

**CERTIFICATE**

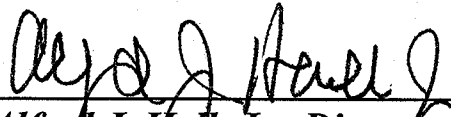
**STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:**

*I, Alfred J. Hall, Jr., Director, Bureau of Business and Design Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Examining Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors, do hereby certify that the annexed rules were duly approved and adopted by the Examining Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors on the 12th day of November, 1998.*

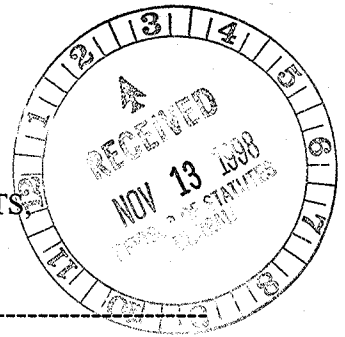
*I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.*

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 12<sup>th</sup> day of November, 1998.**

  
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**Alfred J. Hall, Jr., Director, Bureau of Business and Design Professions, Department of Regulation and Licensing**



STATE OF WISCONSIN  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS,  
DESIGNERS AND LAND SURVEYORS



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IN THE MATTER OF RULE-MAKING : ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF ARCHITECTS,  
EXAMINING BOARD OF ARCHITECTS, : LANDSCAPE ARCHITECTS, PROFESSIONAL  
LANDSCAPE ARCHITECTS, : GEOLOGISTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL GEOLOGISTS, : DESIGNERS AND LAND SURVEYORS  
PROFESSIONAL ENGINEERS, : ADOPTING RULES  
DESIGNERS AND LAND SURVEYORS : (CLEARINGHOUSE RULE 98-030)  
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ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors to *repeal* Figure A-E 3.03, 5.06 (5) and 6.05 (7) (b); to *renumber* A-E 10.05 (1); to *renumber and amend* A-E 6.05 (7) (a); to *amend* ch. A-E 1 (title), 2.01, 2.03 (2) (intro.), 3.02 (title) and 3.02, 3.05 (4) (title) and (4), 3.06 (intro.), (1), (2) and (3), 4.02 (title) and 4.02, 4.03 (1), (a), (b), (c), (d) (intro.), 1. to 4., (2) (a) (intro.), 1. to 5., (b), (c) (intro.), 1. to 11., (d) (intro.), 1. to 6., (e), (3) (a), (b) (intro.), 1. 2., (4) (a) (intro.), 1., 2., (b) (intro.), 1., 2., (c), (5) (a), (b), (6) and (7) (a), 4.07, 4.08 (1) (a), (3) and (6), 4.09 (intro.), (1) to (4), ch. A-E 5 (title), 5.02 (title) and 5.02, 5.03 (1) (intro.), (a), (b) and (c), 5.04 (1) (a) 1. to 3., (b) (intro.), 1. to 4., (c) (intro.), 1., (e) (intro.), 1., (f) (intro.), 1. to 4. and (6), 5.05 (intro.), (1), (2) and (3), 5.06 (2) (a), (b) and (d), 6.02 (title) and 6.02, 6.03 (1) (a) (intro.), 1. (intro.), a. to h., 2. (intro.), a. to c., (b) 1. to 4., 6.04 (intro.), 6.06 (intro.), (1) to (3), 7.05 (1) to (5) and (7), 7.08 (3) (a) to (h), 8.03 (2) (intro.), (a), (b), (3) (intro.), (a) to (c), (5) (intro.), (a) to (d), 8.04 (1) to (6), 8.05 (1) (a) to (f), 8.06 (1) and (2), 8.07 (1), 8.08 (1), 8.09 (1), 8.11 (title), (intro.), (1) to (4), 9.02 (title) and 9.02, 9.05 (3), 10.02 (title) and 10.02, 10.05 (2) (a) 1., 2., (b) 1. and 2., and to *create* a Note following A-E 3.03 (1), a Note following A-E 3.05 (3), 3.05 (9), 4.08 (8), a Note following A-E 5.04 (3), 5.04 (9), a Note following A-E 6.05 (4), 6.05 (10), 9.05 (1) (c) and (8), 10.05 (1) (b), a Note following A-E 10.05 (3) and 10.05 (8), relating to the registration and regulation of architects, landscape architects, professional geologists, professional engineers, designers and land surveyors.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b) and 227.11 (2), Stats.

