AN ACT

Providing for the registration of interior designers; imposing powers and duties on the Bureau of Consumer Protection; and imposing penalties.

TABLE OF CONTENTS

Chapter 1. Preliminary Provisions

Section 101. Short title.

Section 102. Definitions.

Chapter 3. Registration

Section 301. Qualifications of registered interior designers.

Section 302. Registration procedures.

Section 303. Application fees.

Section 304. Proof of registration.

Chapter 5. Administration and Enforcement

Section 501. Public information.

Section 502. Prohibited acts.


Section 504. Regulations.
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

CHAPTER 1

PRELIMINARY PROVISIONS

Section 101. Short title.
This act shall be known and may be cited as the Interior Designer Registration Act.

Section 102. Definitions.
The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:


"Certificate." A certificate of registration as a registered interior designer, issued by the bureau which contains a registration number assigned by the bureau.

"Code-regulated interior design services." Interior design services that are regulated by applicable building codes and performed by a registered interior designer.

"Contract document." A document that forms part of the legal contract for services between various parties, including detailed instructions to the contractor, tender forms, interior construction documents and specifications.

"Interior construction document." Plans, detailed drawings, specifications and schedules that define the work to be
constructed as required by law for building permitting. The plan, detailed specifications and schedules may include, but are not limited to:

(1) Allocations of space, elevations, sections, details and specifications to illustrate partition layouts.

(2) Switching and communication locations.

(3) Reflected ceiling plans and lighting layouts, details and designs.

(4) Materials and finishes.

(5) Furniture layouts.

(6) Graphic instructions and related drawings supplied by an associated consultant and to be used for the construction of the project.

"Interior design services." The selection, placement and assistance of nonstructural elements within the interior space of a building or structure, and the rendering of or the offering to render designs, consultations, studies, planning, drawings, contract documents, interior construction documents or other technical submissions and the administration of interior construction and contracts relating to non-load-bearing interior construction of a building or structure.

"National Council for Interior Design Qualification." An independent, nonprofit organization of state and provincial credentialing bodies that develops and administers an examination with the purpose of establishing minimum standards of competence for the professional practice of interior design relative to building codes and industry standards.

"Non-load-bearing interior construction." An interior element or component that does not require design computations for a building's structure and does not support a vertical load.
of a structure other than its own weight, but that may support loads attached to it such as cabinetry or shelving.

"Reflected ceiling plan." A drawing illustrating a ceiling design that appears projected downward, including light fixtures, materials, height designations and changes and ceiling fixtures that may include placement or location of exit signage, smoke detectors and other elements as required by the design.

"Registered interior designer." An individual meeting the qualification requirements of this act who undertakes, offers to undertake or agrees to perform code-regulated interior design services independent of the seal and signature of a licensed architect or professional engineer.

"Specifications." A detailed, written description of construction, workmanship and materials for work to be undertaken.

"Technical submittals." Designs, drawings, specifications, studies and other technical reports prepared and reviewed in the course of the professional practice of interior design.

CHAPTER 3
REGISTRATION

Section 301. Qualifications of registered interior designers.

(a) General rule.--No individual may hold himself out as a registered interior designer without first registering with the bureau as provided for in this act.

(b) Registration qualifications.--To qualify as a registered interior designer, an applicant shall:

(1) Be of good moral character.

(2) Possess at least six years of education, training or work experience consisting of either of the following:

(i) A bachelor's degree from an accredited college
or university with a major in interior design or a related field with 96 semester credits or 144 quarter credits completed and a minimum of two years (3,800 hours) of work experience in providing interior design services, with a total of 1,760 hours earned after all education is completed.

(ii) An associate's or bachelor's degree from a nonaccredited college or university with a major in interior design, including not less than 120 semester credits or 180 quarter credits, of which not less than 60 semester credits or 90 quarter credits are interior design coursework and four or more years (7,600 hours) of work experience in providing interior design services, with a total of 1,760 hours earned after all education is completed.

