

TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS

TENNESSEE CODE ANNOTATED

TITLE 62
PROFESSIONS, BUSINESSES AND TRADES

CHAPTER 2
ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECTS AND
INTERIOR DESIGNERS

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PART 1—GENERAL PROVISIONS

62-2-101. Registration.

In order to safeguard life, health and property, and to promote public welfare, by requiring that only properly qualified persons shall practice architecture, engineering and landscape architecture, or use the title “registered interior designer” in this state, any person practicing architecture, engineering or landscape architecture, or using the title “registered interior designer” shall be registered as hereinafter provided, and it is unlawful for any person to practice or offer to practice architecture, engineering or landscape architecture, or use the title “registered interior designer” unless such person has been duly registered under the provisions of this chapter, except as hereinafter provided.

[Acts 1979, ch. 263, § 1; T.C.A., § 62-201; Acts 1988, ch. 990, § 1; 1991, ch. 164, § 8; 1997, ch. 33, § 1.]

62-2-102. Practice and persons exempt from registration.

(a) Except as provided in subsections (b) and (d), nothing in this section shall be construed as requiring registration for the purpose of practicing architecture, engineering or landscape architecture by a person; provided, that the person does not use the appellation “architect,” “engineer” or “landscape architect,” an appellation which compounds, modifies or qualifies the words “architecture,” “engineering” or “landscape architecture,” or which gives or is designed to give the impression that the person using same is an architect, engineer or landscape architect.

(b) It is unlawful for any person other than a registered architect or engineer to prepare plans and specifications for any building or structure other than the following:

- (1) Structures classified as “business,” “factory-industrial,” “hazardous,” “mercantile,” “residential” and “storage” occupancies, as such occupancies are defined in the 1985 edition of the Standard Building Code, which are:
 - (A) Less than three (3) stories in height; and
 - (B) Less than five thousand square feet (5,000 sq. ft.) in total gross area;
- (2) One-family and two-family dwellings and domestic outbuildings appurtenant thereto; or
- (3) Farm buildings not designed or intended for human occupancy; or
- (4) (A) Signs that do not exceed either of the following limits:
 - (i) Any portion of the sign is twenty feet (20') or more above the ground level; or
 - (ii) Any portion of the sign is fifteen feet (15') or more above the ground level, if the sign has more than one hundred twenty square feet (120 sq. ft.) in total sign face area;
- (B) Subdivision (b)(4)(A) shall not apply if, in the opinion of the local government building official, failure of the support system for the sign is likely to cause harm to people or property.

(c) Nothing in this section shall prevent any awarding authority, public or private, from requiring the services of a registered architect, engineer or landscape architect for any project.

(d) Any person, firm, company, business, corporation or other entity which was organized and doing business other than business regulated herein, which was organized and doing business prior to January 1, 1967, and whose corporate name includes the appellation “engineer” or an appellation which compounds, modifies or qualifies the word “engineering,” may continue to use such corporate name and shall not be required to register pursuant to this chapter. The provisions of this section shall not be construed to authorize such entities to engage in the practice of architecture, engineering or landscape architecture without registering pursuant to this chapter. [Acts 1979, ch. 263, § 29; T.C.A., § 62-229; Acts 1983, ch. 47, § 1; 1988, ch. 990, § 2; 1989, ch. 307, § 1; 1993, ch. 132, § 1; 2009, ch. 268, § 1.]

62-2-103. Persons exempt from chapter.

The following shall be exempted from the provisions of this chapter; provided, that except as provided in subdivision (4), nothing in this section shall be construed as exempting any person who makes public use of the title “engineer,” “architect,” or “landscape architect” or any appellation thereof, including persons employed by the state of Tennessee or its political subdivisions:

(1) Any person engaging in architectural, engineering or landscape architectural work as an employee of a registered architect, registered engineer or registered landscape architect; provided, that such work may not include responsible charge of design or supervision;

(2) Architects, engineers, or landscape architects who are not residents of and have no established place of business in this state, who are acting as consulting associates of an architect, engineer or landscape architect registered under the provisions of this chapter; provided, that the nonresident is qualified for such professional service in the nonresident's own state or country; and

(3) Architects, engineers or landscape architects who are employed by a person, firm or corporation not engaged in the practice of architecture, engineering, or landscape architecture and who render architectural, engineering or landscape architectural services to their employer only and not to the general public.

(4) Architects, engineers or landscape architects who are employed by a municipal electric system or electric and community service cooperative as defined in § 65-34-102, or telephone cooperatives as defined in title 65, chapter 29 and who render architectural, engineering or landscape architectural services pertaining to the operations of their employer and who do not offer their services to the general public in exchange for compensation other than that received from their employer. Nothing in this subdivision shall be construed as exempting any person who makes public use of the title “engineer,” “architect,” or “landscape architect,” or any appellation thereof.

[Acts 1979, ch. 263, § 30; T.C.A., § 62-230; Acts 1988, ch. 990, §§ 3-5; 1989, ch. 307, §§ 2, 3; 1993, ch. 132, § 2; 1994, ch. 644, §§ 1, 2; 1995, ch. 113, § 2.]

62-2-104. Employees of licensees.

(a) Nothing in this chapter shall prevent the drafters, students, clerks of the work superintendents and other employees of lawfully practicing architects, engineers and landscape architects under provisions of this chapter, from acting under the instruction, control or supervision of the employer, or to prevent the employment of superintendents on the construction, enlargement or alterations of buildings or any appurtenance thereto, or prevent such superintendents from acting under the immediate personal supervision of registered architects, registered engineers or registered landscape architects by whom the plans and specifications of any such building enlargements, constructions or alterations were prepared.

(b) Nor shall anything contained in this chapter prevent persons, mechanics or builders from making plans, specifications for, or supervising the erection, enlargement or alterations of buildings, or any appurtenance thereto, to be constructed by themselves or their employees exclusively for their own use and occupancy, unless the same involves the public health or safety; provided, that the working drawings for such constructions are signed by the authors thereof and their true appellations as "contractor," "carpenter," etc., without the use in any form of the title "architect," "engineer" or "landscape architect."

[Acts 1979, ch. 263, § 31; T.C.A., § 62-231; Acts 1988, ch. 990, § 6.]

62-2-105. Penalties—Reporting offenses.

(a) (1) No person shall:

(A) Present or attempt to file as such person's own the certificate of registration of another;

(B) Give forged or willfully false evidence of any kind to the state board of examiners for architects and engineers or any member thereof for the purpose of obtaining a certificate;

(C) Falsely impersonate any other practitioner; or

(D) Use or attempt to use an expired or revoked certificate of registration.

(2) A violation of this subsection is a Class B misdemeanor.

(b) (1) No person shall practice or offer to practice engineering, architecture or landscape architecture, or use the title "registered interior designer" in this state in violation of this chapter.

(2) A violation of this subsection is a Class B misdemeanor.

