

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 485 Department or Agency Alabama Board for Registered Interior Designers

Rule No. 485-X-3

Rule Title Registration of Interior Designers

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Kristin G. J.
Date 3.12.13

(DATE FILED)
(STAMP)

APA-2
07/04

Alabama Board for Registered Interior Designers

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board for Registered Interior Designers

RULE NO. AND TITLE: 485-X-3, Registration of Interior Designers

INTENDED ACTION: Amend Chapter 485-X-3

SUBSTANCE OF PROPOSED ACTION:

This proposed amendment allows the board to better serve the registered interior designers during the renewal period, and assists expired registrants in obtaining reinstatement.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS:

Comments may be submitted orally or in writing to the Alabama Board for Registered Interior Designers at the Board office as follows:

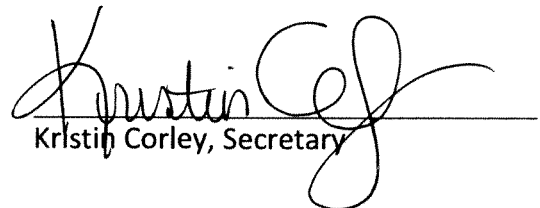
Alabama Board for Registered Interior Designers
Attn: Bryant G. Williams
P.O. Box 11026
Birmingham, AL 35202-1026
(205)317-0356

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, May 3, 2013

CONTACT PERSON AT AGENCY:

Attn: Bryant G. Williams
P.O. Box 11026
Birmingham, AL 35202-1026
(205)317-0356


Kristin Corley, Secretary

ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

CHAPTER 485-X-3 REGISTRATION OF INTERIOR DESIGNERS

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485-X-3-.01 Registration Requirements.

(1) Those applicants found qualified by the board, or the board's Registration Committee, shall be granted a Certificate of Registration. Certificates of Registration are issued to individuals only. Applications for registration shall be obtained from the board and shall be submitted with all required documentation and an application fee established by the board.

(2) An applicant must meet the following requirements to become registered:

(a) Be of good ethical character.

(b) Either satisfy all educational and experience requirements to take the National Council for Interior Design Qualification (NCIDQ) examination; OR holds a degree from a National Architectural Accreditation Board (NAAB) accredited school, or is a registered architect, who satisfies eligibility requirements to take the NCIDQ examination.

(c) Has passed the NCIDQ examination.

(d) Is at least 21 years of age.

Author: Alabama Board for Registered Interior Designers

Statutory Authority: Code of Ala. 1975, §34-15C-6(a) & (b).

History: Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective May 31, 2013.

485-X-3-.02 Privileges of Registration.

(1) Those registrants holding a valid Certificate of Registration may use seals and stamps of a design approved by the board for the purpose of

submitting construction documents to building officials pursuant to this chapter, and to the use of the terms "Registered Interior Designer" or "RID" and/or their State of Alabama registration number on any sign, card, listing, advertising, business name, stationery, or in any other manner.

(2) Those registrants holding a valid Certificate of Registration may participate as owners with architects and professional engineers, or both, in partnerships, corporations, professional corporations, professional associations and other business entity relationships.

(3) Registrants whose certificates are inactive, have expired, or are otherwise made invalid immediately lose privileges reserved for registered interior designers and are subject to disciplinary action for violations of this chapter by the board or the courts as consistent with the Alabama Administrative Procedure Act.

Author: Alabama Board for Registered Interior Designers

Statutory Authority: Code of Ala. 1975, §34-15C-8; §34-15C-9; §34-15C-16.

History: Original rule filed: July 13, 2010; effective September 21, 2010.

485-X-3-.02 Renewal of Registration.

(1) Registration term is the fiscal year which begins October 1 and ends September 30 of the following year. Certificates of Registration must be renewed annually. Renewal applications must include payment of a renewal fee established by the board and proof of completion of all continuing education requirements. No provision is made for partial payment for a partial year. Renewal fees are due October 1st of each fiscal year. If the registrant elects to renew his license electronically, if available, the registrant may be charged a convenience fee or surcharge. If renewal is not completed on January 1, the registration will lapse and must be reinstated, as required by regulation.

