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**COLORADO BOARD OF LICENSURE FOR ARCHITECTS,
PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

2010 CHANGES IN THE STATUTES

A couple of bills successfully made their way through the General Assembly in early 2010 that affect Land Surveyor applicants, Professional Land Surveyors, and Architects. A quick recap follows.

HB10-1085 Concerning land surveying, and, in connection therewith, altering licensure criteria for land surveyor applicants and specifying procedures for issuance of a surveyor's affidavit of correction.

The legislation heavily impacts those who will apply for land surveyor licensure in the future.

It requires that the Board specify appropriate surveying course work through the rulemaking process that would meet the statutory requirements for a 2-year surveying curriculum, a 4-year engineering curriculum, or a 4-year non-surveying curriculum in order to qualify to take the Principles and Practice of Surveying licensing examination. The legislation required this to be done and in effect by January 1, 2011. The rules have been crafted, adopted by the Board, are in effect, and are available [here](#). More information about those changes can be found later in this newsletter in **"2011 Changes in the Board Rules."**

More important for applicants to know is that the bill **eliminates the ability to become licensed as a Professional Land Surveyor without education beyond graduation from high school on July 1, 2020.** Please be sure all of your unlicensed employees and colleagues in the industry are knowledgeable about this change so that they will have ample time to pursue licensure if they choose in the next decade.

Further, the bill addresses the use of affidavits of correction. The subdivision regulations as defined at section 30-28-133, C.R.S., were amended to allow the use of a Surveyor's Affidavit of Correction on approved plats for "technical errors." Allowed uses of affidavits of correction, as defined in section 38-51-111, C.R.S., include corrections on land survey plats and any other recorded plats. Affidavits of correction shall not be used for purposes of changing description calls or reconfiguring any lots or parcels and can't be used to circumvent subdivision regulations. Affidavits of correction aren't subject to review before recording, but shall be submitted to the appropriate reviewing authority after recording.

HB10-1148 Concerning the elimination of the requirement that an architect maintain continuing professional competency in order to renew a license to practice architecture, and making an appropriation therefor.

This bill eliminated continuing competency for Colorado licensed Architects. But the requirement for mandatory continuing education remains in the law in order to renew a license to practice architecture. Architects renew in July 2011 and must have acquired 16 Professional Development Units during the previous 2 years. Please refer to the [Board rules](#) for information on how to comply with the mandatory CE requirements in Colorado.

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2011 CHANGES IN THE BOARD RULES

With changes in the statutes, a comprehensive review of the AES Board Rules was in order. For 6 weeks last summer, sub-committees divided up by profession worked hard to review, write and rewrite many of the rules. Board members and professionals representing their associations contributed numerous hours to meet our tight deadlines for an effective date of January 1, 2011.

The following is a summary of the major changes and who is affected. Be sure to review the specific rules to stay current with what is required of you as a licensed professional. For additional information and reference, click [here](#) for access to the Board's Laws, Rules and Policies.

All Licensees:

- A new rule effective January 1, 2011 requires that licensees are required to inform the Board of any address, phone, or email changes within 30 days. Refer to **Rule 4.11**.

Architect Licensure Applicants:

- Effective January 1, 2011, **Board Rule 4.4.1** requires that experience be obtained following the NCARB Intern Development Program (IDP) criteria, with two exceptions: hours may be earned when working a minimum of 20 hours per week for a minimum of 6 consecutive months; and, hours may be earned in Training Setting F only when working as a full-time employee. Refer to **Board Rule 4.5**.
- Effective January 1, 2014, all applicants for licensure will be required to demonstrate the required experience by completing the NCARB IDP program. Please refer to **Board Rule 4.4.1.1**.
- ARE Early Eligibility - After January 1, 2011, new applicants with a NAAB degree who are enrolled in IDP may take any division of the ARE. Refer to **Board Rule 4.8.2**.

Licensed Architects:

- Pursuant to HB10-1148 that eliminates the requirement of continued competency for Architects to renew their license, all references to continued competency have been deleted from the Board Rules. Note that Architects are still required to complete 16 hours of continuing education in order to renew their license. The continuing education must include a process or procedure that demonstrates whether the Architect retained the material presented in the CE activity. Please refer to **Board Rule 4.9.3.1.2** for details.
- Effective January 1, 2011, a new **Board Rule 7.3 Construction Observation as the Practice of Architecture** went into effect. It parallels Board Rule 5.3 for Professional Engineers.

Engineering Applicants:

- Effective January 1, 2011, no credit for employment experience is given for summer jobs, part-time jobs, or full-time jobs when attending undergraduate school full time. Please refer to **Board Rule 4.6.4**.
- No employment experience less than 6 months continuous duration with one employer is credited. Please refer to **Board Rule 4.6.5**.

