ARC 0709D

INSPECTIONS, APPEALS, AND LICENSING DEPARTMENT[481]

Notice of Intended Action

Proposing rulemaking related to licensure and exceptions and providing an opportunity for public comment

The Department of Inspections, Appeals, and Licensing hereby proposes to amend Chapter 1062, "Licensure," and Chapter 1065, "Exceptions," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 272C and section 544A.29.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 272C and 544A.

Purpose and Summary

This proposed rulemaking updates publication dates for guidelines incorporated by reference, refines parameters governing licensure status, promulgates necessary regulatory definitions, and removes matrices that conflict with the Iowa Code.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on September 16, 2026. A public hearing was held on the following date(s):

- October 6, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Architectural Examining Board for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on December 1, 2026. Comments should be directed to:

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Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule **481—1062.1(544A,17A)**, definitions of "Inactive" and "NCARB Architect Registration Examination (ARE) Guidelines," as follows:

"Inactive" means that an architect is not engaged in Iowa in any practice for which a certificate of licensure is required~~, including architects who have retired from active practice~~.

"NCARB Architect Registration Examination (ARE) Guidelines" means the edition of a document by the same title published by the National Council of Architectural Registration Boards in ~~April~~ October 2026. The document outlines the requirements for examination.

ITEM 2. Adopt the following **new** definition of "Retired" in rule **481—1062.1(544A,17A)**:

"Retired" means that an architect is not engaged in the practice of architecture or earning monetary compensation by providing professional architectural services in any licensing jurisdiction of the United States or a foreign country.

ITEM 3. Amend subrule 1062.3(2) as follows:

1062.3(2) *Inactive status.* This subrule establishes a procedure under which a person issued a certificate of licensure as an architect may apply to the board to be licensed as inactive. Licensure under this subrule is available to a license holder who is not engaged in Iowa in any practice for which licensure as an architect is required. A person eligible to be licensed as inactive may, as an alternative to such licensure, allow the certificate of licensure to lapse. During any period of inactive status, a person may use the title "inactive architect" ~~or "retired architect,"~~ but may not use the sole title of "architect" or any other title that might imply that the person is offering services as an architect by such an action in violation of Iowa Code section 544A.15. The board will continue to maintain a database of persons licensed as inactive, including information that is not routinely maintained after a certificate has lapsed through the person's failure to renew. A person who is licensed as inactive will accordingly receive renewal applications, board newsletters and other mass communications from the board.

a. and *b.* No change.

c. Permitted practices. A person may, while licensed as inactive, perform for a client, business, employer, government body, or other entity those services that may lawfully be provided by a person to whom a certificate of licensure has never been issued. Such services may be performed as long as the person does not in connection with such services use the title "architect" or any other title restricted for use only by architects pursuant to Iowa Code section 544A.15 (without additional designations such as "inactive" ~~or "retired"~~). Restricted titles may be used only by active architects who are subject to continuing education requirements to ensure that the use of such titles is consistently associated with the maintenance of competency through continuing education.

d. and *e.* No change.

ITEM 4. Adopt the following **new** subrule 1062.3(3):

1062.3(3) *Retired status.* A person who held a license as an architect and who does not reasonably expect to return to the workforce in any capacity for which a certificate of licensure is required due

to bona fide retirement or disability may apply to the board for retired status and, if granted, may use the title "architect retired" in the context of non-income-producing personal activities. If the board determines an applicant is eligible, the retired status would become effective on the first scheduled license renewal date. Applicants do not need to reinstate an expired license to be eligible for retired status. Applicants may apply for retired status on forms provided by the board. The board will not provide a refund of biennial license fees if an application for retired status is granted in a biennium in which the applicant has previously paid the biennial fees for either active or inactive status. Persons licensed in retired status are exempt from the renewal requirement.

a. Affirmation. The retired status application form shall contain a statement in which the applicant affirms that the applicant will not engage in any of the practices in Iowa that are listed in Iowa Code section 544A.16 without first complying with all rules governing reinstatement to active status. A person in retired status may reinstate to active status at any time pursuant to subrule 1062.3(3).

b. Permitted practices. Persons licensed in retired status may engage in the practices identified in paragraph 1062.3(2)*"c."* Such persons may also provide services as technical experts before a court, including prelitigation preparation, discovery, and testimony, on matters directly related to architectural services provided by such persons prior to being licensed with the board in retired status.

c. Exemption. A person whose license as an architect has been placed on probation, suspended, revoked, or voluntarily surrendered in connection with a disciplinary investigation or proceeding shall not be eligible for retired status unless, upon appropriate application, the board first reinstates the license to good standing.

