
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-4244.1/08

ATTY/TYPIST: AI:ean

BRIEF DESCRIPTION: Addressing the practice of interior design.

AN ACT Relating to the practice of interior design; adding a new chapter to Title 18 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The purpose of this act is to safeguard public health and life safety, to promote the public welfare by improving the quality of human environmental design, and to limit the practice of interior design to persons having specific design education, experience, and examination.

NEW SECTION. **Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the Washington state board of interior design as established by the department of licensing.

(2) "Building shell" means the architecture of the existing building, including the framework, the perimeter or exterior walls, the building core and columns, and other structural, load-bearing elements of the building.

(3) "Construction documents" mean the detailed working drawings that define the work to be constructed. This may include partition

plans, power and communication plans, reflected ceiling plans, material and finishes plans, and furniture layout plans, as well as elevations, sections, and details, along with the drawings of associated consultants.

(4) "Contract administration" means the set of services which may include: Developing and monitoring schedules and construction costs; ensuring construction is completed in conformance with contracts and design intent; liaison with contractors and consultants throughout the course of construction; reviewing shop drawings and submissions from the contractor; observing and commenting on construction progress; monitoring move in and furniture installation; and conducting required postoccupancy evaluations.

(5) "Contract documents" means the set of documents that form a part of the legal contract for services between two or more parties. These typically include detailed instructions to the contractor, tender forms, construction documents and specifications.

(6) "Diversified and appropriate interior design experience" relates to the skills and tasks of a registered interior designer.

(7)(a) "Interior Design" means designs, consultations, studies, drawings, specifications, and the contract administration of design construction contracts relating to nonstructural interior elements of

a building or structure. "Interior design" includes, but is not limited to, space planning, finishes, furnishings, and the design for fabrication of nonstructural or nonseismic elements within and surrounding interior spaces of a building, and a scope of services performed by a professional design practitioner, qualified by means of education, experience, and examination, to protect and enhance the life, health, safety, and welfare of the public. These services may include any or all of the following tasks:

(i) Research and analysis of the client's goals and requirements, and development of documents, drawings, and diagrams that outline those needs;

(ii) Formulation of preliminary space plans and two and three-dimensional design concept studies and sketches that integrate the client's program needs and are based on knowledge of the principles of interior design and theories of human behavior;

(iii) Confirmation that preliminary space plans and design concepts

are safe, functional, aesthetically appropriate, and meet all public health, safety, and welfare requirements, including code, accessibility, environmental, and sustainability guidelines.

(b) "Interior design" specifically excludes the design of or the responsibility for architectural and engineering work, except for specifications for fixtures and their location with interior spaces. "Interior Design" also specifically excludes construction of structural, mechanical, plumbing, heating, air conditioning, ventilation, electrical or vertical transportation systems, fire-rated vertical shafts in multistory structures, fire-related protection of structural elements, smoke evacuations and compartmentalization, sprinkler systems, and emergency alarm systems.

(8) "License" means a certificate granted by the Washington state board of licensing as established.

(9) "Maintenance" means the ability of a product or material to be kept to its proper condition and the work required to sustain that condition over the life of that material.

(10) "Nonstructural or nonseismic" means interior elements or components that are not load bearing or do not assist in the seismic design, and do not require design computations for a building's structure. It excludes the structural frame supporting a building. Common nonstructural elements or components include, but are not limited to, ceiling and partition systems. These elements employ normal and typical bracing conventions and are not part of the structural integrity of the building.

(11) "Partition" means a wall which does not support a vertical load of a structure other than its own weight, but may support loads attached to it such as cabinetry, shelving, or grab bars, and does not extend further than from the floor of an interior area of a

structure designed for human habitation or occupancy, to the underside of the deck of that structure.

(12) "Programming" means the scope of work which includes, but is not limited to: Conducting research; identifying and analyzing the needs and goals of the client or occupants of the space; evaluating existing documentation and conditions; assessing project resources and limitations; identifying life, safety, and code requirements; and developing project schedules and budgets.

(13) "Reflected ceiling plan" means a ceiling design that illustrates a ceiling as if it was projected downward and may include lighting and other elements.

(14) "Registered interior designer" means a person registered under this chapter who is a registered design professional qualified by education, experience, and examination to affect the function, safety, and quality of interior spaces, and who renders or offers to render interior design services.

(15) "Responsible supervisory control" is the direct responsibility for supervision by a registered interior designer of the work and the decision-making process such as reviewing, enforcing, and controlling compliance with all design criteria and life-safety requirements. Each location designated for the practice of interior design must have in that location a registered interior designer who bears regulatory responsibility for the interior design work in that location. The registered interior designer must provide responsible supervisory control over nonregistered persons working in that location in the practice of interior design.

(16) "Space planning" means the analysis and design of spatial and occupancy requirements including, but not limited to, preliminary space layouts and final planning for nonload-bearing walls, partitions, panels, and furnishings.

(17) "Specifications" means the detailed written description of construction, workmanship, and materials of the work to be undertaken.

NEW SECTION. Sec. 3. (1) Only individuals registered under this chapter may render interior design services. No person shall be identified as a registered interior designer who is not registered in Washington state.

(2) No firm, partnership, association, or corporation may engage in the practice of interior design, or hold itself out to the public as being engaged in the practice of interior design or use the word "interior design" or "registered interior designer" in its name in any manner unless all interior design services are rendered by or under the responsible supervisory control of persons registered under this chapter.

(3) Registration shall be renewed every two years.