Licensed Professional Engineers:

- Previous Board Policy 50.1 regarding Materials Testing has been promulgated into **Board Rule 5.4**.

Surveyor Applicants:

- Requirements for a Board-approved 2-year surveying degree, a Board-approved 4-year engineering degree, and a Board-approved 4-year non-surveying or a non-engineering degree have been revised or created at the behest of House Bill 10-1085 and can be found in **Board Rule 4.7.2**.
- Changes have been made as to what credit is allowed for those without a surveying degree. The major change is that trigonometry is now allowed. Please refer to **Board Rule 4.7.2.5**.
- Effective January 1, 2011, no credit for employment experience is given for summer jobs, part-time jobs, or full-time jobs when attending undergraduate school full time. Please refer to **Board Rule 4.6.4**.
- No employment experience less than 6 months continuous duration with one employer is credited. Please refer to **Board Rule 4.6.5**.

Licensed Professional Land Surveyors:

- **Board Rules 6.4.3 and 6.5.3.2** have been revised to refer to the "United States Department of the Interior, 2009 Manual of Surveying Instructions: For the Survey of the Public Lands of the United States."
- Previous Board Policy 60.1 Basis of Bearing Statements has been promulgated into **Board Rule 6.8**.
- Previous Board Policy 60.2 Depiction of Easements and Rights of Way on Subdivision Plats has been promulgated into **Board Rule 6.10**.
- Previous Board Policy 60.3 Required Monumentation for Land Survey Plats has been promulgated into **Board Rule 6.11**.
- Previous Board Policy 60.4 Monumentation of ALTA/ACSM Land Title Surveys has been promulgated into **Board Rule 6.12**.
- Previous Board Policy 60.5 Description of Monuments has been promulgated into **Board Rule 6.13**.

PROOF OF LAWFUL PRESENCE



Effective January 1, 2007, all persons requesting original licensure, renewal of an active license or reinstatement of an expired license must verify lawful presence in the United States based on the passage of House Bill 06S-1009. This bill applies to all applicants and licensees in the Division of Registrations, with the exception of apprentices, interns, and businesses.

Licenses will not be issued or renewed without completing the Affidavit of Eligibility form.

The good news is that you can complete this affidavit online when you renew using Registrations Online Services!

You must possess at least one secure and verifiable document and include information about that document on the Affidavit itself (or provide the information during online renewal). The list of secure and verifiable documents is available to you when you renew online.

More information regarding this law is available on our website at

www.dora.state.co.us/registrations/Affidavit

APPLICATION DEADLINES CHANGING FOR ALL ENGINEER AND SURVEYOR APPLICANTS IN 2011

The deadline to submit engineer and surveyor applications is changing this year to June 1st and December 1st to be eligible for the October and April examinations, respectively. Previously, the deadlines have been July 1st and January 1st.

Please pass this information on to all of your staff and colleagues that may be contemplating submitting an engineer or surveyor application for intern or licensure status.

HAVE YOU CHANGED YOUR MAILING ADDRESS?

It is imperative that you keep your contact information updated with the Division. The Division mails renewal notices and other information to you at the last address furnished to us. Failure to receive a renewal notice does not relieve you of your obligation to timely renew.

Once you have logged into Registrations Online Services, check your mailing address and update it if it is not correct. If you received your renewal notice due to a forwarding order it is important that you change your address on file with us, since we cannot change the information based on the forwarding order.



HOW ARE RENEWAL FEES SET?

By law, the Office must operate strictly with funds collected from the persons it regulates, with no support from the State's General Fund. The Colorado Legislature determines the budget for the Office. Once the Legislature sets the budget, the money must be raised through fees. The good news is that these fees are evaluated each year. Therefore, they are modified depending on how much money is anticipated to be received through the registration and renewal processes and what the anticipated expenditures are expected to be. The primary obligation is to protect consumers and the operations of the Office are focused to ensure it can work diligently to do so.



WALL CERTIFICATES



The Division of Registrations is pleased to announce that it has outsourced the production of wall certificates to Wall Certificate Service (WCS) a division of Professional Credential Services, Inc. (PCS). The outsourcing of the certificates provides enhancements to the certificates that both new and existing licensees will find beneficial. Specifically, the certificate provided by WCS is a larger, professionally designed, better quality certificate than what the Division was able to provide. For more information regarding wall certificates, which license types are eligible, and how to obtain one, please visit our website at www.dora.state.co.us/registrations/wallcert. You will be able to order and pay the fee online. The fee for U.S. residents is \$25. There is an additional international shipping fee for international residents.

STAY INFORMED!

