

## CHAPTER 3-A

### ARCHITECTS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS

#### SUBCHAPTER 1

#### BOARD OF LICENSURE

##### §210. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2007, c. 402, Pt. F, §1 (NEW).]

**1. Board.** "Board" means the Maine State Board for Licensure of Architects, Landscape Architects and Interior Designers.

[PL 2007, c. 402, Pt. F, §1 (NEW).]

**2. Department.** "Department" means the Department of Professional and Financial Regulation.

[PL 2007, c. 402, Pt. F, §1 (NEW).]

**3. Office.** "Office" means the Office of Professional and Occupational Regulation within the department.

[PL 2007, c. 402, Pt. F, §1 (NEW); PL 2011, c. 286, Pt. B, §5 (REV).]

##### SECTION HISTORY

PL 2007, c. 402, Pt. F, §1 (NEW). PL 2011, c. 286, Pt. B, §5 (REV).

##### §211. Membership; term

The Maine State Board for Licensure of Architects, Landscape Architects and Interior Designers, established by Title 5, section 12004-A, subsection 4, shall administer this chapter. The board consists of 9 members appointed by the Governor: Five must be licensed and practicing architects, one of whom may be a professor of architecture; one must be a licensed and practicing landscape architect; one must be a certified and practicing interior designer and 2 must be public members as defined by Title 5, section 12004-A. [PL 2007, c. 402, Pt. F, §2 (AMD).]

Appointments are for 3-year terms. Appointments of members must comply with the provisions of Title 10, section 8009. A member may be removed by the Governor for cause. [PL 2007, c. 402, Pt. F, §2 (AMD).]

##### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1977, c. 564, §118-G (AMD). PL 1983, c. 413, §3 (RPR). PL 1983, c. 812, §192 (AMD). PL 1987, c. 395, §A108 (AMD). PL 1989, c. 503, §B121 (AMD). PL 1991, c. 396, §§3,4 (AMD). PL 1993, c. 389, §5 (AMD). PL 1993, c. 600, §A37 (AMD). PL 1999, c. 687, §E2 (AMD). PL 2007, c. 402, Pt. F, §2 (AMD).

##### §212. Qualifications for members

Each member of the board must be a resident of this State and in the case of architect, landscape architect or interior designer members must be currently licensed or certified by the State and have engaged in the independent practice of architecture, landscape architecture or interior design in the State for at least 5 years immediately prior to appointment. The member who may be a professor of architecture in a college or university of this State must have combined experience in practice and teaching of not less than 5 years, at least 2 of which must have been in the active practice of architecture as a profession. [PL 2007, c. 402, Pt. F, §3 (AMD).]

**SECTION HISTORY**

PL 1977, c. 463, §3 (NEW). PL 1991, c. 396, §5 (AMD). PL 1993, c. 389, §6 (AMD). PL 2007, c. 402, Pt. F, §3 (AMD).

**§213. Meetings; chair**

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. [PL 2013, c. 246, Pt. B, §3 (AMD).]

**SECTION HISTORY**

PL 1977, c. 463, §3 (NEW). PL 1977, c. 694, §§540,541 (AMD). PL 1983, c. 413, §4 (RPR). PL 1987, c. 395, §A109 (AMD). PL 1993, c. 389, §7 (AMD). PL 1999, c. 687, §E3 (AMD). PL 2007, c. 402, Pt. F, §4 (AMD). PL 2013, c. 246, Pt. B, §3 (AMD).

**§213-A. Compensation****(REPEALED)****SECTION HISTORY**

PL 1983, c. 413, §5 (NEW). PL 1983, c. 812, §193 (RPR). PL 1991, c. 396, §§6,7 (AMD). PL 1995, c. 397, §21 (RP).

**§214. Powers and duties**

The board shall administer, coordinate and enforce this chapter and have the following powers and duties in addition to those otherwise set forth in this chapter. [PL 1983, c. 214, §6 (RPR).]