(2) Prior to September 1 of each year, the board shall issue renewal notices to each interior designer who is actively registered to the individual's last known address and/or e-mail address. It is the obligation of the registrant to notify the board of any changes to contact information.

(3) ~~Renewals not postmarked by October 1 are lapsed and must be reinstated.~~ Renewals postmarked October 1 through December 31 will be considered late and those renewals must include the late penalty established by regulation.

(4) Certificates of Registration held by active duty members of the Armed Forces of the United States shall not expire until September 30 following the day of discharge or final separation from the Armed Forces of the United States.

(5) The board shall not renew a Certificate of Registration to any individual who has been assessed fines or costs associated with investigation and prosecution of violation of the act until the individual complies with or satisfies all terms and conditions of any final order of the board or the courts of Alabama.

Author: Alabama Board for Registered Interior Designers

Statutory Authority: Code of Ala. 1975, §34-15C-5 (6)(13); §34-15C-6 (e)(f).

History: Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective May 31, 2013.

485-X-3-03 Reinstatement of Certificates and Seals.

(1) Reinstatement of certificates and seals will be required for any certificate that has lapsed for whatever reason; or which has been suspended or revoked through disciplinary action.

(2) A registered interior designer requesting reinstatement of a lapsed certificate must complete a reinstatement application; submit the reinstatement application fee; renewal fee and late penalty; proof of meeting current continuing education requirements established by the board, ~~including during the lapsed period~~; and a sworn affidavit that no submission of sealed documents has occurred during the time a certificate was invalid. The Board shall review or authorize the Office Administrator to review the application and authorize approval of the application for reinstatement. Should the application or record reflect disciplinary history or unsatisfactory responses to questions on the application, the Board will conduct a further review of the application and render a decision regarding eligibility for registration. If approved, the same registration number will be reissued. New certificates for framing will not be issued unless a written request is made and a replacement fee is received.

(3) A registered interior designer requesting reinstatement of a suspended or revoked certificate must complete a reinstatement application; submit the reinstatement application fee; ~~a reinstatement fee~~; proof of meeting current continuing education requirements established by the board, and a sworn affidavit that no use of titles or seals reserved for registered interior designers has occurred during the period of suspension or revocation. The Board shall conduct a review of the application and render a decision regarding eligibility for registration. The board shall not reinstate Certificates of Registration which have been suspended or revoked through disciplinary action to any individual who has not satisfied all monetary fines or assessments and any other conditions of any final order of the board. If reinstatement is approved, the same registration number will be reissued. New certificates for framing will not be issued unless a written request is made and a replacement fee is received.

Author: Alabama Board for Registered Interior Designers

Statutory Authority: Code of Ala. 1975, §34-15C-5(6); §34-15C-12.

History: Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective May 31, 2013.

485-X-3-04 Inactive Status.

(1) Only a registered interior designer holding a current and valid Certificate of Registration may apply to the board for inactive status. The individual shall request inactive status in writing on an application as approved by the board. When an individual is classified as inactive status, the certificate of the inactive individual will become invalid and the individual will not be listed in the roster and will not retain the title and seal and stamping privileges of a Registered Interior Designer in the State of Alabama.

(2) Inactive status must be in force for a period of not less than six months before reactivation may be requested. The date of Inactive Status shall begin on the date specified on the application.

(3) When requesting reactivation as a Registered Interior Designer, the inactive status individual shall complete an Application for Reactivation, available from the board office or the board website, and submit the payment of a reactivation fee established by the board.

(4) Continuing education requirements are suspended during terms of board-approved inactive status. Continuing education requirements shall resume upon reactivation of the certificate.

Author: Alabama Board for Registered Interior Designers

Statutory Authority: Code of Ala. 1975, §34-15C-5(12).

History: Original rule filed: July 13, 2010; effective September 21, 2010.