(3) Each day's violation of this subsection is a separate offense.

(c) A person is construed to practice (or offer to practice) engineering, architecture or landscape architecture who, by verbal claim, sign, advertisement, letterhead, card, or in any other way, represents such person to be an architect, engineer or landscape architect, with or without qualifying adjective, or through the use of some other title implies that the person is an architect, engineer or landscape architect.

(d) It is the duty of the members of the board to report any violations of this chapter to the proper authorities.

[Acts 1979, ch. 263, § 34; 1980, ch. 627, § 5; T.C.A., § 62-234; Acts 1988, ch. 990, § 7; 1989, ch. 591, § 112; 1991, ch. 164, § 9; 1997, ch. 33, § 2.]

62-2-106. Enforcement.

(a) It is the duty of the state board of examiners for architects and engineers to inquire into the identity of any person claiming to be an architect, engineer, landscape architect or registered interior designer, and to prosecute any person or persons violating the provisions of this chapter.

(b) The board may, when it deems appropriate, seek such civil remedies at law or equity to restrain or enjoin any unauthorized practice or other violation of this chapter.

[Acts 1979, ch. 263, § 35; T.C.A., § 62-235; Acts 1988, ch. 990, § 8; 1991, ch. 164, § 10; 1997, ch. 33, § 3.]

62-2-107. Employment of licensees on public works—Excluded public works.

(a) Neither the state, nor any county, city, town or village, or other political subdivision of the state, shall engage in the construction or maintenance of any public work involving architecture, engineering or landscape architecture for which the plans, specifications and estimates have not been made by a registered architect, registered engineer or registered landscape architect.

(b) (1) Nothing in this section shall be held to apply to such public work if:

(A) The contemplated expenditure for the complete project does not exceed fifty thousand dollars (\$50,000), and the work does not alter the structural, mechanical or electrical system of the project; or

(B) The contemplated expenditure for the complete project does not exceed one hundred thousand dollars (\$100,000), the project is located in a state park, and the work is solely maintenance, as defined in the policy and procedures of the state building commission.

(2) For a public work located in a state park, existing plans may be used as a basis of design if the plans have been designed and sealed by a registered architect, engineer, or landscape architect and a registered architect, engineer, or landscape architect reviews such plans for compliance with all applicable codes and standards and appropriateness for the site conditions of the project, makes changes if required, and seals the plans in accordance with the requirements of this chapter.

(c) For the purposes of this chapter, "public work" does not include construction, reconstruction or renovation of all or any part of an electric distribution system owned or operated directly or through a board by a municipality, county, power district or other subdivision of the state of Tennessee, that is to be constructed, reconstructed or renovated according to specifications established in the American National Standard Electrical Safety Code, the National Electrical Code, or other recognized specifications governing design and construction requirements for such facilities. Notwithstanding the foregoing, "electrical distribution system" does not include any office buildings, warehouses or other structures containing walls and a roof which are to be open to the general public.

[Acts 1979, ch. 263, § 36; T.C.A., § 62-236; Acts 1988, ch. 990, § 9; 1994, ch. 644, § 3; 2012, ch. 927, § 1; 2015, ch. 403, § 1.]

62-2-108. Hearings and judicial review.

The provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under this chapter.

[Acts 1980, ch. 451, § 11; T.C.A., § 62-237.]

62-2-109. Voluntary inspection services by architects or engineers at scene of a natural or man-made emergency—Limitation of liability—Applicability and scope of limitation.

(a) An architect or engineer who voluntarily, without compensation or expectation of compensation, provides structural or building systems inspection services at the scene of a declared national, state, or local natural or man-made emergency at the request of a public safety officer or city or county building inspector acting in an official capacity shall not be liable in negligence for any personal injury or property damage caused by the architect's or engineer's good faith, but negligent, inspection of a structure used for human habitation or a structure owned by a public entity, for structural integrity or nonstructural elements affecting life and safety. The immunity provided by this section shall apply only for an inspection that occurs within ninety (90) days of the declared national, state, or local natural or man-made emergency.

(b) Nothing in this section shall be construed to provide immunity for gross negligence or willful misconduct.

(c) As used in this section, "public safety officer" means:

(1) The chief law enforcement officer in a county or city;

(2) A law enforcement officer acting at the specific direction of the chief law enforcement officer; or

(3) The director or such director's assistants of the emergency management agency designated in accordance with § 58-2-104.

(d) Nothing in this section shall be construed as extending immunity to a city or county for whom inspection services, as described herein, are provided.

[Acts 1991, ch. 267, § 1; 2006, ch. 937, § 3.]

62-2-110. Exemptions from part.

Notwithstanding any other provision of law to the contrary, any person in business in Tennessee in 1998 for the sole purpose of manufacturing and distributing federal aviation administration-approved avionic equipment is exempt from the provisions of this part.
[Acts 2010, ch. 945, § 1.]

PART 2—STATE BOARD OF EXAMINERS

62-2-201. Board of examiners—Composition—Terms of members.

(a) There is created a state board of examiners for architects and engineers, hereinafter called the board.

(1) The board shall include, where possible, at least one (1) female and at least one (1) member of a racial minority.

(2) This board shall consist of eight (8) members to be appointed by the governor, three (3) to be registered architects who may be appointed from lists of qualified persons submitted by interested architect groups including, but not limited to, the representative professional architects of the state, three (3) to be registered engineers who may be appointed from lists of qualified persons submitted by interested engineering groups including, but not limited to, the representative professional engineering society of the state, one (1) to be a registered landscape architect who may be appointed from lists of qualified persons submitted by interested landscape architect groups including, but not limited to, the representative professional landscape architecture society of the state, and one (1) to be a registered interior designer who may be appointed from lists of qualified persons submitted by interested interior design groups including, but not limited to, the representative professional interior design society of the state. The governor shall consult with interested statewide architect, engineering, landscape architect, and interior design groups including, but not limited to, the professional societies listed in this subdivision (a)(2) to determine qualified persons to fill the positions. This subdivision (a)(2) shall not apply to the appointment of the public member of the board.

(3) In the event of a vacancy on the board for any reason and the governor failing to appoint a successor within three (3) months after the vacancy occurs, the board is empowered to fill that vacancy from the lists of qualified persons submitted by the interested groups, including, but not limited to, the respective societies, until the governor makes an appointment as provided in subdivision (a)(2).

(4) Two (2) of the members, one (1) a registered architect and one (1) a registered engineer, shall be appointed from each grand division of the state, to serve for a period of four (4) years. The successor of any member shall be appointed from the grand division of such member. The member who is a registered landscape architect shall be appointed to serve for a period of four (4) years; provided, that the successor of such member shall be appointed from a grand division different from such member's predecessor. The member who is a registered interior designer shall be appointed to serve for a period of four (4) years.

(5) Appointments to the board shall be in such manner that the terms of members in the same profession shall expire at different times.