(3) Pass all examinations that are required for certification by the National Council for Interior Design Qualification or its successor.

(4) Submit a bureau-approved application and any fees as prescribed by the bureau by regulation.

(5) Keep and make available all client logs for audit purposes of the experience requirement.

Section 302. Registration procedures.

(a) Application form.—An individual must apply to the bureau in writing on a form provided by the bureau or electronically via the secure registration web page on the bureau's Internet website developed as required by the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act. The bureau may make the modifications to the registration web page and database that are...
necessary to facilitate online registration of interior
designers. The application shall include the following
information:

(1) The name of the applicant.

(2) The date of birth of the applicant.

(3) The applicant's home address and home telephone
number.

(4) The applicant's driver's license number, a copy of
an identification card issued by the state in which the
individual resides or another form of identification as
permitted by the bureau.

(5) The applicant's business or employer's name, Federal
employment identification number, address and telephone
number, if applicable.

(6) The applicant's Social Security number.

(7) All prior business names and addresses of interior
design businesses operated by the applicant.

(8) A complete description of the nature of the interior
design business of the applicant.

(9) Proof of successful completion of registration
requirements.

(10) A statement whether:

   (i) The applicant has ever been convicted of a
criminal offense related to fraud, theft, a crime of
deception or a crime involving fraudulent business
practices, as well as a statement whether the applicant
has ever filed a petition in bankruptcy or, within the
last 10 years, received a final civil judgment entered
against the applicant or businesses in which the
applicant held an interest that was related to interior
(ii) The applicant's registration or a similar certificate or license issued by any other state or political subdivision has ever been revoked or suspended pursuant to an order issued by a court of competent jurisdiction and if so, the current status of the registration or similar certificate or license. The statement required by this subparagraph shall include the same information with respect to any other business in which the person making application has ever had an interest.

(11) Proof of general liability insurance in an amount not less than $50,000. For the purpose of this paragraph, proof of insurance may include information attested to by an applicant that the applicant is self-insured. The bureau shall develop forms for this purpose and make them available to applicants. The bureau may determine the sufficiency of the self-insurance and the manner in which it is maintained in compliance with this act.

(b) Multiple registrations or licenses.—A registered interior designer in this Commonwealth who is registered or licensed as an interior designer in any other state or political subdivision shall report that information to the bureau on the initial registration and biennial registration application. Any disciplinary action taken in such other jurisdiction shall be reported to the bureau on the initial registration application or, if the disciplinary action occurred subsequent to submission of an initial application, on the biennial registration application or within 90 days of final disposition, whichever is sooner. Multiple registrations or licenses shall be noted by the
bureau on the registered interior designer's registration, and
the state or political subdivision shall be notified by the
bureau of any disciplinary actions taken in this Commonwealth
against such registered interior designer.

Section 303. Application fees.

(a) Amount.--Each application or renewal application shall
be accompanied by a fee of $50. After completion of the
application and payment of the fee, the bureau shall issue the
registered interior designer a certificate of registration
identifying the name of the individual, name and address of the
business and a registration number.

(b) Term of certificate.--A certificate of registration
issued pursuant to this section shall be valid for two years and
may be renewed biennially with the bureau.

(c) Account.--The following shall apply:

(1) All fees collected under this act shall be deposited
into the Home Improvement Account.

(2) The money in the account and any interest earned on
the money may be appropriated to the Attorney General for
administering and enforcing the provisions of this act and to
protect consumers with respect to registered interior design
services through consumer education and other means.

Section 304. Proof of registration.

(a) Code-regulated interior design services.--A registered
interior designer practicing code-regulated interior design
services within this Commonwealth shall affix a copy of the
interior designer's certificate on an interior construction
document certifying compliance with applicable current building
codes, ordinances, laws and regulations defining the work to be
constructed for approval of a construction permit by a building
official or fire marshal. Documents may be combined with
documents prepared under the seal and signature of other
licensed, certified or registered professionals licensed under
the laws of this Commonwealth performing services within their
authorized scope of practice. Documents may also include the
technical submittals coordinated by the registered interior
designer as required by contract documents.