ITEM 5. Amend rule 481—1062.5(544A) as follows:

481—1062.5(544A) Reinstatement from inactive status <u>or retired status</u> to active status.

<u>1062.5(1)</u> An individual may reinstate an inactive license to an active license as follows:

<u>*a.* Pay one-half of the current active license fee.</u>

<u>*b.* Submit documented evidence of completion of 24 continuing education hours in compliance with requirements in 481—Chapter 1063. All continuing education hours must be completed in health, safety, and welfare subjects acquired in structured educational activities. The hours reported shall not have been earned more than four years prior to the date of the application to reinstate to active status. The hours used to reinstate to active status cannot again be used to renew.</u>

<u>(1) At the first biennial renewal date of July 1 that is less than 12 months from the date of the filing of the application to restore the certificate of licensure to active status, the person shall not be required to report continuing education hours.</u>

<u>(2) At the first biennial renewal date of July 1 that is 12 months or more, but less than 24 months, from the date of the filing of the application to restore the certificate of licensure to active status, the person shall report 12 hours of previously unreported continuing education hours.</u>

<u>*c.* Provide a written statement in which the applicant affirms that the applicant has not engaged in any of the practices in Iowa that are listed in Iowa Code section 544A.16 during the period of inactive licensure.</u>

~~**1062.5(1)** Pay one-half of the current active license fee.~~

~~**1062.5(2)** Submit documented evidence of completion of 24 continuing education hours in compliance with requirements in 481—Chapter 1063. All continuing education hours must be completed in health, safety, and welfare subjects acquired in structured educational activities. The hours reported shall not have been earned more than four years prior to the date of the application to reinstate to active status. The hours used to reinstate to active status cannot again be used to renew.~~

~~*a.* At the first biennial renewal date of July 1 that is less than 12 months from the date of the filing of the application to restore the certificate of licensure to active status, the person shall not be required to report continuing education hours.~~

~~*b.* At the first biennial renewal date of July 1 that is 12 months or more, but less than 24 months, from the date of the filing of the application to restore the certificate of licensure to active status, the person shall report 12 hours of previously unreported continuing education hours.~~

~~**1062.5(3)** Provide a written statement in which the applicant affirms that the applicant has not engaged in any of the practices in Iowa that are listed in Iowa Code section 544A.16 during the period of inactive licensure.~~

1062.5(2) An individual may reinstate a retired license to an active license as follows:

a. Pay the current active license fee. If the individual is reinstating to active status at a date that is less than 12 months from the next biennial renewal date, one-half of the current active license fee shall be paid.

b. Submit documented evidence of completion of 24 continuing education hours in compliance with requirements in 481—Chapter 1063. All continuing education hours must be completed in health, safety, and welfare subjects acquired in structured educational activities. The hours used to reinstate to active status cannot again be used to renew.

(1) At the first biennial renewal date of July 1 that is less than 12 months from the date of the filing of the application to restore the certificate of licensure to active status, the person shall not be required to report continuing education hours.

(2) At the first biennial renewal date of July 1 that is 12 months or more, but less than 24 months, from the date of the filing of the application to restore the certificate of licensure to active status, the person shall report 12 hours of previously unreported continuing education hours.

c. Provide a written statement in which the applicant affirms that the applicant has not engaged in any of the practices in Iowa that are listed in Iowa Code section 544A.16 during the period of retired licensure.