(6) Terms of office begin on July 1 of the year of appointment, except that successors may at any time qualify and serve for the remainder of the given term.

(b) In addition to members serving on the board under the authority of subsection (a), the board of architects and engineers shall also include one (1) member who is not engaged in the practice of architecture, engineering or landscape architecture. That member shall be a resident of the state and shall possess good moral character. The member shall be appointed by the governor, shall serve for a period of four (4) years, and except as provided in § 62-2-302, shall be a full member of the board relative to all board matters.

(c) (1) In addition to members serving on the board under the authority of subsections (a) and (b), the board shall also include as associate members three (3) registered engineers, who may be appointed by the governor from lists of qualified persons submitted by interested engineering groups, including, but not limited to, the representative professional engineering society of the state. The governor shall consult with such interested engineering groups to determine qualified persons to fill the positions.

(2) An associate engineer member shall be appointed from each grand division, to serve for a period of four (4) years; provided, that the first two (2) members appointed under this subsection shall serve for periods of one (1) and two (2) years, respectively. The successor of any associate engineer member shall be appointed from the grand division of such member.

(3) Appointments to the board under this subsection shall be in such manner that the terms of the associate engineer members shall expire at different times.

(4) Terms of office begin on July 1 of the year of appointment, except that successors may at any time qualify and serve for the remainder of the given term.

(5) Associate engineer board members appointed under this subsection shall be subject to the provisions of § 62-2-202.

(6) Associate engineer members approved under this subsection shall assist the board with routine matters and responsibilities as requested by the board. Associate engineer members shall attend board meetings, committee meetings and other board functions only as required by the board. Such associate engineer members shall have no voting privileges and are not to be considered as members for quorum or election purposes.

(7) Associate engineer members shall render technical assistance to the board and staff as authorized by the board.

[Acts 1979, ch. 263, § 2; T.C.A., § 62-202; Acts 1988, ch. 990, §§ 10, 11; 1991, ch. 164, §§ 11-13; 1992, ch. 582, § 1; 1995, ch. 198, § 1; 1997, ch. 33, §§ 4, 5; 2012, ch. 724, §§ 3, 4; 2016, ch. 610, § 3.]

62-2-202. Qualifications of board members—Removal—Vacancies.

(a) The members of the board appointed under § 62-2-201(a) shall each have had at least ten (10) years' experience in the practice of architecture as a registered architect, ten (10) years' experience in the practice of engineering as a registered engineer, ten (10) years' experience in the practice of interior design as a registered interior designer or ten (10) years' experience in the practice of landscape architecture as a registered landscape architect, with no record of any formal disciplinary action. Such members shall each have been in responsible charge of work for at least five (5) years, and shall each have demonstrated an interest in improving the profession by involvement in a statewide association directly related to their profession for at least five (5) years. Each member shall be a citizen of the United States and shall have been a resident of Tennessee for five (5) years at the time of appointment. The ten-year requirement of experience as a registered practitioner shall not apply to the registered interior designer member until January 1, 2014; provided, however, that the member shall have been a registered interior designer for five (5) years and shall have ten (10) years' experience as an interior designer.

(b) (1) The governor may remove any member of the board for misconduct, incapacity, or neglect of duty.

(2) (A) Notwithstanding subdivision (b)(1), any member who misses more than fifty percent (50%) of the scheduled meetings in a calendar year shall be removed as a member of the board.

(B) The chair of the board shall promptly notify, or cause to be notified, the appointing authority of any member who fails to satisfy the attendance requirement as prescribed in subdivision (b)(2)(A).

(c) Vacancies on the board shall be filled for the unexpired term as prescribed in § 62-2-201. [Acts 1979, ch. 263, § 3; T.C.A., § 62-203; Acts 1988, ch. 990, § 12; 1991, ch. 164, §§ 14, 15; 1992, ch. 582, § 2; 1997, ch. 33, § 6; 2005, ch. 9, § 1; 2012, ch. 724, § 5; 2016, ch. 610, § 4.]

62-2-203. Certificates of appointment—Legal assistance—Attendance of witnesses—Seal—Rules—Continuing professional education.

(a) Each member appointed under § 62-2-201(a) shall receive a certificate of appointment from the governor, and no one shall be eligible for appointment who does not at the time hold an unexpired certificate to practice architecture, engineering or landscape architecture, or certificate of registration to use the title "registered interior designer" (except the first registered interior designer board member) issued under this chapter or other applicable law. Before beginning a term of office, each appointed member shall file with the secretary of state the oath of office.

(b) The board or any committee thereof shall be entitled to the services of an assistant attorney general, in connection with the affairs of the board, and the board shall have power to compel the attendance of witnesses on behalf of the state or any party having issue before the board, may administer oaths and may take testimony concerning all matters within its jurisdiction.

(c) The board shall adopt and have an official seal which shall be affixed to all certificates of registration granted, and shall make all bylaws and rules not inconsistent with the law.

(d) The board has the authority to establish continuing professional education requirements for architects, engineers, landscape architects and registered interior designers. Any rules promulgated to effect the provisions of this subsection shall be promulgated in compliance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Acts 1979, ch. 263, § 4; T.C.A., § 62-204; Acts 1988, ch. 990, § 13; 1991, ch. 164, § 16; 1995, ch. 129, § 1; 1997, ch. 33, § 7.]

62-2-204. Board meetings—Officers—Quorum.

(a) The board shall hold at least two (2) regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws of the board may provide, consistent with all existing state laws.

(b) The board shall elect annually from its members a chair, a vice chair and a secretary.

(c) A quorum of the board shall consist of not less than five (5) members; except, however, for the purpose of formal disciplinary matters involving an architect, engineer, registered interior designer or landscape architect, at least one (1) board member from the respective profession shall be present.

[Acts 1979, ch. 263, § 5; T.C.A., § 62-205; Acts 1982, ch. 735, §§ 1, 2; 1984, ch. 676, § 6; 1988, ch. 990, § 14; 1990, ch. 1026, § 20; 1991, ch. 164, § 17; 1997, ch. 33, § 8.]

62-2-205. Executive director.

The board shall have an executive director who shall perform all administrative functions for the board.

[Acts 1979, ch. 263, § 6; T.C.A., § 62-206; Acts 1995, ch. 197, § 1.]

62-2-206. Attendance at state, regional and national registration meetings.

The board may authorize, subject to the approval of the department of commerce and insurance, one (1) administrative person and three (3) board members to attend state, regional and national registration meetings and to perform other necessary functions. These personnel shall be reimbursed for all travel and other necessary expenses which shall be claimed and paid in accordance with the prevailing travel regulations of state government.

[Acts 1979, ch. 263, § 7; T.C.A., § 62-207; Acts 2000, ch. 817, § 1.]

62-2-207. Records of board—Roster of registrants—Annual report.