Statutes interpreted: ss. 443.03, 443.035, 443.037, 443.04, 443.05, 443.06, 443.07, 443.09 and 443.10, Stats.

This proposed rule-making order of the Examining Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors contains amendments which relate to the definitions, the statutory authority, and the form, style, placement, clarity, grammar, punctuation and plain language of the current rules.

The following are changes of a more substantive nature:

Rules are amended to clarify that the passing score set by all sections of the board represents the minimum competency standards required to protect the public health and safety. Rules are created relating to penalties for all sections of the board for examination candidates who cheat on an examination. Rules are amended to clarify that an engineer-in-training applicant may not take the principles and practice examination until the applicant obtains the appropriate amount of experience. Rules are amended to remove the unnecessary language describing the duration of the examination, which may change from time to time as the examination contents change. Rules are amended to require applicants for registration as a professional engineer and as a landscape architect to submit materials relating to qualification for an examination to the board office no later than 90 days before the examination date. This would allow staff adequate time to process an applicant's materials and to communicate to the applicant the status of items submitted. Rules are clarified as to what constitutes an accredited college or university for meeting the educational requirement for land surveyors. Rules are amended to require that both experience and educational requirements for professional geologists must be completed within 10 years preceding the application.

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TEXT OF RULE

SECTION 1. Chapter A-E 1 (title) is amended to read:

Chapter A-E 1 (title)

AUTHORITY AND PRACTICE

SECTION 2. A-E 2.01 is amended to read:

A-E 2.01 PURPOSE. The purpose of the rules in this chapter is to specify general requirements and procedures which apply to ~~all 6 sections~~ persons credentialed by any section of the board. Requirements specific to architects, landscape architects, professional geologists, professional engineers, designers and land surveyors are specified in chs. A-E 3, 4, 5, 6, 7, 9 and 10. Rules of professional conduct for all registrants or permit holders are specified in ch. A-E 8.

SECTION 3. A-E 2.03 (2) (intro.) is amended to read:

A-E 2.03 (2) (intro.) Every firm maintaining one or more places of business in Wisconsin shall have;

SECTION 4. A-E 3.02 (title) and 3.02 are amended to read:

A-E 3.02 (title) APPLICATION FOR REGISTRATION. ~~An application for registration as an architect is available upon request to the board office located at 1400 East Washington Avenue, Madison, Wisconsin 53702.~~ An applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

Note: Applications are available upon request to the board office located at P.O. Box 8935, 1400 East Washington Avenue, Madison, Wisconsin 53708.

SECTION 5. A Note following A-E 3.03 (1) is created to read:

Note: A current copy of the Intern Development Program Table of Training Requirements may be obtained from the Bureau of Business and Design Professions located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 6. Figure A-E 3.03 is repealed.

SECTION 7. A Note following A-E 3.05 (3) is created to read:

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 8. A-E 3.05 (4) (title) and (4) are amended to read:

A-E 3.05 (4) (title) GRADING. ~~The form, schedule and grading for the examination is established by the national council of architectural registration boards.~~ The passing scores set by the board represent the minimum competency required to protect public health and safety.