ITEM 6. Amend rule 481—1062.9(544A,17A) as follows:

481—1062.9(544A,17A) Fee schedule. Under the authority provided in Iowa Code chapter 544A, the following fees are hereby adopted:

Examination fees:	
Fees for examination subjects shall be paid directly to the testing service selected by NCARB.	
Initial license fee (plus $5 per month until renewal)	$50
Reciprocal application and license fee	$200
Verification application and license fee	$200
Biennial renewal fee	$200
Biennial renewal fee (inactive)	$100
Retired status	None
Reinstatement of lapsed individual license	$100 + renewal fee + $25 per month or partial month of expired license
Reinstatement of inactive individual license	$100
Duplicate wall certificate fee	$50
License predetermination fee	$25
Fee for return of payment	$30
All fees are nonrefundable.	

ITEM 7. Amend rule **481—1065.1(544A)**, definitions of "Accessory buildings," "Commercial," "Educational use," "Hazardous use," "Industrial use," "Institutional use," "International Building Code," "Place of assembly of people or public gathering," "Residential use" and "Warehouses," as follows:

"Accessory buildings" means a building or structure of an accessory character and miscellaneous structures not classified in any specific occupancy or use. "Accessory buildings" are constructed, equipped and maintained to conform to the requirements corresponding to the fire and life hazard

incidental to the buildings' occupancy. "Accessory buildings" is intended to encompass the uses listed in Group U of the ~~2015~~ 2024 International Building Code®.

"Commercial" or *"commercial use"* means the following:

1. The use of a building or structure, or a portion thereof, for office, professional, or service-type transactions, including storage of records and accounts,

2. The use of a building or structure, or a portion thereof, for the display and sale of merchandise, and involves stocks of goods, including wares or merchandise incidental to such purposes and accessible to the public.

"Commercial use" is intended to encompass the uses listed in Group B and Group M of the ~~2015~~ 2024 International Building Code®.

"Educational use" means the use of a building or structure, or a portion thereof used (1) by six or more persons at any one time for education purposes through twelfth grade; or (2) by six or more children for day care purposes. Rooms and spaces within places of religious worship providing such day care during religious functions and day cares serving five or fewer children are classified as part of the primary occupancy. "Educational use" is intended to encompass the uses listed in Group E of the ~~2015~~ 2024 International Building Code®.

"Hazardous use" means the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard. "Hazardous use" is intended to encompass the uses listed in Group H of the ~~2015~~ 2024 International Building Code®.

"Industrial use" means the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair, or processing operations that are not classified as hazardous use. "Industrial use" is intended to encompass the uses listed in Group F of the ~~2015~~ 2024 International Building Code®.

"Institutional use" means the use of a building or structure, or a portion thereof, in which persons are receiving custodial or medical care, in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Day care facilities as defined in educational use are not considered institutional uses. "Institutional use" is intended to encompass the uses listed in Group I of the ~~2015~~ 2024 International Building Code®. Facilities with five or fewer persons receiving custodial care may be considered a residential use or be considered part of the primary occupancy as listed in Group I of the ~~2015~~ 2024 International Building Code®.

"International Building Code" is a model building code developed by the International Code Council. The ~~2015~~ 2024 International Building Code® is available from the state library of Iowa or the board or online at codes.iccsafe.org.

"Place of assembly of people or public gathering" means the use of a building or structure, or a portion thereof, for the gathering of persons such as for civic, social, or religious functions; recreation, food or drink consumption; or awaiting transportation. "Place of assembly of people or public gathering" is intended to encompass the uses listed in Group A of the ~~2015~~ 2024 International Building Code®. Places of assembly with occupancy of fewer than 50 people are considered part of the primary occupancy.

"Residential use" means the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an institutional use. "Residential use" is intended to encompass the uses listed in Group R of the ~~2015~~ 2024 International Building Code®.

"Warehouses" or *"warehouse use"* means the use of a building or structure, or portion thereof, for storage that is not classified as a hazardous use. "Warehouse use" is intended to encompass the uses listed in Group S of the ~~2015~~ 2024 International Building Code®.

ITEM 8. Adopt the following **new** definitions of "Building" and "Building area," in rule **481—1065.1(544A)**:

"Building" means any structure utilized or intended for support or sheltering any occupancy.

"Building area" means the area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of vent shafts and courts. Areas of a building not provided with surrounding walls shall

be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

ITEM 9. Rescind and reserve rule **481—1065.4(544A)**.