**1. Rules.** The board may, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, adopt rules commensurate with the authority vested in it by this chapter. The rules may include rules necessary for the performance of the duties of the board in carrying out the purposes of this chapter, as well as such rules as are appropriate to establish and maintain high standards of ethical conduct. These rules shall include, but not be limited to, rules concerning misconduct, compensation, fee splitting, advertising and standards of workmanship. [PL 1983, c. 413, §6 (NEW).]

**2. Hearings.**

[PL 2007, c. 402, Pt. F, §5 (RP).]

**3. Contracts.**

[PL 1995, c. 397, §22 (RP).]

**4. Legal services.**

[PL 2007, c. 402, Pt. F, §6 (RP).]

**SECTION HISTORY**

PL 1977, c. 463, §3 (NEW). PL 1977, c. 694, §§542,543 (AMD). PL 1983, c. 413, §6 (RPR). PL 1987, c. 395, §A110 (AMD). PL 1993, c. 389, §8 (AMD). PL 1995, c. 397, §22 (AMD). PL 2007, c. 402, Pt. F, §§5, 6 (AMD).

**§215. Removal of member; vacancies****(REPEALED)****SECTION HISTORY**

PL 1977, c. 463, §3 (NEW). PL 1977, c. 564, §118H (RPR). PL 1983, c. 413, §7 (RP).

**§216. Records****(REPEALED)**

SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1983, c. 413, §8 (RPR). PL 1987, c. 395, §A111 (AMD). PL 1991, c. 396, §8 (AMD). PL 1993, c. 389, §9 (AMD). PL 2007, c. 402, Pt. F, §7 (RP).

**§217. Reports**

**(REPEALED)**

SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1977, c. 604, §7 (AMD). PL 1987, c. 395, §A112 (AMD). PL 2007, c. 402, Pt. F, §8 (RP).

**§217-A. Liaison; limitations**

**(REPEALED)**

SECTION HISTORY

PL 1977, c. 604, §8 (NEW). PL 1983, c. 758, §2 (AMD). PL 1991, c. 396, §9 (RP).

**§217-B. Budget**

**(REPEALED)**

SECTION HISTORY

PL 1977, c. 604, §8 (NEW). PL 1983, c. 553, §46 (AMD). PL 1983, c. 758, §3 (AMD). PL 1987, c. 395, §A113 (AMD). PL 1995, c. 397, §23 (RP).

**§217-C. Employees**

**(REPEALED)**

SECTION HISTORY

PL 1991, c. 396, §10 (NEW). PL 1995, c. 397, §24 (RP).

**§218. Denial or refusal to renew license; disciplinary action**

The board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for any of the reasons enumerated in Title 10, section 8003, subsection 5-A, paragraph A. [PL 2007, c. 402, Pt. F, §9 (RPR).]

SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1977, c. 694, §544 (RPR). PL 1983, c. 413, §9 (RPR). PL 1987, c. 395, §A114 (AMD). PL 1993, c. 389, §10 (AMD). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2007, c. 402, Pt. F, §9 (RPR).

**SUBCHAPTER 2**

**REGULATION OF ARCHITECTS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS**

**§220. Licensing requirements**

**1. Architects.**

A. A person may not practice architecture or profess to practice architecture inside the State or use the title or profess to be an "architect" or "licensed architect" or display or use any words, letters, figures, titles, sign, card advertisement or other symbol or device indicating or tending to indicate

that the person is an architect or is practicing architecture, or sign technical submissions unless the person is duly licensed by the board.

As used in this chapter, the practice of architecture consists of rendering or offering to render service to clients by consultations, investigations, technical submissions and a coordination of structural factors concerning the aesthetic or structural design and administration of construction contracts or any other service in connection with the designing or administration of construction contracts for buildings located inside the State that have as their principal purpose human occupancy or habitation, regardless of whether the persons are performing one or all of these duties, or whether they are performed in person or as the directing head of an office or organization performing them.

As used in this chapter, the term "technical submissions" includes the preliminary studies, plans, designs, drawings, specifications and contract documents, as well as other documents, prepared in the course of practicing architecture or landscape architecture.