SECTION 9. A-E 3.05 (9) is created to read:

A-E 3.05 (9) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

SECTION 10. A-E 3.06 (intro.), (1), (2) and (3) are amended to read:

A-E 3.06 APPLICATION CONTENTS. (intro.) An application shall include all of the following:

(1) Transcripts or apprenticeship records verifying the applicant's education and training;

(2) References from at least 5 individuals having personal knowledge of the applicant's experience in the practice of architecture, 3 of whom are ~~licensed~~ registered architects;

(3) A chronological history of the applicant's employment; ~~and~~

SECTION 11. A-E 4.02 (title) and 4.02 are amended to read:

A-E 4.02 (title) APPLICATION FOR REGISTRATION. ~~Applications for certification as an engineer in training and registration as a professional engineer are available upon request to the board office located at 1400 East Washington Avenue, Madison, Wisconsin 53702. An applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.~~

Note: Applications are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 12. A-E 4.03 (1), (a), (b), (c), (d) (intro.), 1. to 4., (2) (a) (intro.), 1. to 5., (b), (c) (intro.), 1. to 11., (d) (intro.), 1. to 6., (e), (3) (a), (b) (intro.), 1., 2., (4) (a) (intro.), 1., 2., (b) (intro.), 1., 2., (c), (5) (a), (b), (6) and (7) (a) are amended to read:

A-E 4.03 (1) RESEARCH AND DEVELOPMENT. (a) Problem identification, including consideration of alternative approaches to problem solving;

(b) Planning, including selecting a theoretical or experimental approach;

(c) Execution of plan, including completing design calculations;

(d) (intro.) Interpreting and reporting results, including; all of the

following:

1. Evaluating project feasibility studies;

2. Analyzing research and development data;

3. Producing interpretive reports;

4. Formulating conclusions and recommendations; ~~and~~;

(2) DESIGN. (a) (intro.) Problem identification, including; all of the following:

1. Identifying design objectives;

2. Identifying possible design concepts or methods;

3. Selecting methods to be employed in consideration of aesthetics, cost and reliability;

4. Defining performance specifications and functional requirements such as materials, energy balances and environmental considerations;

5. Formulating conceptual design specifications; and,

(b) Planning, including defining safety, health and environmental constraints;

(c) (intro.) Execution of plan, including, all of the following:

1. Developing design concepts;

2. Conducting feasibility studies;

3. Evaluating design and design methods;

4. Solving design problems;

5. Preparing designs, layouts and models;

6. Selecting materials and components;

7. Conducting value analysis of design;

8. Producing final designs;

9. Preparing supporting technical information;

10. Preparing detailed working drawings;

11. Preparing specifications and data sheets; and,

(d) (intro.) Interpreting and reporting results, including, all of the following:

1. Evaluating design for conformity to specifications;

2. Evaluating design solutions for efficiency, economic and technical feasibility and economic alternatives;

3. Evaluating design impact on public health, safety and welfare;

4. Evaluating design solution for adherence to laws and codes;.
5. Evaluating product liability risk;.
6. Reviewing designs with clients or management; and;.

(e) Implementation of results, including interacting with engineers from other disciplines of engineering;.

(3) CONSTRUCTION. (a) Problem identification, including checking working drawings and specifications; and;.

(b) (intro.) Execution of plan, including; all of the following:

1. Consulting with designers; and;.
2. Identifying and requesting design changes;.

(4) MANUFACTURING, PRODUCTION AND OPERATIONS. (a) (intro.) Planning, including; all of the following:

1. Proposing design or methods improvement; and;.
2. Planning operational processes and strategies;.

(b) (intro.) Execution of plan, including; all of the following:

1. Preparing feasibility of new or improved products, systems and processes;.
2. Determining feasibility of new or improved products, systems and processes;.

(c) Interpreting and reporting results, including preparing final reports;.

(5) MAINTENANCE. (a) Problem identification, including determining causes of failures in equipment, structures or schedules;.

(b) Interpreting and reporting results, including reporting the causes of failures in equipment, structures or schedules;.

(6) ADMINISTRATION. Administration and management, including execution of plan by communicating with others;.