(b) Advertisements.--A registered interior designer shall
include the registration number in all advertisements
distributed within this Commonwealth.

(c) Applicability.--This section shall apply to all
advertisements, contracts, estimates and proposals created by a
registered interior designer after the effective date of this
act.

CHAPTER 5
ADMINISTRATION AND ENFORCEMENT

Section 501. Public information.

(a) Public access to registration information.--The bureau
shall maintain a toll-free telephone number from which a caller
can obtain information as to whether an interior designer is
registered with the bureau pursuant to this act, as well as
information that may be obtained on the bureau's Internet
website.

(b) Confidentiality of personal information.--The bureau
shall create a policy for the disclosure of personal information
to the public. The bureau may not disclose to the public a
registered interior designer's or applicant's Social Security
number, driver's license number or any confidential information
prohibited by law from being disclosed, provided that an
interior designer's home address and home telephone number shall
be disclosed only if it is also used as the interior designer's business address and business telephone number.

Section 502. Prohibited acts.

(a) General rule. — Nothing in this act shall prohibit an individual from providing interior design services and preparing interior construction documents under the seal and signature of a licensed architect or professional engineer, but the individual may not hold himself out to be a registered interior designer unless the individual meets the requirements of this act.

(b) Misrepresentation. — An individual who is not registered by the bureau as a registered interior designer is prohibited from printing any written or printed circular, any business card, letterhead or sign, or otherwise assuming the title of registered interior designer or the abbreviation "R.I.D." Use of the title "interior designer" by a nonregistered interior designer is not prohibited. An individual who misrepresents himself as a registered interior designer commits a felony of the third degree.

(c) Construction. — The following shall apply:
   (1) Nothing in this section shall prohibit an individual from engaging in the practice for which that individual is licensed or certified to practice or to act within the scope of that license or certification held in this Commonwealth.
   (2) Nothing in this act or any other law or regulation of this Commonwealth shall prohibit a registered interior designer from being directly compensated for the preparation of interior construction documents.

(d) Regulation. — No political subdivision may in any manner regulate a registered interior designer. No building official,
fire marshal or any other municipal employee authorized to issue construction permits shall require a registered interior designer to submit an interior construction document or technical submittal pertaining to registered interior design practice under the seal and signature of a licensed architect or professional engineer. A registered interior designer may request the bureau to review any local ordinance or action taken by a building official, fire marshal or any other municipal employee authorized to issue construction permits that may be in violation of this section. The bureau may bring an action against the political subdivision in Commonwealth Court to invalidate the unauthorized local ordinance or enjoin the enforcement of the unauthorized local ordinance.


A violation of any of the provisions of this act shall be deemed a violation of the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law. Nothing in this act may preclude an owner from exercising any right provided under the Unfair Trade Practices and Consumer Protection Law.

Section 504. Regulations.

(a) General rule.--The bureau may adopt rules and regulations necessary to carry out the provisions of this act.

(b) Uniform Construction Code.--The Department of Labor and Industry shall adopt regulations within 90 days of the effective date of this act to bring 34 Pa. Code § 403.42a(c) (relating to permit application) and any other relevant sections of the Uniform Construction Code into compliance with this act.

Section 505. Preemption of local registration.
Registration under this act shall preclude any requirement of payment of a fee or registration or licensing of any interior designer by any political subdivision. Political subdivisions shall be permitted to require building permits and local enforcement of the building code for that political subdivision, for which a reasonable fee may be charged.

Section 506. Exemptions.

This act shall not apply to any of the following persons or organizations:

(1) The Commonwealth or any of its political subdivisions.

(2) The Federal Government.

CHAPTER 11

MISCELLANEOUS PROVISIONS

Section 1101. Construction.

This act shall supersede any conflicting provision in any other laws of this Commonwealth.

Section 1102. Effective date.

This act shall take effect in 12 months.