

FORM 6

State of South Dakota
Department of Labor and Regulation
Board of Technical Professions
Notice of Public Hearing to Adopt Rules

A public hearing will be held via Microsoft Teams video conference (login information below), on October 11, 2024, at 8:30 A.M. Mountain Time to consider the adoption and amendment of proposed Administrative Rules of South Dakota numbered:

§§ 20:38:27:02, 20:38:27:05, 20:38:27:07, 20:38:28:01, 20:38:28:03, 20:38:29:01, 20:38:29:03, 20:38:29:04, 20:38:30:03, 20:38:30:04, 20:38:31:01, 20:38:31:02, 20:38:31:04, 20:38:31:05, 20:38:32:01, 20:38:32:02, 20:38:32:03, 20:38:32:04, 20:38:32:06, 20:38:33:03, 20:38:33:08, 20:38:34:01, 20:38:34:04, 20:38:35:01, 20:38:35:02, 20:38:35:09, 20:38:35:10, 20:38:36:01, 20:38:39:01, 20:38:39:02, 20:38:39:03, 20:38:39:04, 20:38:39:05, 20:38:39:06, 20:38:39:07, 20:38:39:08, 20:38:39:09, 20:38:39:10, 20:38:39:11, 20:38:39:12, and 20:38:39:13.

The effect of the rules will be to update board meeting scheduling rules and board member duties; modernize the language of selected rules to allow certain records, state-specific exams, and notices to be stored and transmitted in an electronic format; update the ARE test score validity policy to match NCARB policy, including the elimination of the NCARB "rolling clock" policy; eliminate the use of professional titles by retirees; update the experience and educational requirements for certain types of applications; eliminate fees for duplicate licenses obtained directly through an online portal; repeal board rules regarding disciplinary proceedings; update selected rules with clearer language and provide clear timelines; remove as precondition to taking certain exams the requirement that an applicant complete the relevant experience requirement (also called "decoupling"), and eliminate alternative continuing professional development option for architects.

The reason for adopting the proposed rules is to permit greater flexibility in board meeting scheduling and board member duties; bring the ARE score validity policy into conformity with NCARB policy which changed on May 1, 2023; permit greater use of digital and electronic records, communications, and testing to align with the new board office database; increase the clarity of experience and educational requirements; bring the language of the rules into conformity with national practices; improve the overall clarity of selected rules; eliminate disciplinary rules which are duplicative of or in conflict with the statutory requirements of SDCL 36-1C; decouple the experience and exam requirements for land surveyors and engineers; and eliminate the unused alternative continuing professional development option for architects.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear on the video conference at the hearing, or mail or e-mail them to Board of Technical Professions, 2525 W. Main Street, Suite 211, Rapid City SD, 57702 or email sdbtp@state.sd.us. The deadline to submit any such written comments for consideration by the board is October 7, 2024.

After the written comment period, the Board of Technical Professions will consider all written and oral comments it receives on the proposed rules. The Board of Technical Professions may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

For Persons with Disabilities: This hearing will be located at a physically accessible place. Please contact Jodi Aumer at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling 605-394-2510.

Microsoft Teams Login (using web browser):
<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>
Meeting ID: 226 629 435 808
Passcode: urtYWw

Call in (audio only):
Phone Number: 605-679-7263
Phone Conference ID: 533 691 310#

Copies of the proposed rules may be obtained without charge from:

Board of Technical Professions and/or rules.sd.gov
2525 W. Main Street
Suite 211
Rapid City SD, 57702
sdbtp@state.sd.us
(605) 394-2510

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