(a) The board shall keep a record of its proceedings and a register of all applicants for registration showing, for each, the date of application, name, age, educational and other qualifications, place of business and place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of registration granted, and the date of such action. The books and register of the board shall be prima facie evidence of all matters recorded therein.

(b) A roster showing the names and places of business and of residence of all registered architects, engineers, landscape architects and registered interior designers and the names and addresses of all firms, corporations and partnerships practicing architecture, engineering or landscape architecture or using the title "registered interior designer" in this state may be printed annually.

(c) The board shall submit reports to the governor as required by state regulations. A copy of these reports shall be filed with the secretary of state.

[Acts 1979, ch. 263, § 8; T.C.A., § 62-208; Acts 1997, ch. 128, § 1; 2001, ch. 261, § 1.]

PART 3—QUALIFICATION AND REGISTRATION GENERALLY

62-2-301. General requirements for registration.

(a) The board shall, upon application therefor, on prescribed form and the payment by the applicant of a fee as prescribed by the board, consider such application, and, in proper cases, issue a certificate of registration, either as an architect, as an engineer, as a registered interior designer or as a landscape architect to any person who submits evidence satisfactory to the board that such person is fully qualified to practice architecture, engineering, or landscape architecture or use the title "registered interior designer." No person shall be eligible for registration who does not speak and write the English language and who is not of good character and repute.

(b) No person shall be granted any combination of licenses as architect, engineer, registered interior designer or landscape architect unless such person makes a separate application and pays a separate fee for each profession, both original fee and annual renewal fee, and is found by the board to be qualified for a license in each profession.

[Acts 1979, ch. 263, § 9; T.C.A., § 62-209; Acts 1988, ch. 990, § 15; 1991, ch. 164, §§ 18-20; 1997, ch. 33, §§ 9, 10.]

62-2-302. Board members examining and voting on applicants.

(a) (1) In determining the qualifications of applicants for registration as architects, a majority vote of the architect members of the board only shall be required.

(2) In determining the qualifications of applicants for registration as engineers, a majority vote of the engineer members of the board only shall be required.

(3) In determining the qualifications of applicants for registration as landscape architects, the one (1) landscape architect board member and one (1) architect or engineer board member only shall be required.

(4) In determining the qualifications of applicants for registration as registered interior designers, the registered interior designer board member and one (1) architect, engineer or landscape architect board member only shall be required; provided, that for the first registered interior designer board member no such vote shall be required.

(b) (1) Applicants for registration as architects shall be examined by architect members of the board only and applicants for registration as engineers shall be examined by the engineer members of the board only.

(2) Applicants for registration as landscape architects shall be examined by the landscape architect member and one (1) architect and engineer member of the board.

(3) Applicants for registration as registered interior designers shall be examined by the registered interior designer member and one (1) architect and engineer member of the board.

(c) In the event the board denies issuance of a certificate to an applicant, no refund of any part of the application fee shall be returned by the board to the applicant.

(d) For purposes of this section, the member of the board appointed under the authority of § 62-2-201(b) is not a voting member of the board.

[Acts 1979, ch. 263, § 22; T.C.A., § 62-222; Acts 1988, ch. 990, § 16; 1991, ch. 164, §§ 21, 22; 1997, ch. 33, §§ 11, 12.]

62-2-303. Additional evidence.

Applicants for registration in cases where the evidence originally presented in the application does not appear to the board conclusive or as warranting the issuance of a certificate may be required to present other evidence as required by the board.

[Acts 1979, ch. 263, § 23; T.C.A., § 62-223.]

62-2-304. Comity.

(a) The board may, upon proper application for a certificate of registration, issue a certificate of registration as an architect, engineer, registered interior designer or landscape architect to any person who holds a like unexpired certificate of qualification or registration issued to the person by any state, territory or possession of the United States, or of any country; provided, that the applicant's qualifications meet the requirements of this chapter and the rules established by the board. Any applicant for registration as an architect or landscape architect pursuant to this section

shall hold an unexpired national certificate issued by the National Council of Architectural Registration Boards or the Council of Landscape Architectural Registration Boards and shall present proof of the same upon application to the board.

(b) In addition to subsection (a), the board may, upon proper application for a certificate of registration, issue a certificate of registration as an architect to any person whose qualifications do not meet the requirements of this chapter and the rules established by the board if that person holds a like unexpired certificate of qualification or registration issued to such person by any state, territory, or possession of the United States or by any country; holds an unexpired national certificate issued by the National Council of Architectural Registration Boards; and presents proof of the certificates upon application to the board. The issuance of a certificate of registration pursuant to this subsection (b) is at the sole discretion of the board's determination that the applicant has qualifications suitable to be issued a certificate of registration in this state.

[Acts 1979, ch. 263, § 24; T.C.A., § 62-224; Acts 1988, ch. 990, § 17; 1989, ch. 292, § 1; 1991, ch. 164, § 23; 1997, ch. 33, § 13; 1998, ch. 770, § 1; 2016, ch. 838, § 3]

62-2-305. Replacement of certificate.

A new certificate of registration to replace any certificate lost, destroyed or mutilated may be issued, subject to the rules and regulations of the board.

[Acts 1979, ch. 263, § 25; T.C.A., § 62-225.]

62-2-306. Effect of certificate—Seal.

(a) The issuance of a certificate of registration by this board shall be evidence that the person named therein is entitled to all the rights and privileges of an architect, engineer or landscape architect while the certificate remains unrevoked or unexpired.

(b) Each registered architect, registered engineer and registered landscape architect shall obtain and keep a seal, of the design authorized by the board, bearing the registrant's name, the registrant's registration number, the words "Registered Architect," "Registered Engineer" or "Registered Landscape Architect" and the words "State of Tennessee" or "Tennessee." The registrant shall stamp with the registrant's seal all original sheets of any bound set of plans and the first sheet of any specifications or reports prepared by the registrant or under the registrant's responsible charge. No architect, engineer or landscape architect shall affix the architect's, engineer's or landscape architect's seal or stamp to any document which has not been prepared by the architect, engineer or landscape architect or under the architect's, engineer's or landscape architect's responsibility. Plans, specifications and reports issued by the registrants shall be stamped with the seal during the life of a registrant's certificate, but it is unlawful for anyone to stamp or seal any document with the seal after the certificate of the registrant named thereon has expired or has been revoked.

(c) As used in this section, "registered architects," "registered engineers" or "registered landscape architects" means only those registered architects, registered engineers or registered landscape architects who are required by this chapter to be registered in Tennessee.

(d) The board may also adopt such rules and regulations for the affixing to and endorsement of the registrant's seal on architectural, engineering and landscape architectural documents as may be necessary to implement compliance with this section.