(7) OTHER ENGINEERING TASKS. (a) Conducting systems analysis or operations research; and,

SECTION 13. A-E 4.07 is amended to read:

A-E 4.07 ENGINEER-IN-TRAINING. An applicant for certification as an engineer-in-training shall take and pass a fundamentals examination. ~~Engineer in training applicants may also take the principles and practice, and the barrier free design examinations.~~

SECTION 14. A-E 4.08 (1) (a) is amended to read:

A-E 4.08 (1) (a) The fundamentals examination requires an understanding of the physical and mathematical sciences involved in the fundamentals of engineering. ~~The duration of the examination is 8 hours, administered in one day.~~

SECTION 15. A-E 4.08 (3) and (6) are amended to read:

A-E 4.08 (3) APPLICATION FOR EXAMINATION. An application for examination must be filed with the board no later than ~~60~~ 90 days before the scheduled date for the examination. An applicant applying for reexamination shall file the application for reexamination no later than 45 days before the scheduled date for the examination.

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

(6) GRADING OF WRITTEN EXAMINATIONS. The passing scores set by the board represent the minimum competency required to protect public health and safety. Experience ratings may not be weighed as a part of the examinations.

SECTION 16. A-E 4.08 (8) is created to read:

A-E 4.08 (8) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

SECTION 17. A-E 4.09 (intro.) and (1) to (4) are amended to read:

A-E 4.09 APPLICATION CONTENTS. (intro.) An application shall include all of the following:

(1) Transcripts or apprenticeship records verifying the applicant's education and training;



(2) References from at least 5 individuals having personal knowledge of the applicant's experience in professional engineering, 3 of whom are ~~licensed~~ registered professional engineers;

(3) A chronological history of the applicant's employment; ~~and~~

(4) Any additional data, exhibits or references showing the extent and quality of the applicant's experience that may be required by the professional ~~engineers~~ engineer section.

SECTION 18. Chapter A-E 5 (title) is amended to read:

Chapter A-E 5 (title)

DESIGNER PERMIT ~~REGISTRATION~~

SECTION 19. A-E 5.02 (title) and 5.02 are amended to read:

A-E 5.02 (title) APPLICATION FOR PERMIT. ~~An application for a designer permit is available upon request to the board office located at 1400 East Washington Avenue, Madison, Wisconsin 53702.~~ Any applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

Note: Applications are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 20. A-E 5.03 (1) (intro.), (a), (b) and (c) are amended to read:

A-E 5.03 (1) GENERAL. (intro.) An applicant's experience shall demonstrate that the applicant has a working knowledge of all of the following:

(a) Basic mathematics, physics and mechanics;

(b) Materials and structures;

(c) Administrative codes and other relevant Wisconsin law; ~~and~~

SECTION 21. A-E 5.04 (1) (a) 1. to 3., (b) (intro.), 1. to 4., (c) (intro.) and 1. are amended to read:

A-E 5.04 (1) (a) 1. Basic mathematics, physics and mechanics;

2. Materials and structures;

3. Graphic techniques, including drafting and sketching, reading and interpreting blueprints and preparing specifications;.

(b) (intro.) The examination for a permit in the field of heating, ventilating and air conditioning systems requires an applicant to demonstrate competency in all of the following:

1. User requirements for maintenance of temperature;.
2. Humidity and ventilation systems;.
3. Energy sources;.
4. Heating, ventilating and air conditioning systems, including ducted, piped, unitary, steam and hot water systems; and;.

(c) (intro.) The examination for a permit in the field of plumbing systems requires an applicant to demonstrate competency in all of the following:

1. User requirements for water supply, drainage and disposal, including private septic systems; and;.

SECTION 22. A-E 5.04 (1) (e) (intro.), 1., (f) (intro.) and 1. to 4. are amended to read:

A-E 5.04 (1) (e) (intro.) The examination for a permit in the field of electrical systems requires the applicant to demonstrate competency in all of the following:

1. User requirements for both primary and secondary distribution, illumination, controls and switches and communication systems; and;.

(f) (intro.) The examination for a permit in the field of fire protection systems requires the applicant to demonstrate competency in all of the following:

1. User requirements for fire protection of life and property, life safety requirements, methods of fire prevention, wet and dry standpipes, use of fire retardants and fire proof materials;.
2. Suppression;.
3. Fire characteristics;.
4. Smoke; and;.

