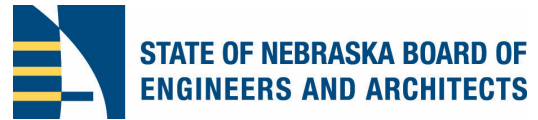


The Practice of Registered Interior Design and its Overlap with The Practice of Architecture



The Nebraska Interior Design Voluntary Registration Act (the “ID Act”, Neb. Rev. Stat. §§71-6101 to 71-6108) was passed by the Nebraska Legislature and signed into law by Governor Pillen on March 5, 2024.

The ID Act creates a voluntary registry for interior designers to be administered by the State Treasurer and for qualified interior designers to use the title “Registered Interior Designer.” The ID Act also gives registered interior designers the ability to perform work that is, in the Board’s opinion, part of the practice of architecture as defined in the Nebraska Engineers and Architects Regulation Act (the “E&A Act”).

The E&A Act defines the practice of architecture in Neb. Rev. Stat. §81-3420:

Practice of architecture means providing or offering to provide design services in connection with the construction, enlargement, or alteration of a building or group of buildings and the space within and surrounding the buildings. The services may include, but not be limited to, planning, providing studies, designs, drawings, specifications, and other technical submissions, and administering construction contracts. The practice of architecture does not include the practice of engineering.

Similarly, the ID Act defines the practice of registered interior design in N.R.S. §71-6103 (6)(a):

Practice of registered interior design means the design of interior spaces as part of an interior alteration or construction project in conformity with public health, safety, and welfare requirements, including the preparation of any document relating to a building code description, any project egress plan that does not require additional exits in the space affected, any space planning, any finish material, any furnishing, any fixture, any equipment, and the preparation of any document and technical submission relating to interior construction.

N.R.S. §71-6103 (6)(b) lists services that are not in the scope of the practice of registered interior design:

Services that are not in the scope of the practice of registered interior design include:

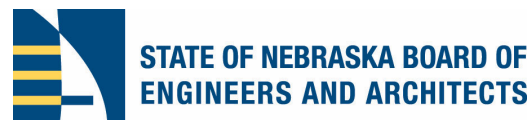
(i) Services that constitute: (A) The practice of professional engineering; or (B) The practice of professional architecture, except as specifically provided for within the Engineers and Architects Regulation Act;

(ii) The construction or alteration of: (A) The structural system of a building, including changing the building's live or dead load on the structural system; (B) The building envelope, including an exterior wall, wall covering, or wall opening, an exterior window, an exterior door, any architectural trim, a balcony or similar projection, a bay, an oriel window, any roof assembly and rooftop structure, and any glass and glazing for exterior use in both vertical and sloped applications; (C) Any mechanical, plumbing, heating, air conditioning, ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm system; (D) An egress system beyond the exit access component of such system; and (E) Any life safety system such as a fire safety or fire protection of structural elements and smoke evacuation and compartmentalization system or a fire-rated vertical shaft in multistory structures;

(iii) Changes to an occupancy classification of greater hazard as determined by the International Building Code; and

(iv) Changes to the construction classification of the building or structure according to the International Building Code;

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Additionally, both the E&A Act and Board rules allow for unlicensed persons to practice architecture as described in Rule 10.3 (the “Exemption Matrix” or “matrix”):

Notwithstanding other provisions of the E&A Act, persons who are not licensed architects or professional engineers may perform planning and design services in connection with any building, structure, or work as indicated below:

OCCUPANCY CLASSIFICATION	MAXIMUM BUILDING AREA
A – Assembly	<i>Less than 1,000 square feet</i>
B – Business	<i>Less than 3,000 square feet</i>
E – Educational	<i>Less than 1,000 square feet</i>
F – Factory	<i>Less than 5,000 square feet</i>
H – Hazardous	
H-1, H-2, H-3, H-4	<i>Less than 2,000 square feet</i>
H-5	<i>Less than 4,000 square feet</i>
I – Institutional	
I-1 Personal care	<i>Less than 3,000 square feet</i>
I-2 Health care	<i>Less than 5,000 square feet</i>
I-3 Detention	<i>Less than 3,000 square feet</i>
I-4 Day care	<i>Less than 2,000 square feet</i>
M – Mercantile	<i>Less than 3,000 square feet</i>
R – Residential	
R-1, R-2, R-4	<i>Less than 4,000 square feet</i>
R-3 single family through four-plex	<i>Less than 10,000 square feet</i>
S – Storage	<i>Less than 5,000 square feet</i>
U – Utility	<i>Less than 5,000 square feet</i>

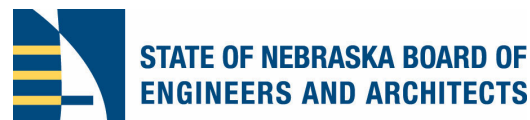
Analysis of Practice Overlaps

It is the Board’s position that the practice of registered interior design is entirely a subset of the practice of architecture. The ID Act makes reference to the practice of architecture in 71-6103(6)(b)(i)(B), so the ID Act itself supports the Board’s position. It is also the Board’s position that anyone practicing within the scope of registered interior design is also practicing within the scope of architecture.

