architect Registration Examination prepared by the National Council of Architectural Registration Boards;

(2) Professional examination prepared by the National Council of Architectural Registration Boards and the qualifying test or equivalency examination if required by the standards of the National Council; *or*

~~(3) Seven-part national examination prepared by the National Council of Architectural Registration Boards, for which 36 hours are scheduled for its completion; or~~

~~—(4)~~ Any other examination the Board considers equivalent.

↪ If the examination was prepared by the National Council ~~of~~ *of Architectural Registration Boards*, the examination and the procedures used in grading it must meet the standards of the National Council at the time the applicant took the examination.

(e) Has acceptable qualifications concerning seismism, such as having : ~~completed:~~

(1) ~~The~~ *Completed the* structural examination of the National Council of Architectural Registration Boards; or

~~(2) A treatise that has been accepted by a member Board within Region 6 of the Western Conference of the Architectural Registration Boards.~~ *An equivalent proof of qualification concerning seismism, as determined by the Board.*

(f) Has a record which does not show any revocation or suspension of a registration for any disciplinary reason.

(g) Has successfully completed a brief written examination covering chapter 623 of NRS, the appropriate code of ethics and the provisions of this chapter.

(h) If required, at the discretion of the Executive Director or a person otherwise authorized by the Board, has received a favorable evaluation based on a personal interview before the Board. Each interview will be conducted at a time and place designated by the Board.

2. If the applicant meets all the qualifications set forth in this chapter and chapter 623 of NRS and receives the approval of the Board, the applicant is entitled to registration as an architect if the applicant submits the applicable fee for certification.

3. *As used in this section, "Mutual Recognition Arrangement" means a Mutual Recognition Arrangement between the National Council of Architectural Registration Boards and an entity that represents architectural licensing authorities or registration boards in a foreign country.*

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
NRS 233B.066  
LCB FILE R097-22**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 623.

**1. A clear and concise explanation of the need for the adopted regulation.**

This proposed regulation establishes provisions to accept reciprocity candidates who have earned an NCARB certificate through a Mutual Recognition Arrangement under Nevada Administrative Code (NAC) Chapter 623. This revision will increase international practice for US architects and will create an additional path for licensure in Nevada, which is to accept reciprocity applications from foreign reciprocity applicants who have obtained a certificate through the Mutual Recognition Agreement (MRA).

**2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of architecture, residential design and registered interior design as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada State Board of Architecture, Interior Design and Residential Design, [www.nsbaidrd.org](http://www.nsbaidrd.org), mailed to all county libraries in Nevada and posted at the following locations:

Department of Business and  
Industry  
788 Fairview Dr. #100 Carson  
City, Nevada 89701

Grant Sawyer Building  
555 E. Washington Blvd.,  
Suite 4900  
Las Vegas, Nevada 89101

Legislative Building 401 South  
Carson Street  
Carson City, Nevada 89710  
The Bradley Building  
2501 East Sahara Ave. Las Vegas,  
Nevada 89104

Nevada Dept. Of Cultural  
Affairs  
100 Stewart St.  
Carson City, Nevada 89701

Legislative Counsel Bureau Website

A workshop was held on September 28, 2022, via Zoom in Las Vegas, Nevada at 2:00 p.m. for regulation (R097-22). There were no members of the public present by Zoom at the meeting. Any further information may be obtained by contacting Monica Harrison at (702) 486-7300 at the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

3. **The number persons who:**
  - (a) **Attended each hearing:** Workshop: September 28, 2022: 0; Public Hearing: August 22, 2023: 5 in opposition of section 2.
  - (b) **Testified at each hearing:** Workshop: September 28, 2022: 0; Public Hearing: August 22, 2023 – 5 in opposition of section 2.
  - (c) **Submitted to the agency written comments:** 8 comments were submitted. 7 in opposition of the adoption of section 2. One inquiring additional clarification for both sections.
  
4. **A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.** See Exhibit A – Written comments are also included.
  
5. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses in the same manner as they were solicited from the public. Through its newsletter and e-mail blasts, the Board sent notices of the proposed regulations to all of its registrants and small businesses on September 23, 2022 (Email, Facebook & Twitter). The agency discussed and reviewed the proposed regulations at three of its publicly noticed board meetings on March 23, 2022, May 25, 2022, August 17, 2022, and also posted a copy of the draft regulations on its website on September 13, 2022. The Board held a Public Workshop on September 28, 2022, via Zoom, and held an in-person Public Hearing on August 22, 2023. The agency used informed, reasonable judgment in determining that there will not be an impact on small businesses resultant from adoption of section 1 (NAC 623.410) of the proposed regulation that establishes provisions to accept reciprocity candidates who have earned an NCARB certificate through a Mutual Recognition Arrangement. However, due to the number of comments and concerns received at the hearing in opposition of the adoption of section 2 – NAC 623.740, the Board made the motion at its August 22, 2023, Public Hearing to only adopt section 1 of this regulation and to remove section 2 from the proposed regulation change. Section 2, would have amended NAC 623.740, which establishes new

requirements for the firm name regulation to list the status of the former registrants on all public communications made by the firm, when the firm name includes the names of former or retired registrants.

Any further information may be obtained by contacting the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Rd. Ste. 120, Las Vegas, NV 89119.

**6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Section 1 (NAC 623.410) of the proposed regulation was adopted on August 22, 2023, by a quorum of the NSBAIDRD full board. After reviewing all 7 written comments received in opposition of the adoption of section 2 and listening to all 5 members of the public that provided testimony in opposition of the adoption of section 2, the Board concluded that additional work needed to be done and invited attendees to be part of future discussions to refine and clarify intent of a future regulation change to NAC 623.740. Therefore, the Board made a motion to defer the adoption of section 2 of the proposed regulation change until further notice. After the board reviewed all comments received from the public at the hearing, the Board believes that section 1 of the proposed regulations reflects the intent of the board; therefore, only section 1 of the proposed regulation was adopted without any revisions. Section 2 was removed from the proposed regulation packet.

**7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects on businesses; and**
- (b) Both immediate and long-term effects on businesses.**

(a)Both adverse and beneficial effects

The intent of the proposed regulations under R097-22 should have no adverse economic effect on businesses. The intent of section 1 is to revise Chapter 623.410 of the Nevada Administrative Code by establishing provisions to accept foreign reciprocity candidates who have earned an NCARB certificate through a Mutual Recognition Arrangement.

The beneficial effects are that foreign reciprocity applicants who obtained an NCARB certificate through the Mutual Recognition Agreement (MRA) can now apply for reciprocal license in Nevada. The Board doesn't anticipate an adverse effect upon the intent of the regulation.



(a) Both immediate and long-term effects.

The immediate effect of R097-22 – section 1. The immediate effect is that the foreign architects will have the opportunity to enter the profession and obtain licensure in Nevada. The Board has determined the proposed language will not restrict the formation, operation, or expansion of small businesses.

Long-term effects on the businesses are an increase in international practice opportunities for US architects and it will provide a path for foreign architects to obtain licensure and expand their career across the US and internationally.

- (a) **Both adverse and beneficial effects on the public; and**
- (b) **Both immediate and long-term effects on the public.**

(a) Both adverse and beneficial effects

The intent of the proposed regulations under R097-22 should have no adverse economic effect on the public. The beneficial effects are that foreign reciprocity applicants who obtained an NCARB certificate through the Mutual Recognition Arrangement (MRA) can now apply for reciprocal license in Nevada and expand their practice opportunities in other countries as well; the Board doesn't anticipate an adverse effect upon the intent of the regulation.

(b) Both immediate and long-term effects.

The immediate effect of R097-22 is that reciprocity candidates who have earned an NCARB certificate through a Mutual Recognition Arrangement can obtain licensure by reciprocity in Nevada. The long-term effect is an increase in international practice opportunities for US architects and it will provide a path for foreign architects to obtain licensure and expand their career in the US.

**8. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no cost to the agency.

**9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or government agency regulations that the proposed regulation duplicates.

- 10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

Does not apply.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

Does not apply.