(e) Notwithstanding the provisions of subsection (b), an architect or engineer, after fully reviewing and modifying, as required, may affix that architect's or engineer's seal or stamp to a document, or part thereof, which has been prepared by another architect or engineer, if such document has been designated as a state standard prototype, pursuant to § 12-4-116. The architect or engineer who is involved in a state standard prototypical re-use project, as provided in § 12-4-116, shall fully review and modify, as required, the documents and then affix that architect's or engineer's seal or stamp and signature on such documents. The architect or engineer shall become solely responsible for all documents on which that architect's or engineer's seal or stamp is placed.

[Acts 1979, ch. 263, § 26; 1981, ch. 349, § 1; T.C.A., § 62-226; Acts 1988, ch. 800, § 1; 1988, ch. 990, § 18; 1989, ch. 307, § 4; 1995, ch. 113, § 3.]

62-2-307. Expiration and renewal of certificate—Certificates for retirees.

(a) Certificates of registration shall expire two (2) years following the date of their issuance or renewal and are invalid on that date unless renewed.

(b) It is the duty of the board to notify every person registered hereunder of the date of the expiration of that person's certificate and the amount of the fee required for its renewal for two (2) years. Such notice shall be mailed at least one (1) month in advance of the date of the expiration of the certificate.

(c) Renewal may be effected at any time during the thirty (30) days preceding the certificate expiration date by the payment of the fee determined by and payable to the board.

(d) Certificates of registration shall be subject to late renewal for six (6) months following their expiration date by payment of the renewal fee plus a penalty as set by the board for each month or fraction of a month which elapses before payment is tendered.

(e) Any person wishing to renew a certificate later than six (6) months after its expiration date shall reapply for certification. The board may, in its discretion, waive any further examination of such an applicant and any further education and experience beyond that obtained at the time of such applicant's original registration in Tennessee.

(f) Notwithstanding any provision in this chapter to the contrary, the board has the authority to establish, by rule and regulation, procedures and criteria pursuant to which persons who are retired may continue to use the titles of "architect," "engineer," "landscape architect," or "registered interior designer" without the payment of a registration renewal fee.

[Acts 1979, ch. 263, § 27; 1981, ch. 349, § 2; T.C.A., § 62-227; Acts 1989, ch. 523, §§ 106, 107; 1995, ch. 171, § 1; 1997, ch. 33, § 14; 1997, ch. 127, § 1.]

62-2-308. Denial, suspension or revocation of certificate—Reissuance.

(a) (1) The board may refuse to issue or renew, and revoke or suspend the certificate of registration of any architect, engineer, landscape architect or registered interior designer registered hereunder who is found guilty:

(A) Of any fraud or deceit in obtaining a certificate of registration;

(B) Of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, landscape architecture or in the use of the title "registered interior designer";

(C) Of failure to obtain, keep and utilize the registrant's seal as provided in this chapter;

(D) By a court of competent jurisdiction of breach of contract for professional services;

(E) Of any violation of the rules adopted by the board;

(F) Of having the person's right to practice architecture, engineering, landscape architecture or use the title registered interior designer suspended or revoked by another state or national registration board; or

(G) By a court of competent jurisdiction of any felony.

(2) Any person may prefer charges in writing to the board against any architect, engineer, landscape architect or registered interior designer registered under this chapter on any of the grounds listed in subdivision (a)(1).

(3) The affirmative vote of five (5) or more members of the board shall be necessary in order to revoke or suspend the certificate of registration of any architect, engineer, landscape architect or registered interior designer registered under this chapter.

(b) The board may reissue a certificate of registration to any person whose certificate has been revoked; provided, that five (5) or more members of the board vote in favor of such reissuance for reasons the board may deem sufficient.

(c) [Deleted by 2015 amendment]

(d) The board members are officers of the state in carrying out the duties imposed by this chapter and as such have the full measure of governmental immunity provided by law.

[Acts 1979, ch. 263, § 28; 1980, ch. 451, § 2; 1980, ch. 627, § 4; 1981, ch. 349, § 3; T.C.A., § 62-228; Acts 1983, ch. 71, § 1; 1988, ch. 990, § 19; 1991, ch. 164, § 24; 1997, ch. 33, §§ 15-17; 2015, ch. 291, §§ 1, 2.]

62-2-309. [Repealed.]

PART 4—QUALIFICATIONS AND REGISTRATION—ENGINEERS

62-2-401. General provisions.

(a) The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as an engineer:

(1) **Graduation from Approved Engineering Curriculum, Experience and Examination.** A graduate of an engineering curriculum of four (4) years or more, approved by the board as being of satisfactory standing, and with a specific record of four (4) years or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering, and who has obtained certification as an engineer intern, shall be admitted to an examination, prepared by the National Council of Examiners for Engineering and Surveying, in the principles and practice of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state, provided the applicant is otherwise qualified; or

(2) **Long Established Practice.** A graduate of an approved engineering curriculum of four (4) years or more, with a specific record of twelve (12) years or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering shall be admitted to an examination, prepared by the National Council of Examiners for Engineering and Surveying, in the principles and practice of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state, provided the applicant is otherwise qualified.

(3) [Deleted by 2007 amendment, effective June 30, 2012.]

(b) Notwithstanding any provision to the contrary, the board may in its discretion grant up to one (1) year of qualified experience obtained in an established cooperative education program, which is carried out within the framework of an approved engineering curriculum, and which has been approved by the board.

[Acts 1979, ch. 263, § 10; 1980, ch. 627, § 6; T.C.A., § 62-210; Acts 1990, ch. 1026, §§ 21, 22; 1993, ch. 132, §§ 3-5; 1995, ch. 113, § 1; 1997, ch. 129, §§ 1, 2; 2007, ch. 215, § 1; 2013, ch. 180, § 1.]

62-2-402. Engineer intern.

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as an engineer intern: A graduate in a curriculum of four (4) years or more leading to a baccalaureate degree in engineering and approved by the board as of satisfactory standing or who is a prospective graduate in good standing in the senior year in such a curriculum, and who passes an examination prepared by the National Council of Examiners for Engineering and Surveying involving the fundamentals of engineering; provided, that the applicant is of good character and repute.

[Acts 1979, ch. 263, § 11; 1980, ch. 627, § 7; T.C.A., § 62-211; Acts 1990, ch. 1026, § 21; 1993, ch. 132, § 6; 1995, ch. 113, §§ 1, 4; 2013, ch. 180, § 2.]

62-2-403. Teaching as engineering experience.

Engineering teaching with full-time faculty status in a college or university offering an approved engineering curriculum of four (4) years or more may be considered, at the discretion of the board, as engineering experience.

[Acts 1979, ch. 263, § 12; T.C.A., § 62-212.]

62-2-404. Application form—Fees.

(a) Application for registration as a professional engineer or certification as an engineer intern shall be on a form prescribed and furnished by the board, shall contain statements made under oath showing the applicant's education and a detailed summary of the applicant's technical experience, and shall contain references, none of whom may be members of the board.

(b) (1) The initial application fee shall be established by the board and shall accompany the application.

