



## **HB 590 Interior Designer License Bill** **A response from the American Institute of Architects** **North Carolina Chapter**

**Point 1:** HB 590 is proposing to establish a *Professional Practice Act* to allow Interior Designers (ID's) to submit their documents for permit in all occupancy classifications identified in the North Carolina Building Code, including assembly, schools, jails, hospitals, ambulatory care facilities, hazardous occupancies, etc. Authority equivalent to that of an Architect.

**Fact:** ID education, training and examination, administered by NCIDQ has standards far below what the State currently requires for Architects and Engineers. Minimum NCIDQ requirements include 40 credit hours of interior studies in a two-year technical degree; allows self-reporting of work experience, which does not have to be diverse and does not have to include preparing a set of permit document; and an examination which covers only residential and light commercial projects. The exam can be mastered by taking a "guaranteed to pass" correspondence course.

**Fact:** Currently, North Carolina requires a minimum 5 years of comprehensive education in design and the coordination of building systems and education on a broad range of Health Safety and Welfare issues. Internship requires completion of 96 specific tasks under supervision, and passing a six-part detailed examination. (Of the 600 questions on the Architect's exam, 180 deal with project coordination, compared to 23 for ID's, which also only covers residential and some commercial. One can pass the ID exam even when failing to answer any of the coordination questions correctly.)

**Point 2:** HB 590 will require the NC Department of Insurance to administer the ID license.

**Fact:** The DOI has not expressed interest in doing this. Nor are they equipped to determine whether the candidate has the level of competence to design complex facilities. Accordingly, DOI must accept the determinations of NCIDQ as to a candidate's competence. The state licensing boards for Architects, Engineers, Contractors, Doctors, Lawyers, etc. have no such restrictions. They have the right to challenge the competency of any licensed professional.

**Point 3:** ID's state as their primary justification for the bill that 'some' of their work (often citing wall covering selections and toilet layouts) impacts Health, Safety and Welfare (HSW). As such, they should be allowed to seal their own drawings.

**Fact:** However, the bill goes much further in allowing ID's to assemble full sets of drawings under their seal, including documents from other licensed professionals and submit the full set for permit. (Ref: §93F-11 (k))

**Point 4:** If Point 3 is valid, "everyone" working on construction documents should be permitted to seal their own work.

**Fact:** Those currently not licensed to seal their own work but who have an equal or better claim of impacting HSW include architectural designers, site designers, engineering designers in disciplines including civil, structural, mechanical hvac, plumbing, lighting, power, controls, communications, safety, fire protection, along with specification writers whose impact on HSW far exceeds the level of the ID's.

**Point 5:** As stated in Point 1, HB 590 does not require the demonstration of competency in coordinating engineering trades, even when compiling the full document set. It also goes further to specifically excludes their responsibility to do so.

**Fact:** Building equipment is excluded from their responsibility §93F-3 (12 a) as well as structure §93F-3 (12 e).

**Point 6:** One point made by ID's is that if they do miss any items, the building officials will catch it.

**Fact:** From reports of several key building officials, no one from the legislature has asked them to address this question. We know from statute that building officials are not required to be trained nor expected to look for coordination conflicts on a set of plans. (A duct design may pass plan inspection, but when work is underway the contractor finds that it is routed through a beam and crosses a rated wall requiring a fire damper, resulting in costly change orders.)

**Point 7:** HB 590 introduces new terms and undermines existing laws which will be argued in courts for years to come.

**Fact:** The bill introduces the term "Interior Life Safety." How is this different from "Life Safety?" The bill undermines the Partnership statutes to give ID's the right to own an architectural partnership? (If approved for Architectural Partnerships, will this encourage paralegals to seek the right to own majority share in partnerships with attorneys?)

**Point 8:** According to a graphic provided by NCIDQ, there are 26 states with some form of Interior Design Title or Practice Act. 18 have Title Acts with no permitting privileges, 3 are Practice Acts, 3 are Title Acts with permitting privileges and 3 others have unique restrictive certifications. The states with permitting privileges are regulated under a Board of Architecture and/or Interior Design.

**AIA strongly recommends that the standards set by the State for sealing drawings be maintained at its current level. It will not serve the Health Safety and Welfare of the people in North Carolina to lower the standards to any degree, especially to the very low standards proposed in HB 590.**