

COVER SHEET FOR EMERGENCY RULE

Document Number 13821Rule Number Plc 1002.04, Plc 1002.41

1. Agency Name & Address:

**Office of Professional Licensure &
Certification
7 Eagle Square
Concord, NH 03301**

2. RSA Authority: RSA 310:6, I3. Federal Authority: n/a

4. Type of Action:

Adoption Amendment X Repeal 5. Date of Filing: December 14, 20236. Short Title: Renewal Fee Reductions for Architect Certificates of Authority and Professional Engineer Certificates of Authority

7. Contact person for copies and questions:

Name: **Gretchen Hamel**Title: **Program Specialist IV**Address: **OPLC
7 Eagle Square
Concord, NH 03301**Phone #: **Please contact via email**E-mail: **Gretchen.R.Hamel1@oplc.nh.gov**

**The rules can be reviewed on-line at
<https://www.oplc.nh.gov/oplc-laws-and-rules>**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

****PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

The Executive Director was just informed that the renewal fees for architect firm certificates of authority (COAs) and professional engineering firm COAs are now double what they had been. The Executive Director never intended to double those fees when Plc 1002 was adopted; rather, the rules were intended to mirror what the fees were under the board rules, accounting only for the change in license periods from one year to two years. The OPLC did not receive comments concerning this error during the original rulemaking proceeding. If emergency rules to reduce the fees to the intended levels are not adopted, substantial fiscal harm will be done to citizens who are seeking to renew a COA for an architect or professional engineering firm as they will have to pay twice as much as intended. OPLC records show that there are 592 COAs for architects and 1302 COAs for professional engineers, which would result in an overpayment of \$91,760 for architect COAs and an overpayment of \$260,400 for professional engineer COAs.

9. A summary of the effect if the rule were not adopted.

If the emergency rules are not adopted, citizens will pay double what was intended to renew an architect COA or a professional engineer COA.

10. A description of those affected.

Those affected are architect firms and professional engineer firms that wish to renew their certificates of authority.

*PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET and all attachments along with 2 copies of the emergency rule to the Office of Legislative Services, Administrative Rules.

**PLEASE SIGN THE FOLLOWING:

I, the adopting authority,* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date: December 14, 2023

Signature: 

Name: Lindsey B. Courtney

Title: Executive Director

*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

13821, (eff 12-14-23)
 ER EXPIRES: 6-11-24

Readopt with amendments Plc 1002.04, eff. 8-1-23 (doc. #13703), to read as follows:

Plc 1002.04 Application Processing and Licensing Fees for the Profession Regulated by the Board of Architects. The application processing and licensing fees found in Table 1002.4, below, shall apply to the profession regulated by the board of architects under RSA 310-A:28-52:

Table 1002.4 Application Processing and Licensing Fees for the Profession Regulated by the Board of Architects

Category	Duration	Fee
Architect license application processing and licensing:		
Initial or renewal of active license	2 years	\$155
Renewal of retired license	2 years	\$77.50
Reinstatement after expiration date of prior license	2 years	\$155
Architect certificate of authorization application processing and licensing:		
Initial, renewal, or reinstatement after expiration of prior license	2 years	\$310 \$155

Readopt with amendments Plc 1002.41, eff. 8-1-23 (doc. #13703), to read as follows:

Plc 1002.41 Application Processing and Licensing Fees for the Profession Regulated by the Board of Professional Engineers. The application processing and licensing fees found in Table 1002.41, below, shall apply to the profession regulated by the board of professional engineers under RSA 310-A:2-27:

Table 1002.41 Application Processing and Licensing Fees for *the* Profession Regulated by the Board of Professional Engineers

Category	<i>License</i> Duration	Fee
Professional engineer license application processing and licensing:		
Active: initial, renewal, or reinstatement after expiration date of prior license	2 years	\$150
Retired: renewal	2 years	\$75
Certificate of authorization application processing and licensing:		
Initial, renewal, or reinstatement after expiration date of prior license	2 years	\$400 \$200
Application processing and licensing for temporary permit under RSA 310-A:19	6 months	\$300
Engineer-in-training application processing and licensing:		
Initial or renewal	2 years	\$75

APPENDIX A: STATE STATUTES IMPLEMENTED

Rule	State Statute Implemented
Plc 1002.04, Plc 1002.41	RSA 310:5, I