(2) The application fee for engineer intern certification or enrollment shall be established by the board and shall accompany the application.

(3) [Deleted with 2013 amendment.]

(4) The registration fee shall be established by the board and shall be paid upon approval of the application.

(5) Should the board deny the issuance of a certificate to any applicant, the application fee shall be retained by the board.

[Acts 1979, ch. 263, § 13; T.C.A., § 62-213; Acts 1990, ch. 1026, § 21; 1993, ch. 132, § 7; 1995, ch. 113, § 1; 1998, ch. 612, § 1; 2013, ch. 180, § 3; 2015, ch. 291, § 3.]

62-2-405. Examinations.

(a) The examinations will be held at such times and places as the board directs. The board shall determine the acceptable grade on examinations.

(b) Written examinations will be given in two (2) sections as follows:

(1) **Engineering Fundamentals.** Consists of a National Council of Examiners for Engineering and Surveying prepared examination on the fundamentals of engineering. Passing this examination qualifies the examinee for an engineer intern certificate; provided, that the examinee has met all other requirements for certification required by this chapter; and

(2) **Principles and Practices of Engineering.** Consists of a National Council of Examiners for Engineering and Surveying examination on applied engineering. Passing this examination qualifies the examinee for registration as a professional engineer; provided, that the examinee has met the other requirements for registration by this chapter.

(c) A candidate failing an examination may apply for reexamination.

[Acts 1979, ch. 263, § 14; T.C.A., § 62-214; Acts 1990, ch. 1026, § 21; 1993, ch. 132, §§ 8, 9; 1995, ch. 113, §§ 1, 5; 2013, ch. 180, § 4; 2015, ch. 291, §§ 4, 5.]

62-2-406. Engineers born prior to 1928 exempt from continuing education requirements.

Any continuing education requirements established pursuant to this chapter shall provide that engineers who were born prior to January 1, 1928, shall be exempt from complying with continuing education standards and requirements.

[Acts 1998, ch. 754, § 2; 1999, ch. 131, § 1.]

PART 5—QUALIFICATIONS AND REGISTRATION—ARCHITECTS

62-2-501. General provisions.

In addition to the successful completion of examination acceptable to the board, the following shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for registration as an architect:

(1) An applicant who is a graduate of a school of architecture where the professional degree curriculum has been accredited and who has completed three (3) years of practical experience in architectural work satisfactory to the board, of which not more than (1) year of architectural practical training and school may be concurrent; or

(2) An applicant who is a graduate of a nonaccredited architectural curriculum, of not less than four (4) years in such curriculum approved by the board, and five (5) years of practical experience in architectural practical training satisfactory to the board, of which not more than one (1) year of architectural work and school may be concurrent;

(3) An applicant who is a graduate of an architecture-related curriculum, of not less than four (4) years in such curriculum approved by the board, and seven (7) years of practical experience in architectural practical training satisfactory to the board, of which not more than one (1) year of architectural work and school may be concurrent.

[Acts 1979, ch. 263, § 15; 1980, ch. 627, § 1; T.C.A., § 62-215; Acts 1983, ch. 71, §§ 2, 3; 1988, ch. 546, § 1.]

62-2-502. Degree accreditation of architecture schools.

(a) An accredited degree in architecture shall be one which was accredited by the National Architectural Accrediting Board (N.A.A.B.) at the time of graduation, or graduation was not more

than two (2) academic years prior to accreditation. For the purposes of this chapter, a state-supported school of architecture approved by the Tennessee higher education commission is deemed to have an accredited degree curriculum.

(b) Approval of a curriculum which is not accredited under the terms of subsection (a) shall be at the discretion of the board and upon the basis of certified information submitted by such school for the full period attended by the applicant.

[Acts 1979, ch. 263, § 16; T.C.A., § 62-216; Acts 1983, ch. 71, §§ 4, 5.]

62-2-503. Practical architecture experience credit.

(a) (1) For the purpose of evaluating "practical experience in architectural work," the board may utilize criteria and standards published by the National Council of Architectural Registration Boards (N.C.A.R.B.).

(2) Every applicant shall have not less than two (2) years of practical experience in an office of a practicing registered architect.

(3) To receive credit for practical training time, the applicant must be employed by the same employer for a period of not less than four (4) consecutive calendar months. The work month is considered to be one hundred forty (140) hours.

(b) (1) Experience acquired while employed by a registered architect practicing as an individual will be credited as practical training only when acquired under the supervision of the practicing architect in the course of the regular practice. Practice as a principal after proper architectural registration by other jurisdictions may be accepted by the board as fulfilling the required experience in the office of a registered practicing architect.

(2) Experience acquired while employed by a partnership or corporation engaging in the practice of architecture will be credited as practical training only when acquired under the supervision of the partner or partners or the officer or officers who shall be the registered architect or registered architects exercising professional and supervisory control over the particular architectural services rendered by the partnership or corporation.

(c) Practical experience as approved by the board and obtained, while working in the United States government, public or private service agencies, covering the fields of education, research, and in the service of such agencies as redevelopment authorities, Peace Corps, VISTA, HUD, other United States government and armed forces agencies, multiplied by a factor of .75, may be considered as "practical experience in architectural work."

(d) Notwithstanding any provision herein, the board may refuse to credit as practical training experience acquired while employed by an individual or by any type of organization having any interest in any project or building prejudicial to or in conflict with the individual's or organization's professional interest therein.

[Acts 1979, ch. 263, § 17; T.C.A., § 62-217; Acts 1983, ch. 71, § 6.]

62-2-504. Examinations—Fees.

(a) The written examination for candidates who are eligible for registration under § 62-2-501 may be the current architect registration examination prepared by the National Council of Architectural Registration Boards (N.C.A.R.B.), as accepted by the board.

(b) The board shall be responsible for administering and grading the examinations.

(c) Candidates will retain credit for any parts of the examination passed and may, at the board's discretion, be permitted to have unlimited retakes of any parts of the examination failed.

(d) The deadline date for receipt of applications for examination shall be at the discretion of the board. Each applicant eligible for written examination shall be notified of the dates set for each part of the examination, where it shall be held, and the instruments and materials the applicant shall provide.

(e) The initial application fee shall entitle the candidate to one (1) examination of a prescribed number of parts. An additional fee shall be required for the retaking and examination or parts thereof. No refunds will be made.

[Acts 1979, ch. 263, § 18; 1980, ch. 627, §§ 2, 3, 8-10; T.C.A., § 62-218; Acts 1983, ch. 71, § 7.]

62-2-505. Commencing examinations in other states.

(a) Upon proper application, the board may administer any part of the National Council of Architectural Registration Boards' examinations for candidates who have commenced such series of examinations in another state. Each such application shall be accompanied by an administration fee and endorsement by the architectural registration board of original application. Separate applications as described above shall be filed for each year's examination.

