

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.

### **15. Definition of “Practicing”**

The Board's rule defines "practicing" as offering or performing professional services regulated by the Technical Registration Act (A.R.S. Title 21, Chapter 1) within the State of Arizona. A.A.C. R4-30-101(17).

The Board's statutes regulate the practice of architecture, A.R.S. § 32-101(7); engineering, A.R.S. § 32-101(11); geology, A.R.S. § 32-101(14); and land surveying, A.R.S. § 32-101(22).

### **Substantive Policy Statement**

The Board interprets the definition of "practicing" to exclude a person's participation in a response to a request for qualifications under all of the following circumstances:

- The request for qualifications is followed by a request for proposals and then final selection;
- The person is licensed by the Board of Technical Registration before the contract is awarded;
- The project is governed by 23 CFR 635.1 10(F)(2); and
- At the time the response to the request for qualifications is submitted, the person holds a license in good standing from another jurisdiction in a comparable discipline.

### **Applicable Laws**

Arizona Revised Statutes § 32-101 (7), (11), (14) and (22).

Ariz. Admin. Code R4-30-101(17).