The Division wants to keep you informed of upcoming renewal, legislation, events and other information that impacts your profession. In order to do this more efficiently we have implemented "DORA eUpdates" and we look forward to providing more of these in the future. These eUpdates are sent to the email address in our licensing system for each active licensee. To update or add your email address, log into Registrations Online Services.

MALPRACTICE CLAIMS MUST BE REPORTED TO THE BOARD BY LICENSEES

Architects, Professional Engineers and Professional Land Surveyors are required by law to notify the Board of malpractice settlements or judgments within 60 days. For Architects, notification is required only if a life/safety issue was a basis of the claim. For Engineers and Land Surveyors, all claims must be reported.

Review the laws requiring this reporting [here](#). The citations are Colorado Revised Statutes 12-25-108 (1)(k) for Engineers, 12-25-208 (1)(k) for Land Surveyors, and 12-25-312 for Architects. **Board Rule 4.10. Reporting of Malpractice and Life Safety Claims That Have Been Settled or Upon Which Judgment Has Been Rendered** provides more information and guidance to licensees about the requirement to file claim information with the Board.

Forms on which to file the required information can be found at www.dora.state.co.us/aes/forms. Filing can be submitted electronically to the Board at aes@dora.state.co.us. If there are any oversized documents, such as plans or plats, they must be scanned in at a resolution of 300 dpi and the Board reserves the right to request a paper version.

STRUCTURAL PE EXAM BECOMES A TWO-DAY EXAM

A 16-hour structural engineering examination will be offered for the first time in April 2011. The exam replaces the Structural I and Structural II exams, which were administered for the last time in October 2010.

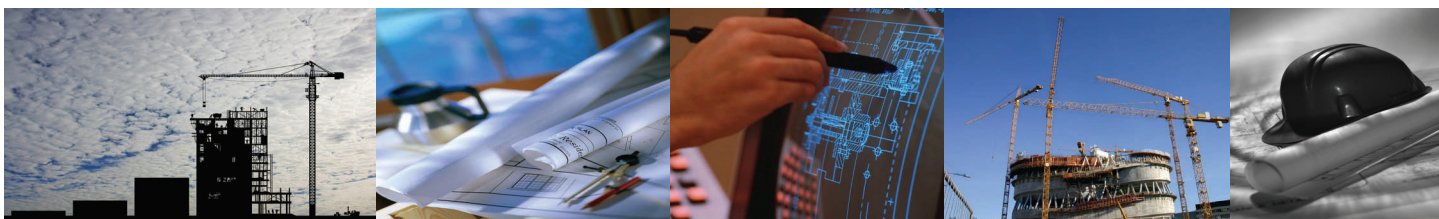
The new 16-hour Structural exam is divided into two 8-hour components, which will be offered on successive days. The Vertical Forces component focuses on gravity loads and incidental lateral loads. The Lateral Forces component focuses on wind and earthquake loads.

Each component of the exam has a breadth module that contains questions covering a comprehensive range of structural engineering topics. Each component also has a depth module that focuses more closely on a single area of practice. Examinees will choose whether they want to concentrate on buildings or bridges for this module.

To pass the exam, examinees must receive acceptable results on both the Vertical Forces and Lateral Forces components, but these components may be taken during different exam administrations. The AES Board will be considering a rule in 2011 to institute a window of 5 years during which an examinee would have to pass both components for a valid examination result.

The specifications for the new exam are posted on the NCEES Web site. For more information and details about the new Structural PE Exam, click [here](#).

If you are already a licensed Colorado Professional Engineer and wish to take the new Structural PE exam, you do not need to go through the application process for a new licensee. Contact the Board office for information on taking an additional discipline examination.



LANDSCAPE ARCHITECTS MUST ALSO BE LICENSED



The Landscape Architect Practice Act went into effect over 3 years ago. Still, there are many in the Colorado design and construction industry who are unaware a licensed Landscape Architect is required in order to perform the practice of landscape architecture defined in [section 12-45-102 \(8\)\(a\)](#).

The Board of Landscape Architects is working with the Colorado Chapter of the American Society of Landscape Architects and the Associated Landscape Contractors of Colorado on opportunities to raise awareness at the local level about the requirements for licensure.

One area that can be confusing is the overlap in the scope of practice between professions. An example is that oftentimes local codes may require a licensed Professional Engineer for the submittal of a site plan or a drainage plan. But now, licensed Landscape Architects can provide these submittals and the industry is working with cities and counties so that they are aware of these changes.

BOARD STATISTICS

Licensing – Architects, Engineers, Land Surveyors Combined

	FY07	FY08	FY09	FY10
Examinations	3,229	2,856	3,119	3,286
New Licensees	1,992	2,020	2,855	2,245
License Renewals	11,460	16,764	12,277	16,957
License Reinstatements	434	562	626	635
Active Licenses*	29,658	29,578	29,738	30,601

Note: The fiscal year (FY) is July 1-June 30th

* Active includes renewable licenses, e.g. active, inactive and retired licenses as of June 30th. Interns are not included.

