

STATEMENT OF SCOPE

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

Rule No.: A-E 8

Relating to: Professional conduct

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors (A-E Board) is conducting a thorough review of the A-E administrative rules in preparation of their first biennial report in response to 2017 Act 108 and s. 227.29, Stats. As a result of this review, the A-E Board has determined that chapter A-E 8, relating to professional conduct, needs to be amended to ensure that the requirements are current with standards of practice.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The A-E Board will revise A-E 8.04 (5) to ensure that it is not interpreted in an unnecessarily economically burdensome way. The A-E Board will further undertake a review of A-E 8 to potentially update other provisions to ensure that the requirements are current with standards of practice and consistent with ch. 443, Stats.

The alternative of not amending the rules would be less beneficial to affected entities due to potentially unclear prohibitions, including A-E 8.04 (5) which can be interpreted in an unnecessarily economically burdensome way.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board, “shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains...”

Section 443.015 (2), Stats., provides that “each section of the examining board may promulgate rules governing the professional conduct of individuals, firms, partnerships, and corporations registered, permitted, certified, or granted a certificate of authorization by that section.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

The Department estimates approximately 80 hours will be needed to perform the review and develop any rule changes. The Department will assign existing staff to perform the review and develop the rule changes. No additional resources will be required.

6. List with description of all entities that may be affected by the proposed rule :

Licensed Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The rule changes contemplated in this project are not expected to have any negative economic impacts on any of the affected entities.

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