The practice of architecture does not include the practice of landscape architecture as defined in this chapter. A licensed architect may do landscape architectural work as is incidental to the architect's work. [PL 2007, c. 402, Pt. F, §10 (AMD).]

B. An architect must meet the qualifications established in this paragraph.

(1) Except as otherwise provided in this chapter, to be qualified for a license to practice architecture in this State an applicant must submit evidence to the board that the applicant has passed an examination administered by a national council of architectural registration boards or an equivalent examination specified by board rule and:

(a) The applicant has completed a course of study in a school or college of architecture approved by the board, with graduation evidenced by a diploma setting forth a satisfactory degree, and practical experience under the supervision of an experienced architect or architects engaged in the practice of architecture as a profession as prescribed by the board by rule; or

(b) The applicant has training or practical experience, or a combination of both, that in the opinion of the board is fully equivalent to that required in division (a).

(2) An applicant for licensure as an architect in this State who has a current and valid license from another jurisdiction and a certificate from a national council of architectural registration boards or other organization approved by the board may offer to render architectural services in this State prior to licensure by the board if the applicant first notifies the board in writing that the applicant will be present in this State to offer to render architectural services. The applicant may not render architectural services until duly licensed by the board. [PL 2015, c. 414, §1 (AMD).]

C. [PL 2013, c. 217, Pt. C, §1 (RP).]  
[PL 2015, c. 414, §1 (AMD).]

**2. Landscape architects.** Landscape architects are subject to the provisions of this section.

A. A person may not use the title "landscape architect" or profess to be a landscape architect or sign drawings or specifications as a landscape architect unless that person is duly licensed by the board.

As used in this chapter, the practice of landscape architecture consists of rendering or offering to render services to clients by consultations, investigations, technical submissions and administration of construction contracts for the purposes of public land development and enhancement projects involving site vehicular access and circulation, multi-vehicle parking areas, grading and drainage of such ways and areas and site grading that results in drainage flows that exceed the previously

existing drainage capacity, when such project submissions require the stamp or seal of a licensed professional for permit or approval by a municipal land ordinance, site plan ordinance, zoning ordinance or state land development law. These services must apply artistic and scientific principles to the research, planning, design and management of both natural and built environments.

Practitioners of landscape architecture may collaborate in the design of buildings, roads, bridges and other structures with respect to the functional and aesthetic requirements of the landscape in which they are to be placed.

The practice of landscape architecture does not include the practice of architecture as defined in this chapter. A licensed landscape architect may do such architectural work as is incidental to the landscape architect's work.

A person licensed as a landscape architect pursuant to this subsection is entitled to practice within the scope of that person's knowledge, skill and abilities. This subsection may not be construed to affect or prevent the practice of architecture, engineering or any other legally recognized profession. [PL 2007, c. 390, §1 (RPR).]

B. A landscape architect must meet the qualifications established in this paragraph.

(1) Except as otherwise provided in this chapter, to be qualified for a license to practice landscape architecture in this State, an applicant must submit evidence to the board that the applicant has passed an examination administered by a national council of landscape architectural registration boards or an equivalent examination specified by board rule and:

(a) The applicant has completed a course of study in a school or college of landscape architecture approved by the board, with graduation evidenced by a diploma setting forth a satisfactory degree, and practical experience in landscape architectural work as prescribed by the board by rule; or

(b) The applicant has training or practical experience, or a combination of both, that in the opinion of the board is fully equivalent to that required in division (a).

(2) An applicant for licensure as a landscape architect in this State who has a current and valid license from another jurisdiction and a certificate from a recognized council of landscape architectural registration boards may offer to render landscape architectural services in the State prior to licensure by the board as long as the applicant first notifies the board in writing that the applicant will be present in the State to offer to render landscape architectural services. The applicant may not render landscape architectural services until duly licensed by the board.

(3) An applicant for renewal of a license issued pursuant to this section shall submit evidence that the applicant meets the qualifications established by the board. [PL 2023, c. 548, §1 (AMD).]

C. [PL 2013, c. 217, Pt. C, §2 (RP).]

[PL 2023, c. 548, §1 (AMD).]

#### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1977, c. 564, §§118I,118J (AMD). PL 1987, c. 395, §A115 (AMD). RR 1991, c. 1, §44 (COR). PL 1991, c. 396, §11 (AMD). PL 1991, c. 824, §§A63,64 (AMD). PL 2007, c. 390, §1 (AMD). PL 2007, c. 402, Pt. F, §§10-12 (AMD). PL 2009, c. 415, Pt. A, §16 (AMD). PL 2013, c. 217, Pt. C, §§1, 2 (AMD). PL 2015, c. 414, §1 (AMD). PL 2023, c. 548, §1 (AMD).

#### §220-A. Application

**(REPEALED)**

#### SECTION HISTORY

PL 1987, c. 395, §A116 (NEW). PL 1989, c. 857, §73 (AMD). PL 2007, c. 402, Pt. F, §13 (RP).

**§220-B. Use of the title "interior designer"; qualifications; grandfathering**

**1. Use of title.** A person may not use the title "certified interior designer" unless licensed under this chapter. This chapter does not prohibit a person from providing interior design services or from using the title "interior designer."

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Certified interior designer" means an interior designer who has been licensed by the board in accordance with this chapter. [PL 2007, c. 402, Pt. F, §14 (AMD).]

B. "Interior designer" means an individual who provides or offers to provide interior design services. [PL 1993, c. 389, §12 (NEW).]

C. "Interior design services" means services that do not require the services of a licensed architect or engineer and that involve the preparation of working drawings, plans and specifications relative to building elements that are not necessary for the structural stability and mechanical and electrical integrity of the construction. [PL 1993, c. 389, §12 (NEW).]

[PL 2007, c. 402, Pt. F, §14 (AMD).]

**2. Qualifications.** The following are the qualifications for licensure as an interior designer.

A. Except as otherwise provided in this chapter, each applicant for licensure must provide to the board proof of passage of the examination administered by the National Council for Interior Design Qualification or its successor organization or an equivalent examination as specified by the board. [PL 2007, c. 402, Pt. F, §14 (AMD).]

B. In addition to proof of passage of the examination, the applicant must provide substantial evidence to the board that the applicant:

(1) Is a graduate of a 5-year interior design program from an accredited institution and has completed at least one year of diversified and appropriate interior design experience;

(2) Is a graduate of a 4-year interior design program from an accredited institution and has completed at least 2 years of diversified and appropriate interior design experience; [PL 1993, c. 389, §12 (NEW).]

[PL 2007, c. 402, Pt. F, §14 (AMD).]

**3. Accreditation.** All interior design programs must be accredited by the Foundation of Interior Design Education Research, or its successor organization, or be determined by the board to be substantially equivalent to the accredited program.

[PL 1993, c. 389, §12 (NEW).]

**4. Grandfathering.**

[PL 2007, c. 402, Pt. F, §14 (RP).]

**5. Repeal.**

[PL 2007, c. 402, Pt. F, §14 (RP).]

**SECTION HISTORY**

PL 1993, c. 389, §12 (NEW). PL 2007, c. 402, Pt. F, §14 (AMD).

**§220-C. License limited to individuals**

A license under this subchapter may be issued only to an individual, and licensure must be determined on individual and personal qualifications. A firm, corporation, company, partnership or limited liability company may not be licensed under this chapter. [PL 2013, c. 217, Pt. C, §3 (NEW).]

**SECTION HISTORY**

PL 2013, c. 217, Pt. C, §3 (NEW).

**§220-D. Licensure by endorsement**

Notwithstanding any provision of this chapter to the contrary, the board, in accordance with Title 10, section 8003-H and any applicable rules adopted pursuant to that section, shall establish a process to issue a license by endorsement for each license authorized under this chapter that the board determines is appropriate for licensure by endorsement. An applicant may submit an application under the process established under this section or any other licensure process authorized in this chapter. [PL 2021, c. 642, §6 (NEW).]

**SECTION HISTORY**

PL 2021, c. 642, §6 (NEW).