Licenses By Profession – As of December 31, 2010

Architects	6,967
Inactive Architects	28
Professional Engineers	21,365
Retired Professional Engineers	527
Professional Land Surveyors	1,755
Retired Professional Land Surveyors	42

Enforcement – Architects, Engineers, Land Surveyors Combined

	FY07	FY08	FY09	FY10
Complaints	122	105	178	226
Revocations	0	3	1	0
Suspensions	2	1	0	0
Stipulations	10	29	35	30
Letters of Admonition	55	35	42	33
Other*	10	11	89*	9
Dismissals	79	55	77	156

*Other includes Fines and Cease & Desist Orders. In FY09, it is likely this number is high from fines being counted in addition to those levied as part of a Stipulation. In other fiscal years, these were not counted separately.

REPORTING A JUDGMENT OR SETTLEMENT INVOLVING A FRAUDULENT INSURANCE ACT BY AN ARCHITECT'S INSURANCE CARRIER



There is a duty by insurers who sell malpractice insurance for architects in Colorado to report any malpractice claims against a licensed architect or a corporation, partnership, or group of persons practicing architecture which is settled or in which judgment is rendered against the insured within 90 days after the effective date of such settlement or judgment. This is required under section 10-1-122, C.R.S., by the Division of Insurance and is distinct from the required reporting by the AES Board described above. For more information, please see www.dora.state.co.us/aes/forms/InsuranceLiabilityReportForm.pdf

RENEW YOUR LICENSE ON TIME!

You may renew your license online using Registrations Online Services. Renewals are generally made available 6 to 8 weeks prior to the license expiration date. After that there is a 60-day grace period. That means you typically have a timeframe of 16 weeks within which to renew your license!

Any license not renewed prior to the end of the grace period will be considered expired. Once a license is in expired status, a reinstatement application must be completed and returned to our office with the appropriate fee listed on the form.

If you do not renew your license prior to the end of the grace period and continue to practice, you will be practicing on an expired license and may be subject to disciplinary action. The Division sees a number of situations every year of individuals who have failed to renew their license on time and practiced without a license. The reasons that are offered boil down to some common themes: I forgot; I moved and I forgot to notify the Board so I never got the renewal notice; I thought that my assistant/secretary/spouse/boyfriend, et cetera, handled it; it's the Board's fault because I *did* renew my license...or I *thought* I renewed my license. The result is that depending on how long it takes for the individual to "remember" to renew, the Division often takes disciplinary action against the individual because it is against the law to practice without an active license.

So, here's where we need your help. The steps are as easy as 1-2-3!

1. Go to the Division of Registrations website at www.dora.state.co.us/registrations and click on Registrations Online Services to renew your license.
2. Note the expiration date in your calendar to remind yourself of when it is time to renew your license the next time.
3. Make sure that the address listed on your record is accurate. If it is not, then update your address with the Division. Remember to update your address anytime that you move so that you do not miss out on any important notices from the Division.

Remember, it is each licensee's responsibility to renew his or her license on time. With our online system, you can handle all of this yourself, any time, day or night.

REGISTRATIONS ONLINE DOCUMENTS

If you would like to view a board action you may use the **Registrations Online Documents (ROD)**. ROD is a website that makes certain scanned documents related to board actions taken on licensees available to the public via the Internet. The document may be found on ROD if a licensee has been disciplined or if the board has taken some other non-disciplinary action against the licensee that restricts or limits the individual's license.

The following documents are available via ROD:

- All Stipulations, Final Agency Orders, and Suspensions that were in effect in February 2000 plus any that became effective since that date. Child Support Suspensions are not available online but may be obtained by contacting the appropriate board/program.
- Any document Revoking or agreeing to a Voluntary Relinquishment/Surrender of license or registration, Cease and Desist Orders and Letters of Admonition from January 1, 1999 to the present.
- All Injunctions.

[Click here](#) for more information about the types of documents provided by this online system and definitions of terms used within the disciplinary documents.

If you are interested in viewing these documents, please visit www.dora.state.co.us/registrations/ROD.

BOARD ENFORCEMENT ACTIVITY

These actions to enforce the statutes and rules of the practice of architecture, engineering, and land surveying were taken by the AES Board from July 1, 2008 through June 30, 2010. In accomplishing these actions, the Board is assisted by the Office of Investigations and the Office of Expedited Settlement, both within the Division of Registrations; and the Office of the Attorney General.

To view a list of Board Actions [click here](#).