To determine what work registered interior designers may perform and on what types (by occupancy classification) of projects they may perform that work, the Board offers the following guidance.

First, on any project exempt from the E&A Act—adversely impacting an area less than the maximum building area listed in Rule 10.3—both registered interior designers and non-registered interior designers may perform all planning and design services done in connection with the project, including any and all work that could be construed as the practices of architecture, engineering, registered interior design. However, registered interior designers may not perform any of the services that are ‘not in the scope of interior design’ on projects of any size.

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Next, on projects subject to E&A Act—adversely impacting an area greater than the maximum building area listed in Rule 10.3—registered interior designers are allowed to perform services described as the practice of registered interior design done in connection with the project.

For example, work related to a project adversely impacting 4,000 square feet of a structure classified as a Business (B) occupancy and consisting only of space planning and selection and specifications of finish materials and fixtures services could be performed by a registered interior designer. An architect would not need to be involved in the project.

Finally, on projects subject to E&A Act:

- Non-registered interior designers may not provide services that constitute the practice of registered interior design, architecture, or engineering, and
- Registered interior designers may not provide services that are explicitly listed as not constituting the practice of registered interior design.

The Board's analysis of practice overlaps is summarized in the following two tables.

Table 1

1) May non-registered interior designers perform work ...		
	3a) ... on a project of a size smaller than Exemption Matrix limits?	3b) ... on a project of a size larger than Exemption Matrix limits?
2a) ... within the scope of registered interior design ...	ALLOWED	NOT ALLOWED
2b) ... outside the scope of registered interior design ...	ALLOWED	NOT ALLOWED

Table 2

1) May registered interior designers perform work ...		
	3a) ... on a project of a size smaller than Exemption Matrix limits?	3b) ... on a project of a size larger than Exemption Matrix limits?
2a) ... within the scope of registered interior design ...	ALLOWED	ALLOWED
2b) ... outside the scope of registered interior design ...	ALLOWED	NOT ALLOWED
2c) ... specifically listed as not in the scope of registered interior design ...	NOT ALLOWED	NOT ALLOWED

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Coordinating Professionals

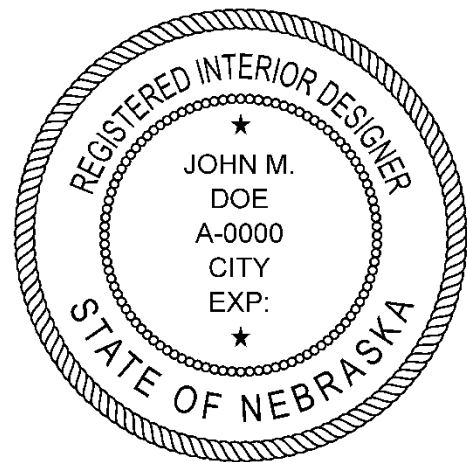
N.R.S. §81-3437.02 requires that projects involving more than one architect or professional engineer shall have one architect or professional engineer designated as the coordinating professional for the entire project. In addition, the Nebraska Professional Landscape Architects Act mandates that landscape architecture design projects involving more than one professional landscape architect, architect, or professional engineer shall have a designated coordinating professional for the entire project, and this is reflected in Board Rule 6.3.1.

There are no provisions in the ID Act allowing registered interior designers to act as a coordinating professional on any project. Consequently, it is the Board's position that registered interior designers cannot act as the coordinating professional on any project subject to the E&A Act.

Licensee Seal Similarities

The Board also notes that the seal used by registered interior designers, shown at right, closely resembles the design of the seals used by Nebraska-licensed architects and professional engineers.

The Board position is that knowledge of these seal design similarities would be helpful information to any agencies and entities that review architectural and engineering plans and other technical documents. The Board's mission is to safeguard life, health, and property and to promote the public welfare. In support of this mission, the Board is including information regarding licensee seal similarities in this guidance document.



Pursuant to Neb. Rev. Stat. §84-901.03, this guidance document is advisory in nature but is binding on the Nebraska Board of Engineers and Architects until amended by the board. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Nebraska Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.