**§221. Examinations**

Examinations must consist of such technical and professional subjects and oral questioning as the board may from time to time prescribe. The rules for the manner in which examinations are conducted and the content of the examination must be adopted in accordance with the Maine Administrative Procedure Act, Title 5, section 8051, et seq. [PL 2007, c. 402, Pt. F, §15 (AMD).]

**SECTION HISTORY**

PL 1977, c. 463, §3 (NEW). PL 1977, c. 694, §§545,546 (AMD). PL 1987, c. 395, §A117 (AMD). PL 1993, c. 389, §13 (AMD). PL 2007, c. 402, Pt. F, §15 (AMD).

**§222. Fees**

The director of the office may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$200. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2007, c. 402, Pt. F, §16 (RPR).]

**1. Application for licensure and certification.**

[PL 2007, c. 402, Pt. F, §16 (RP).]

**2. Examination fee.**

[PL 2007, c. 402, Pt. F, §16 (RP).]

**3. License; certification; resident.**

[PL 2007, c. 402, Pt. F, §16 (RP).]

**4. License; nonresident.**

[PL 2007, c. 402, Pt. F, §16 (RP).]

**5. Renewal.**

[PL 2007, c. 402, Pt. F, §16 (RP).]

**6. Reissuance.**

[PL 2007, c. 402, Pt. F, §16 (RP).]

**SECTION HISTORY**

PL 1977, c. 463, §3 (NEW). PL 1977, c. 694, §547 (AMD). PL 1983, c. 413, §10 (AMD). PL 1987, c. 395, §A118 (AMD). PL 1991, c. 396, §§12-16 (AMD). PL 1993, c. 389, §14 (AMD). PL 2007, c. 402, Pt. F, §16 (RPR).

**§223. Licensure without examination**

**(REPEALED)**

## SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1987, c. 395, §A119 (AMD). PL 1991, c. 396, §17 (RP).

**§223-A. Licensure without examination**

A license may be issued without an examination under any one of the following conditions. [PL 1991, c. 396, §18 (NEW).]

**1. Certification by National Council of Architectural Registration Boards.** An architect license may be issued without examination to an applicant who has a current and valid certificate of licensure from another state and a current and valid certificate from the National Council of Architectural Registration Boards or its successor or other organization approved by the board. The applicant must file an application for licensure with the board.

[PL 2007, c. 402, Pt. F, §17 (AMD).]

**2. Architect licensure from other jurisdictions.** An architect license may be issued without examination to an applicant who holds a current and valid license from another jurisdiction provided the requirements for the license are determined equivalent to requirements for licensure by examination in this State and the applicant submits other evidence of ability as may be required by the board.

[PL 1991, c. 396, §18 (NEW).]

**3. Certification by Council of Landscape Architectural Registration Boards.** A landscape architect license may be issued without examination to an applicant who has passed a standard examination and received certification by the Council of Landscape Architectural Registration Boards and provides the board further evidence of continued honorable professional conduct after passing the examination.

[PL 1991, c. 396, §18 (NEW).]

**4. Landscape architect licensure from other jurisdictions.** A landscape architect license may be issued without examination to an applicant who holds a current and valid license from another jurisdiction provided the requirements for the license are determined equivalent to the requirements for licensure by examination in this State and the applicant submits other evidence of ability as may be required by the board.

[PL 1991, c. 396, §18 (NEW).]

## SECTION HISTORY

PL 1991, c. 396, §18 (NEW). PL 2007, c. 402, Pt. F, §17 (AMD).

**§223-B. Certification by reciprocity**

A license may be issued by the board without further examination requirements for an individual who provides proof of passage of the examination administered by the National Council for Interior Design Qualification, or its successor organization, or an equivalent exam as determined by the board or who is licensed or certified as an interior designer in another state if that state's requirements are substantially equivalent to those required for a license in the State. [PL 2007, c. 402, Pt. F, §18 (AMD).]

## SECTION HISTORY

PL 1993, c. 389, §15 (NEW). PL 2007, c. 402, Pt. F, §18 (AMD).

**§224. License**

The board shall issue a license upon payment of the fee as set under section 222 to any applicant who has satisfactorily met all the requirements of this chapter. [PL 2007, c. 402, Pt. F, §19 (AMD).]