SECTION 23. A Note following A-E 5.04 (3) is created to read:

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 24. A-E 5.04 (6) is amended to read:

A-E 5.04 (6) GRADING OF WRITTEN EXAMINATIONS. The passing scores set by the board represent the minimum competency required to protect public health and safety. An applicant's experience rating is not considered by the board in grading the applicant's written examination.

SECTION 25. A-E 5.04 (9) is created to read:

A-E 5.04 (9) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

SECTION 26. A-E 5.05 (intro.), (1), (2) and (3) are amended to read:

A-E 5.05 APPLICATION CONTENTS. (intro.) An application shall include all of the following:

(1) Transcripts or apprenticeship records verifying the applicant's education and training;

(2) References from 3 individuals who have personal knowledge of the applicant's work involving the preparation of plans and specifications, one of whom shall be a licensed registered architect, professional engineer or designer;

(3) A chronological history of the applicant's employment;

SECTION 27. A-E 5.06 (2) (a), (b) and (d) are amended to read:

A-E 5.06 (2) (a) The field of heating, ventilation and air conditioning systems;

(b) The field of plumbing systems;

(d) The field of electrical systems; ~~and;~~

SECTION 28. A-E 5.06 (5) is repealed.

SECTION 29. A-E 6.02 (title) and 6.02 are amended to read:

A-E 6.02 (title) APPLICATION FOR REGISTRATION. ~~An application for registration as a land surveyor is available upon request to the board office located at 1400 East Washington Avenue, Madison, Wisconsin 53702.~~ Any applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

Note: Applications are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 30. A-E 6.03 (1) (a) (intro.), 1. (intro.), a. to h., 2. (intro.), a., b., c., (b) 1., 2., 3. and 4. are amended to read:

A-E 6.03 (1) (a) (intro.) At least two-thirds of an applicant's experience shall be acquired in all of the following:

1. (intro.) Locating land boundaries and land boundary corners including all of the following services:

- a. Researching public and private records;
- b. Relocating lost and obliterated corners;
- c. Establishing, reestablishing or perpetuating survey monuments;
- d. Subdividing sections;
- e. Establishing or retracing property lines to determine length and bearing;
- f. Reestablishing obliterated property lines;
- g. Preparing descriptions of real property from data acquired by field measurements;
- h. Conducting resurveys; ~~and,~~

2. (intro.) Preparing maps including all of the following:

a. Maps of sections or portions of sections or townships as established by the original public land survey and subdivisions of those sections in accordance with the ~~manuals of surveying instructions by the federal government and the state of Wisconsin;~~

statutes of the United States and the rules and regulations made by the secretary of the interior in conformity thereto.

b. Subdivision plats prepared in accordance with the Wisconsin ~~Statutes~~ statutes or local ordinances;

c. Certified survey maps prepared in accordance with the Wisconsin ~~Statutes~~ statutes or local ordinances;

(b) 1. Preparing highway and railroad rights-of-way maps;

2. Construction staking for highways, roads, streets or similar projects within the boundaries of established ~~rights-of-way;~~ rights-of-way.

3. Performing topographic surveys;

4. Developing control networks for aerial photography unless property lines are used for control; ~~and.~~

SECTION 31. A-E 6.04 (intro.) is amended to read:

A-E 6.04 EDUCATIONAL REQUIREMENTS FOR LAND SURVEYORS. (intro.) To meet the educational requirements of s. 443.06 (2) (a), Stats., requiring “a course in land surveying of not less than 2 years duration approved by the section” an applicant for registration as a land surveyor shall have satisfactorily completed at least 60 semester credits in a civil engineering or land surveying curriculum including no less than 12 semester credits in land surveying which granted by a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located. Credits in land surveying shall be in the following categories of study:

SECTION 32. A Note following A-E 6.05 (4) is created to read:

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 33. A-E 6.05 (7) (a) is renumbered A-E 6.05 (7) and amended to read:

A-E 6.05 (7) EXAMINATION GRADING. The passing scores set by the board represent the minimum competency required to protect public health and safety. Experience rating may not be weighed as part of the examination grade.