(b) Upon proper application, the board may, at its discretion, credit to a candidate any of the prescribed parts of the National Council of Architectural Registration Boards' examinations successfully passed and properly attested to by another state or possession. The candidate may then take the remaining examination parts as set forth herein, and, if successfully completed under its jurisdiction, may be registered by the board. The board will extend such transfer privileges only once to each applicant and may, at its discretion, accept transfer of grades only from the state of original application.

[Acts 1979, ch. 263, § 19; T.C.A., § 62-219.]

62-2-506. Finishing examinations in other states.

(a) When requested to do so, the board may allow candidates who have commenced examinations in Tennessee as outlined under § 62-2-504(a), to finish taking parts of these examinations in any other state; provided, that the other state approved this procedure and has established a method of accomplishing it.

(b) The board may, at its discretion and upon proper application, forward the grades achieved by a candidate in the various sections of the examination given under its jurisdiction to other duly constituted architectural registration boards for their use in evaluating and utilizing such results in registering the individual within their jurisdiction. The request for such transfer shall include a statement of concurrence by the other board and a description of the information it will require. The candidate shall state the candidate's need for requesting transfer, and pay a fee established by the board. Such transfer shall terminate the candidate's current application to this board for registration.

[Acts 1979, ch. 263, § 20; T.C.A., § 62-220; Acts 1983, ch. 71, § 8.]

62-2-507. Recording and transferring examination results.

(a) Whether conducted in this state or another state, all records of the examinations shall be returned to the state board of registration of architects where the series of examinations were commenced, for recording and licensure when successfully completed.

(b) After the written examination marks are properly recorded in the permanent record book, all examination books and papers over two (2) years old may be destroyed.

[Acts 1979, ch. 263, § 21; T.C.A., § 62-221.]

62-2-508. Exemption from continuing education requirements for certain architects.

Any continuing education requirements established pursuant to this chapter shall provide that architects who were born prior to January 1, 1928, shall be exempt from complying with continuing education standards and requirements.

[Acts 2004, ch. 529, § 1.]

PART 6—CORPORATIONS, PARTNERSHIPS AND FIRMS

62-2-601. Practice—Disclosure.

(a) A corporation, partnership or firm offering architectural, engineering or landscape architectural service to the public may engage in the practice of architecture, engineering or landscape architecture in this state; provided, that at least one (1) of the principals or officers of such corporation, partnership or firm is in responsible charge of such practice and is registered as herein required of architects, engineers and landscape architects, or is otherwise by this chapter authorized to practice. The same exemptions shall apply to corporations, partnerships and firms as apply to individuals under this chapter.

(b) Corporations, partnerships or firms offering engineering, architectural or landscape architectural service to the public shall file with the board, on a form prescribed by the board, a

listing of names and addresses of all principals and officers, as well as the principals or officers duly registered to practice architecture, engineering or landscape architecture in this state who are in responsible charge of such practice in this state. Such corporations, partnerships or firms shall advise the board in writing within sixty (60) days of any change of status.
[Acts 1979, ch. 263, § 32; T.C.A., § 62-232; Acts 1988, ch. 990, § 20.]

62-2-602. Registered architect, engineer or landscape architect in charge of service.

Corporations, partnerships, and firms maintaining any place of business in this state for the purpose of providing or offering to provide architectural, engineering or landscape architectural design to the public shall have, in responsible charge of such service at any and each place of business, a resident registered architect, a registered engineer or a registered landscape architect.
[Acts 1979, ch. 263, § 33; T.C.A., § 62-233; Acts 1988, ch. 990, § 21.]

PART 7—LANDSCAPE ARCHITECTURE [REPEALED]

62-2-701—62-2-704. [Repealed.]

PART 8—QUALIFICATIONS AND REGISTRATION—LANDSCAPE ARCHITECTS

62-2-801. Qualifications for registration.

In addition to the successful completion of examination acceptable to the board, the following shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for registration as a landscape architect: an applicant who is a graduate of a school of landscape architecture where the professional degree curriculum has been accredited and who has completed three (3) years of practical experience in landscape architectural work satisfactory to the board, of which not more than one (1) year of landscape architectural practical training and school may be concurrent.

[Acts 1988, ch. 990, § 22.]

62-2-802. Accredited degree.

An accredited degree in landscape architecture shall be one which was accredited by the Landscape Architectural Accreditation Board (L.A.A.B.) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation.

[Acts 1988, ch. 990, § 22.]

62-2-803. Practical experience.

(a) (1) For the purpose of evaluating “practical experience in landscape architectural work,” the board may utilize criteria and standards published by the Council of Landscape Architectural Registration Boards (C.L.A.R.B.).

(2) However, every applicant shall have not less than two (2) years of practical experience in an office of a practicing registered landscape architect.

(3) To receive credit for practical training time, an applicant must be employed by the same employer for a period of not less than four (4) consecutive calendar months. The work month is considered to be one hundred forty (140) hours.

(b) (1) Experience acquired while employed by a registered landscape architect practicing as an individual will be credited as practical training only when acquired under the supervision of the practicing landscape architect in the course of the regular practice. Practice as a principal after proper landscape architectural registration by other jurisdictions may be accepted by the board as fulfilling the required experience in the office of a registered practicing landscape architect.

(2) Experience acquired while employed by a partnership or corporation engaging in the practice of landscape architecture will be credited as practical training only when acquired under the supervision of the partner or partners or the officer or officers who shall be the registered landscape architect or registered landscape architects exercising professional and supervisory control over the particular landscape architectural services rendered by the partnership or corporation.

(c) Practical experience as approved by the board and obtained while working in the United States government, public or private service agencies covering the field of education, research, and in the service of such agencies as redevelopment authorities, Peace Corps, VISTA, HUD, other United States government and armed forces agencies, multiplied by a factor of seventy-five hundredths (.75) may be considered as "practical experience" in landscape architectural work.

(d) Notwithstanding any provision herein, the board may refuse to credit as practical training experience acquired while employed by an individual or by any type of organization having any interest in any project or building prejudicial to or in conflict with the individual's or organization's professional interest therein.

[Acts 1988, ch. 990, § 22.]

62-2-804. Examination—Administration, fees, etc.

(a) The written examination for candidates who are eligible for registration under § 62-2-801 may be the current landscape architecture registration examination prepared by the Council of Landscape Architectural Registration Boards (C.L.A.R.B.), as accepted by the board.

(b) The board shall be responsible for administering and grading the examinations.

(c) Candidates will retain credit for any parts of the examination passed and shall be permitted to have unlimited retakes of any parts of the examination failed.

(d) The deadline date for receipt of applications for examination shall be at the discretion of the board. Each applicant eligible for written examination shall be notified of the dates set for each part of the examination, where it shall be held, and the instruments and materials the applicant shall provide.