Issuance of a license by the board is evidence that the person named therein is entitled to all the rights and privileges of a licensed architect, licensed landscape architect or certified interior designer while the license remains unexpired and unrevoked. [PL 2007, c. 402, Pt. F, §19 (AMD).]

Licenses expire on the last day of June of each year or any other time the Commissioner of Professional and Financial Regulation may designate. A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under section 222. Any person who submits an application for renewal more than 90 days after the license expiration date is subject to all requirements governing new applicants under this chapter, except that the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is received, together with the late fee, renewal fee and additional late fee as set under section 222, within 2 years from the date of the expiration. [PL 2007, c. 402, Pt. F, §19 (AMD).]

#### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1977, c. 694, §548 (AMD). PL 1983, c. 413, §11 (AMD). PL 1987, c. 395, §A120 (AMD). PL 1991, c. 396, §19 (AMD). PL 2007, c. 402, Pt. F, §19 (AMD).

#### §224-A. Certificate; expiration and renewal

**(REPEALED)**

#### SECTION HISTORY

PL 1993, c. 389, §15 (NEW). PL 2007, c. 402, Pt. F, §20 (RP).

#### §225. Seal

Each licensed architect or landscape architect shall upon licensure obtain a seal of such design as the board authorizes and directs. Technical submissions prepared by or under the direct supervision of a licensed architect or under the direct supervision of a licensed landscape architect must be stamped with the seal during the life of the licensee's license. It is unlawful for anyone to stamp or seal any documents with the seal after the license named on the seal has expired or has been revoked, unless the license has been renewed or reissued. [PL 2013, c. 217, Pt. C, §4 (AMD).]

As used in this section, "direct supervision of a technical submission" means that the supervising licensee has personal knowledge of the technical submission and direct knowledge of involvement with and control over preparation of the technical submission, provided that persons consulting with or employed by the licensee who are licensed in this State under any other provision of law may provide direct supervision of portions of the technical submission. Those portions are determined to be under the direct supervision of the licensee if the licensee has reviewed those portions, coordinated their preparation and is responsible for their adequacy. [PL 1991, c. 396, §20 (NEW).]

#### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1987, c. 395, §A121 (AMD). PL 1991, c. 396, §20 (AMD). PL 2007, c. 402, Pt. F, §21 (AMD). PL 2013, c. 217, Pt. C, §4 (AMD).

#### §225-A. Certified signature

**1. Signature required.** A drawing plan, specification or report prepared or issued by a certified interior designer and being filed for public record must bear the signature of the interior designer who prepared or approved the document, accompanied by a certification that the signer is licensed under this chapter, by the person's license number and by the date on which the signature was affixed. [PL 2007, c. 402, Pt. F, §22 (AMD).]

**2. Competency.** A certified interior designer may not sign a plan, specification, drawing or other document that depicts work that the person is not competent or licensed to perform. [PL 2007, c. 402, Pt. F, §23 (AMD).]

**3. Supervising control.** A certified interior designer may not affix a signature to a plan, specification or other document that was not prepared by that person or under that person's responsible supervising control or by another interior designer and reviewed, approved or modified and adopted by the person as that person's own work according to the rules adopted by the board.

[PL 1993, c. 389, §15 (NEW).]

**4. Document standards.** Studies, drawings, specifications and other related documents prepared by a certified interior designer in providing interior design services must be of a sufficiently high standard to clearly and accurately indicate all essential parts of the work to which they refer.

[PL 1993, c. 389, §15 (NEW).]

## SECTION HISTORY

PL 1993, c. 389, §15 (NEW). PL 2007, c. 402, Pt. F, §§22, 23 (AMD).

### §226. Exceptions

**1. Practices excepted.** Nothing in this chapter may be construed to affect or prevent the practice of:

A. Supervision by builders or superintendents employed by those builders of the installation of architectural or landscape architectural projects; [PL 1991, c. 396, §21 (RPR).]