NEW SECTION. **Sec. 4.** Each applicant for registration shall be required to hold an accredited certificate, diploma, or degree in interior design.

(1) As of January 1, 2012, all interior design programs must be accredited by the council for interior design accreditation or be an interior design program determined by the board to be substantially equivalent to an accredited program. If the interior design program is accredited by the council for interior design within two years of an applicant's completion of the program, then the program will be accepted as a council for interior design accredited program.

(2) Each applicant shall provide proof of a minimum of two years of full-time diversified interior design experience under direct supervision of a registered interior designer or licensed architect, within established standards as the board, by rule, deems appropriate required on the effective date of this act.

(3) Each applicant shall provide to the board proof of passage of the examination administered by the national council for interior design qualification.

NEW SECTION. **Sec. 5.** Any person who applies for registration or licensure and remits the application and initial fees within a two-year period after the effective date of this act shall be registered or licensed by the board provided that the applicant meets subsections (1), (2), and (3) of this section:

(1) The applicant has previously passed the national council for interior design qualification examination;

(2) In lieu of the requirement for an accredited baccalaureate degree or degree, diploma, or certificate from a program with a minimum number of credit hours in interior design coursework as determined by the board, the board may register an applicant who demonstrates in accordance with such standards that the board deems equivalent; and

(3) In lieu of the requirement for an accredited baccalaureate degree or degree, diploma, or certificate from a program with a minimum number of credit hours in interior design coursework as determined by the board, the board may register applicants who provide documented proof of diversified experience in the practice of interior design for a minimum of fifteen years.

NEW SECTION. **Sec. 6.** (1) The governor shall appoint seven board members to an interior design board. Nominees shall come from a list of names supplied by Washington state chapter of American society of interior designers and northern pacific chapter of international interior design association. Both organizations shall provide a minimum of ten names to be considered for appointment.

(2) Each member of the initially appointed board shall be qualified as described by sections 4 and 5 of this act. Appointments shall be limited to registered interior designers and for a duration of five

years. Each member shall hold office until the appointment and qualification of his or her successor. Vacancies occurring prior to the expiration of the term shall be filled by appointment in like manner for the unexpired term. The governor may remove any of the members of the board for inefficiency, neglect of duty, or dishonorable conduct.

NEW SECTION. **Sec. 7.** (1) The renewal date for licenses shall be set by the board. An interior designer who fails to pay the renewal fee within thirty days of the due date shall pay all delinquent fees plus a penalty fee equal to one-third of the renewal fee. An interior designer that fails to pay a renewal fee for a period of five years may be reinstated under such circumstances as the board determines.

(2) A registered interior designer in good standing may withdraw from active registration with the state by giving written notice to the department, and may within five years thereafter resume active registration upon payment of the then current renewal fee. An interior designer may be reinstated after a withdrawal of more than five years under such circumstances as the board determines.

(3) An interior designer registered under this chapter must complete one national council for interior design qualification approved continuing education unit, equal to ten hours of continuing education instruction, every two years. The board in consultation with professional organizations representing interior design must develop a form to verify continuing education.

NEW SECTION. **Sec. 8.** Each registered interior designer shall obtain a seal as prescribed by the board. Any interior design construction documents, which may include drawings, plans,

specifications, or reports prepared or issued by the registered interior designer and being filed for public record with any jurisdiction or local building department for the purposes of obtaining a building permit shall bear the signature and seal of the interior designer who prepared or approved the document and the date sealed. The seal shall be evidence of the authenticity of the document. Interior design construction documents bearing the seal of a registered interior designer shall be accepted for filing by the appropriate jurisdiction or local building department.

NEW SECTION. **Sec. 9.** The board may waive the examination requirement of this section for an individual who holds a current valid interior design registration from another state and who holds a current certificate number issued by the national council for interior design qualification, and where the qualifications required by that state are equivalent or more stringent, as determined by the board, to those required in this state.

NEW SECTION. **Sec. 10.** (1) This chapter does not apply to licensed

architects registered or licensed under this state, providing that such architects not refer to themselves as registered interior designers unless registered by this chapter.

(2) This chapter does not apply to an employee of a retail establishment providing consultation regarding interior decoration or furnishings on the premises of the retail establishment or in the furtherance of a retail sale or prospective retail sale, providing such persons do not refer to themselves as a registered interior designer.

This chapter does not apply to a person who provides decorative services or assistance in selection of surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted fixtures, and loose furnishings not subject to regulation under applicable provisions of jurisdictional codes, regulations, or the jurisdictional fire codes, providing such persons do not refer to themselves as a registered interior designer.

NEW SECTION. **Sec. 11.** The board shall provide grounds for disciplinary action, and have disciplinary power to suspend, revoke,

fine, annul registration, or impose civil penalty for each violation provided that there is satisfactory proof of violated provisions of the rules adopted by the board.

NEW SECTION. **Sec. 12.** The board shall provide procedures for investigations, considerations, and guidelines.

NEW SECTION. **Sec. 13.** A violation of any provision of this chapter shall be punishable as established by the board. Any person who, for a fee or other direct compensation, holds himself or herself out as a registered interior designer, advertises, puts out any sign, card, or drawings in this state designating himself or herself as a registered interior designer, or uses some form of the term "interior design" in the title of a profession or business, or who engages in the preparation of plans and specifications or executes tasks identified as interior design services without first having complied with the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be fined up to one thousand dollars for each offense, and each and every day of violation of this chapter shall constitute a separate offense.

NEW SECTION. **Sec. 14.** Sections 1 through 13 of this act constitute a new chapter in Title 18 RCW.