(e) The initial application fee shall entitle the candidate to one (1) examination of the prescribed number of parts. An additional fee shall be required for the retaking and examination or parts thereof. No refunds will be made.

[Acts 1988, ch. 990, § 22.]

62-2-805. Transfer privileges.

(a) Upon proper application, the board may administer any part of the Council of Landscape Architectural Registration Board's examinations for candidates who have commenced such series of examinations in another state. Each such application shall be accompanied by an administration fee and endorsement by the landscape architectural registration board of original application. Separate applications as described in § 62-2-804 shall be filed for each year's examination.

(b) Upon proper application and meeting the qualifications outlined in § 62-2-801, the board will credit to a candidate any of the prescribed parts of the Council of Landscape Architectural Registration Board's examinations successfully passed and properly attested to by another state or possession. The candidate may then take the remaining examination parts as set forth herein and, if successfully completed under this jurisdiction, may be registered by the board. The board will extend such transfer privileges only once to each applicant and shall accept transfer of grades only from the state of original application.

[Acts 1988, ch. 990, § 22.]

62-2-806. Furnishing of examination results to other states.

(a) When requested to do so, the board may allow candidates who have commenced examinations in Tennessee as outlined under § 62-2-804(a), to finish taking parts of these examinations in any other state; provided, that the other state approved this procedure and has established a method of accomplishing it.

(b) The board shall upon proper application forward the grades achieved by a candidate in the various sections of the examination given under its jurisdiction to other duly constituted landscape architectural registration boards for their use in evaluating and utilizing such results in registering the individual within their jurisdiction. The request for such transfer shall include a statement of concurrence by the other board and a description of the information it will require. The candidate shall state the applicant's need for requesting transfer, and pay a fee established by the board. Such transfer shall terminate the candidate's current application to this board for registration.

[Acts 1988, ch. 990, § 22.]

62-2-807. Records of examinations.

(a) Whether conducted in this state or another state, all records of the examinations shall be returned to the state board of registration of landscape architects where the series of examinations were commenced, for recording and licensure when successfully completed.

(b) After the written examination marks are properly recorded in the permanent record book, all examination books and papers over two (2) years old may be destroyed.
[Acts 1988, ch. 990, § 22.]

PART 9—INTERIOR DESIGNERS TITLE REGISTRATION ACT

62-2-901. Short title.

This part shall be known and may be cited as the “Interior Designers Title Registration Act.”
[Acts 1991, ch. 164, § 2.]

62-2-902. Definitions.

As used in this part, unless the context otherwise requires:

(1) “Board” means the state board of examiners for architects and engineers; and

(2) “Registered interior designer” means a person registered to use the title “registered interior designer” under this part. The registered interior designer is a person who meets the criteria of education, experience and examination as determined by the board.

[Acts 1991, ch. 164, § 3; 1997, ch. 33, §§ 18, 19.]

62-2-903. Use of title “registered interior designer.”

(a) (1) No person shall use the title “registered interior designer” unless such person is registered as provided in this part.

(2) The provisions of this part shall not prohibit any architect registered under the provisions of parts 1-6 of this chapter from using the title of “registered interior designer.”

(b) Nothing contained in this part shall prevent any person from rendering or offering to render interior design services; provided, that such person shall not be permitted to use or be identified by the title “registered interior designer” unless registered in accordance with this part.

[Acts 1991, ch. 164, § 4; 1995, ch. 113, §§ 7-9.]

62-2-904. Application for registration—Requirements—Examination.

(a) (1) Each applicant for registration shall apply to the board.

(2) Except as otherwise provided in this part, each applicant shall take and pass the examination administered by the National Council for Interior Design Qualifications or an equivalent examination as specified by the board.

(3) The applicant shall provide substantial evidence to the board that the applicant has passed the examination required by this part; and:

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

(B) Is a graduate of a four-year interior design program from an accredited institution and has completed at least two (2) years of diversified interior design experience;

(C) Is a graduate of a three-year interior design program from an accredited institution and has completed three (3) years of diversified interior design experience; or

(D) Is a graduate of a two-year interior design program from an accredited institution and has completed four (4) years of diversified interior design experience; and

(4) All interior design programs must be accredited by the Foundation for Interior Design Education Research or a program determined by the board to be substantially equivalent to such a program, or an interior design program must be offered by an institution located in this state on April 16, 1991, and the institution is accredited by the Southern Association of Colleges and Schools or licensed by the Tennessee higher education commission.

(b) An applicant for registration as a registered interior designer shall establish to the satisfaction of the board that the applicant:

(1) Is at least twenty-one (21) years of age;

- (2) Has not been convicted of an offense that bears directly on the fitness of the applicant to be registered;
 - (3) Has passed or supplied proof of passage of the examination required by this part; and
 - (4) Meets any other requirements established by the board.
- [Acts 1991, ch. 164, § 5; 1993, ch. 58, § 1; 1995, ch. 113, §§ 6, 10.]

62-2-905. Registration without examination—Requirements.

Any person who applies for registration and remits the application and initial registration fees prior to January 1, 1994, shall be registered by the board without taking the written examination; provided, that:

- (1) The applicant has satisfactory evidence of having used or been identified by the title “interior designer” and has:
 - (A) Satisfactory interior design experience totaling six (6) years; or
 - (B) A combination of interior design education and satisfactory interior design experience totaling six (6) years as follows:
 - (i) A graduate of a four-year interior design program and two (2) years' experience;
 - (ii) A graduate of a three-year interior design program and three (3) years' experience; or
 - (iii) A graduate of a two-year interior design program and four (4) years' experience. The board shall determine if the two-year degree program meets the standards.

(2) A person shall be deemed to have used or been identified by the title “interior designer” within the meaning of this section if such person demonstrates to the satisfaction of the board that such person was, either on such person's own account, which means self-employed, or in the course of regular employment, rendering or offering to render to another person interior design services as defined in § 62-2-903, or was regularly engaged in the teaching of interior design at an accredited institution recognized by the board leading to a degree in interior design. Any combination of rendering services and teaching totaling six (6) years shall satisfy the requirements of this section.

[Acts 1991, ch. 164, § 6.]

62-2-906. Corporations, partnerships or firms—Use of title “interior designer” or “registered interior designer.”

(a) A corporation, partnership or firm may use the title “registered interior designer”; provided, that at least one (1) of the principals or officers of such corporation, partnership or firm is in responsible charge of such practice and is registered as a registered interior designer under the provisions of this chapter.

(b) Any person, firm, company, business, corporation or other entity which was organized and doing business prior to April 16, 1991, and whose corporate name includes the appellation “interior design” may continue to use such corporate name and shall not be required to register pursuant to this chapter.

(c) Nothing in this section shall be construed to authorize persons employed by such entities to use the title “registered interior designer” unless such persons are registered pursuant to this chapter.

[Acts 1991, ch. 164, § 7; 1995, ch. 113, § 11; 1997, ch. 33, § 19.]