B. Marine or naval architects acting within the scope of their profession or occupation; [PL 1991, c. 396, §21 (RPR).]

C. Officers or employees of the Federal Government engaged inside the State in the practice of architecture for the Federal Government; [PL 1991, c. 396, §21 (RPR).]

D. Any person in the regular employment of a public utility carrying out work incidental to the person's employment; [PL 1991, c. 396, §21 (RPR).]

E. Any person who is qualified under section 1251 to use the title "professional engineer" from performing any professional engineering service as authorized in section 1251. Such service includes, but is not limited to consultation, investigation, evaluation, planning, design and responsible supervision and administration of construction contracts in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects, and technical submissions, provided the person does only architectural or landscape architectural work that is incidental to the person's engineering work; [PL 1991, c. 874, §2 (RPR).]

F. Officers or employees of the Federal Government or State Government using the title "transportation landscape architect" in the practice of landscape architecture in connection with their governmental employment; [PL 1991, c. 396, §21 (NEW).]

G. The preparation of details and shop drawings, or job-specific interpretations of technical submissions by architects, by persons other than architects, for use in connection with the execution of their work; [PL 1993, c. 389, §16 (AMD).]

H. Employees of those practicing lawfully as architects under this chapter from acting under the instructions, control or supervision of their employers; and [PL 1993, c. 389, §16 (AMD).]

I. A person who is qualified under this chapter to use the title "certified interior designer" from performing any interior design services. [PL 1993, c. 389, §17 (NEW).]

[PL 1993, c. 389, §§16,17 (AMD).]

**2. Technical submissions; construction or development.** Nothing in this chapter may be construed to prevent any person from preparing technical submissions for, or administering construction contracts in, the erection, construction or development of:

A. Detached single or 2-family dwellings, including those to be utilized for home occupations, as defined by local ordinances, and sheds, storage buildings and garages incidental to the dwellings; [PL 1991, c. 874, §3 (AMD).]

B. Farm buildings, including barns, silos, sheds or housing for farm equipment and machinery, livestock, poultry or storage, if the structures are designed to be occupied by no more than 10 persons; [PL 1991, c. 874, §3 (AMD).]

C. Alterations, renovations or remodeling of a building when the cost of the work contemplated by the design does not exceed 15% of the assessed value of the building or \$50,000, whichever is the lesser, or does not require the issuance of a permit under applicable building codes or when the work involves those structures as provided in paragraphs A, B, F, G and H or when the work involves interior design services performed by a certified interior designer; [PL 1993, c. 680, Pt. A, §28 (RPR).]

D. [PL 1991, c. 396, §21 (RP).]

E. [PL 1991, c. 396, §21 (RP).]

F. Buildings that do not have as their principal purpose human occupancy or habitation; [PL 1991, c. 874, §4 (NEW).]

G. Single-story, above-grade buildings of less than 1,000 square feet that are designed to be occupied by no more than 10 persons; and [PL 1991, c. 874, §4 (NEW).]

H. Preengineered manufactured buildings. For the purposes of this section, "preengineered manufactured building" means a structural unit, other than a dwelling, that is designed by a person licensed as an engineer in the State and is constructed in a manufacturing facility. [PL 1991, c. 874, §4 (NEW).]

[PL 1993, c. 680, Pt. A, §28 (AMD).]

#### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1991, c. 396, §21 (RPR). PL 1991, c. 874, §§2-4 (AMD). PL 1993, c. 349, §65 (AMD). PL 1993, c. 389, §§16-18 (AMD). PL 1993, c. 680, §A28 (AMD).

#### §227. Enforcement

**(REPEALED)**

#### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 2007, c. 402, Pt. F, §24 (RP).

#### §228. Penalties

A person who violates section 220, subsection 1 or 2 or section 220-B, subsection 1 is subject to the provisions of Title 10, section 8003-C. [PL 2007, c. 402, Pt. F, §25 (AMD).]

#### SECTION HISTORY

PL 1977, c. 463, §3 (NEW). PL 1983, c. 413, §12 (AMD). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2001, c. 421, §B93 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2007, c. 402, Pt. F, §25 (AMD).

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