SECTION 34. A-E 6.05 (7) (b) is repealed.

SECTION 35. A-E 6.05 (10) is created to read:

A-E 6.05 (10) CHEATING. Any application for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

SECTION 36. A-E 6.06 (intro.), (1), (2) and (3) are amended to read:

A-E 6.06 APPLICATION CONTENTS. (intro.) An application for registration shall include all of the following:

- (1) Transcripts verifying the applicant's education;
- (2) References from at least 5 individuals having personal knowledge of the applicant's experience in land surveying, 3 of whom are ~~licensed~~ registered land surveyors;
- (3) A chronological history of the applicant's employment; ~~and~~.

SECTION 37. A-E 7.05 (1) to (5) and (7) are amended to read:

A-E 7.05 (1) Be drawn to a convenient scale;

- (2) Be referenced as provided in s. ~~59.61~~ 59.73 (1), Stats.;
- (3) Show the exact length and bearing of the boundaries of the parcels surveyed. Where the boundary lines show bearings, lengths or locations which vary from those recorded in deeds, abutting plats, or other instruments there shall be the following note placed along such lines, "recorded as (show recorded bearing, length or location)";
- (4) Describe all monuments used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed;
- (5) Identify the person for whom the survey was made, the date of the survey, and describe the parcel as provided in s. A-E 7.04;
- (7) Be filed as required by s. ~~59.60 (2)~~ 59.45 (1), Stats.

SECTION 38. A-E 7.08 (3) (a) to (h) are amended to read:

A-E 7.08 (3) (a) The identity of the corner, as referenced to the U.S. public land survey system;

(b) A description of any record evidence, monument evidence, occupational evidence, testimonial evidence or any other material evidence considered by the surveyor, and whether the monument was found or placed;

(c) Reference ties to at least 4 witness monuments. Witness monuments shall be concrete, natural stone, iron, bearing trees or other equally durable material, except wood other than bearing trees;

(d) A plan view drawing depicting the relevant monuments and reference ties which is sufficient in detail to enable accurate relocation of the corner monument if the corner monument is disturbed;

(e) A description of any material discrepancy between the location of the corner as restored or reestablished and the location of that corner as previously restored or reestablished;

(f) Whether the corner was restored through acceptance of an obliterated evidence location or a found perpetuated location;

(g) Whether the corner was reestablished through lost-corner-proportionate methods;

(h) The directions and distances to other public land survey corners which were used as evidence or used for proportioning in determining the corner location; ~~and~~.

SECTION 39. A-E 8.03 (2) (intro.), (a), (b), (3) (intro.), (a) to (c), (5) (intro.), (a) to (d) are amended to read:

A-E 8.03 (2) (intro.) "Incompetency in the practice of architecture, landscape architecture, professional geology, professional engineering, designing or land surveying" means conduct which demonstrates any of the following:

(a) Lack of ability or fitness to discharge the duty owed by an architect, landscape architect, professional geologist, professional engineer, designer or land surveyor to a client or employer or to the public;

(b) Lack of knowledge of the fundamental principles of the profession or an inability to apply fundamental principles of the profession; ~~or~~.

(3) (intro.) "Misconduct in the practice of architecture, landscape architecture, professional geology, professional engineering, designing or land surveying" means an act performed by an architect, landscape architect, professional geologist, professional engineer, designer or land surveyor in the course of the profession which jeopardizes the interest of the public, including any of the following:

(a) Violation of federal or state laws, local ordinances or administrative rules relating to the practice of architecture, landscape architecture, professional geology, professional engineering, designing or land surveying;

(b) Preparation of deficient plans, drawings, maps, specifications or reports;

(c) Engaging in conduct which evidences a lack of trustworthiness to transact the business required by the profession;

(5) (intro.) "Supervision," "direct supervision," "responsible charge," and "direction and control," mean direct, personal, active supervision and control of the preparation of plans, drawings, documents, specifications, reports, maps, plats and charts. The terms do not include any of the following:

(a) Indirect or casual supervision;

(b) Delegation of any decision requiring professional judgment;

(c) Casual review or inspection of prepared plans, drawings, specifications, maps, plats, charts, reports or other documents;

(d) Mere assumption by an architect, landscape architect, professional geologist, professional engineer, designer or land surveyor of responsibility for work without having control of the work;

SECTION 40. A-E 8.04 (1) to (6) are amended to read:

A-E 8.04 (1) Shall accurately and truthfully represent to a prospective client or employer the capabilities and qualifications which the registrant has to perform the services to be rendered;

(2) Shall represent the costs and completion times of a proposed project to a client or prospective client as accurately and truthfully as is reasonably possible;

(3) May not offer to perform, nor perform, services which the registrant is not qualified to perform by education or experience without retaining the services of another who is qualified;

(4) May not use advertising or publicity which is fraudulent or deceptive;

(5) May not represent that he or she is engaged in a partnership or association with another unless there exists in fact a partnership or association;



(6) May not collect a fee for recommending the services of another unless written notice is first given to all parties concerned;

SECTION 41. A-E 8.05 (1) (a) to (f) are amended to read:

A-E 8.05 (1) (a) Shall avoid conflicts of interest. If an unavoidable conflict of interest arises, the registrant shall immediately inform the client or employer of all the circumstances which may interfere with or impair the registrant's obligation to provide professional services. Under these circumstances a registrant may not proceed to provide professional services without the full approval and consent of the client or employer;

(b) Shall notify the employer or client and withdraw from employment at any time if it becomes apparent that it is not possible to faithfully discharge the responsibilities and duties owed to the client or employer;

(c) May not agree to perform professional services for a client or employer if the registrant has a significant financial or other interest which would impair or interfere with the registrant's responsibility to faithfully discharge professional services on behalf of the client or employer;

(d) May not accept payment from any party other than a client or employer for a particular project or may not have any direct or indirect financial interest in a service or phase of a service to be provided as part of a project unless the employer or client approves;

(e) May not solicit or accept anything of value from material or equipment suppliers in return for specifying or endorsing a product;

(f) May not violate the confidences of a client or employer, except as otherwise required by rules in this chapter;

SECTION 42. A-E 8.06 (1) and (2) are amended to read:

A-E 8.06 (1) Shall use reasonable care and competence in providing professional services;

(2) May not evade the professional or contractual responsibility which the registrant has to a client or employer; and;

SECTION 43. A-E 8.07 (1) is amended to read:

A-E 8.07 (1) Shall assist in enforcing laws which prohibit the unlicensed practice of architecture, professional geology, professional engineering, designing and land surveying by reporting violations to the board;

SECTION 44. A-E 8.08 (1) is amended to read:

A-E 8.08 (1) Shall furnish the board with information indicating that any person or firm has violated provisions in ch. 443, Stats., rules in this chapter or other legal standards applicable to the profession; ~~and,~~

SECTION 45. A-E 8.09 (1) is amended to read:

A-E 8.09 (1) Shall comply with the requirements in ch. 443, Stats., rules in this chapter and all other federal, state and local codes which relate to the practice of architecture, landscape architecture, professional geology, professional engineering, designing and land surveying; ~~and,~~

SECTION 46. A-E 8.11 (title), (intro.), (1) to (4) are amended to read:

A-E 8.11 (title) SUSPENSION OF REGISTRATION; EFFECT. (intro.) Any registrant whose ~~license~~ registration has been suspended is prohibited during the term of the suspension from engaging in any of the following:

- (1) Offering to perform any service which requires ~~a license;~~ registration.
- (2) Performing any professional service which requires ~~a license;~~ registration.
- (3) Signing or selling plans, specifications, reports, maps, plats, or charts prepared for the practice of architecture, landscape architecture, professional geology, professional engineering, designing or land surveying; ~~and,~~
- (4) Entering into contracts the performance of which require ~~a license; and,~~ registration.

SECTION 47. A-E 9.02 (title) and 9.02 are amended to read:

A-E 9.02 (title) APPLICATION FOR REGISTRATION. An applicant who files an application but does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

SECTION 48. A-E 9.05 (1) (c) is created to read:

A-E 9.05 (1) (c) The passing scores set by the board represent the minimum competency required to protect public health and safety.

SECTION 49. A-E 9.05 (3) is amended to read:

A-E 9.05 (3) APPLICATION FOR EXAMINATION. An applicant for initial registration shall file an application for examination with the board not less than ~~2 months~~ 90 days before the scheduled date of the examination.

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 50. A-E 9.05 (8) is created to read:

A-E 9.05 (8) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

SECTION 51. A-E 10.02 (title) and 10.02 are amended to read:

A-E 10.02 (title) APPLICATION FOR REGISTRATION. ~~An application for registration as a professional geologist is available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.~~ An applicant who files an application but does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

Note: Applications are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 52. A-E 10.05 (1) is renumbered A-E 10.05 (1) (a).

SECTION 53. A-E 10.05 (1) (b) is created to read:

A-E 10.05 (1) (b) The passing scores set by the board represent the minimum competency required to protect public health and safety.

SECTION 54. A-E 10.05 (2) (a) 1., 2., (b) 1. and 2. are amended to read:

A-E 10.05 (2) (a) 1. Completed at least 4 years of professional experience in geologic work of a character satisfactory to the board within the previous 10 years, at least ± one year of which must have been performed under the supervision of a person who is at the time of application registered as a professional geologist under this chapter or who, during the period of supervised experience, was registered as a professional geologist in another state, territory or possession of the United States or in another country that has registration requirements for professional geologists that are not lower than the requirements for registration under this chapter.

2. Have been awarded a postgraduate degree in geology, geophysics, geochemistry, hydrogeology, engineering geology, geotechnical engineering or a related geological science granted by a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located, or accredited by a Canadian accrediting agency satisfactory to the board, and have completed at least 3 years of professional experience in geologic work of a character satisfactory

to the board within the previous 10 years which demonstrates that the applicant is qualified to assume responsible charge of geologic work.

(b) 1. Completed at least 6 years of professional experience in geologic work of a character satisfactory to the board within the previous 10 years which demonstrates that the applicant is qualified to assume responsible charge of geologic work.

2. Have been awarded a postgraduate degree in geology, geophysics, geochemistry, hydrogeology, engineering geology, geotechnical engineering or a related geological science granted by a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located, or accredited by a Canadian accrediting agency satisfactory to the board, and have completed at least 5 years of professional experience in geologic work of a character satisfactory to the board within the previous 10 years which demonstrates that the applicant is qualified to assume responsible charge of geologic work.

SECTION 55. A Note following A-E 10.05 (3) is created to read:

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 56. A-E 10.05 (8) is created to read:

A-E 10.05 (8) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

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(END OF TEXT OF RULE)  
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The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 11-12-98 Agency W = Clint McCallough  
Chairperson

Examining Board of Architects, Landscape  
Architects, Professional Geologists,  
Professional Engineers, Designers  
and Land Surveyors



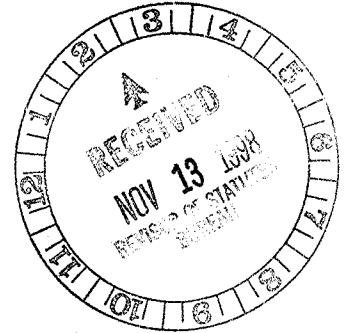
State of Wisconsin  
DEPARTMENT OF REGULATION AND LICENSING  
CORRESPONDENCE/MEMORANDUM

**DATE:** November 13, 1998

**TO:** Gary Poulson  
Assistant Revisor of Statutes

**FROM:** Pamela A. Haack, Administrative Rules Coordinator  
Department of Regulation and Licensing  
Office of Administrative Rules

**SUBJECT:** Final Order Adopting Rules



**Agency: EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND  
LAND SURVEYORS**

Attached is a copy and a certified copy of a final order adopting rules relating to the registration and regulation of home inspectors. Would you please publish these rules in the register.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.