

COUNCIL OF THE DISTRICT OF COLUMBIA

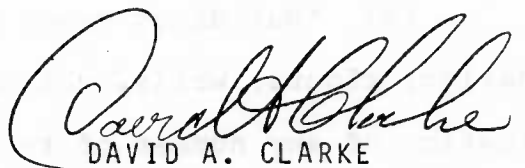
NOTICE

D.C. LAW 6-172

"D.C. Interior Designer Licensure Act of 1986".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-251 on first and second readings, September 23, 1986 and October 7, 1986, respectively. Following the signature of the Mayor on October 30, 1986, this legislation was assigned Act No. 6-221, published in the November 21, 1986, edition of the D.C. Register, (Vol. 33 page 7211) and transmitted to Congress on January 7, 1987 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-172, effective February 24, 1987.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30

February 2,3,4,5,6,9,10,11,17,18,19,20,23

DEFECTIVE DATE FEB 24 1987

AN ACT

D.C. ACT 6 - 221

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Codification,  
New, Chapter  
34 of title 2

OCT 30 1986

To provide for the licensure and regulation of interior designers and to establish the District of Columbia Board of Interior Designers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "District of Columbia Interior Designer Licensure Act of 1986".

Sec. 2. Definitions.

New, D.C. Code  
sec. 2-3401  
(1987 supp.)

For the purposes of this act, the term:

(1) "Board" means the Board of Interior Designers established by this act.

(2) "Building" means any structure consisting of foundation, floors, walls, columns, girders, and roof, or a combination of any number of these parts, with or without other parts or appurtenances.

(3) "Council" means the Council of the District of Columbia.

(4) "District" means the District of Columbia.

(5) "Household member" means a relative by blood or marriage who shares another individual's actual

residence.

(6) "Interior design" means providing or offering to provide consultations, preliminary studies, drawings, specifications, or any related service for the design analysis, programming, space planning, or aesthetic planning of the interior of buildings, using specialized knowledge of interior construction, building systems and components, building codes, fire and safety codes, equipment, materials, and furnishings, in a manner that will protect and enhance the health, safety, and welfare of the public whether 1 or all of these services are performed either in person or as the directing head of an organization.

(7) "Interior designer" means any person licensed to practice interior design under this act.

(8) "Mayor" means the Mayor of the District of Columbia.

Sec. 3. Board of Interior Designers; qualifications of members; terms of office. New, D.C. Cod  
sec. 2-3402  
(1987 supp.)

(a) There is established a Board of Interior Designers, which shall consist of 5 members appointed by the Mayor who shall designate 1 member as the chairperson. Three members shall be interior designers; 1 shall be an interior design educator; and 1 shall be a consumer.

(b) The members of the board shall be residents of the District at the time of their appointments and while

they are members of the board.

(c) The interior designer members of the board, in addition to the requirements of subsection (b) of this section, shall be licensed in the District and shall have been engaged in the practice of interior design for at least 5 years immediately prior to their appointments. The initial appointees shall meet the qualifications for licensure and shall promptly apply for licensure upon issuance of rules implementing this act.

(d) The interior design educator member of the board, in addition to the requirements of subsection (b) of this section, shall be an educator of interior design at a school, college, or university with an interior design program accredited by the Foundation of Interior Design Education and Research. The interior design educator shall have at least 5 years teaching experience or a combination of 3 years experience as an interior designer or architect and 2 years of teaching experience.

(e) The consumer member of the board, in addition to the requirements of subsection (b) of this section, shall:

- (1) Be at least 18 years old;
- (2) Not be an interior designer or in training to become an interior designer;
- (3) Not have a household member who is an

interior designer or in training to become an interior designer; and

(4) Not own, operate or be employed in, or have a household member who owns, operates or is employed in, a business that has as its primary purpose the sale of goods or services to interior designers or interior design facilities.

(f) Of the initial appointees to the board, 2 shall be appointed for terms of 3 years; 2 shall be appointed for terms of 2 years; and 1 shall be appointed for a term of 1 year. All subsequent appointments shall be for terms of 3 years. In case a successor is not appointed at the expiration of the term of any member, the member shall hold office until the successor has been appointed and sworn into office. In the event of a vacancy, the Mayor shall appoint a member to serve the unexpired term of the member who vacated the office. No member shall be appointed to more than 2 consecutive 3-year terms.

(g)(1) The Mayor, after providing written notice 15 days in advance and an opportunity for a hearing, may remove any member of the board for failure to maintain the qualifications required by this section, for neglect of duties required by this act, or for incompetence.

(2) The failure of a board member to attend at least 1/2 of the regular, scheduled meetings of the board within a

12-month period shall constitute neglect of duty within the meaning of this subsection.

Sec. 4. Duties and powers of the board.

New, D.C. Code  
sec. 2-3403  
(1987 supp.)

(a) The board shall license interior designers and regulate the practice of interior design and shall administer and enforce the provisions of this act and rules issued pursuant to this act.

(b) The board shall determine the times and places of its meetings and shall publish notice of meetings at least 1 week in advance in the District of Columbia Register. A majority of the members shall constitute a quorum.

(c) The board shall keep records of its proceedings relating to the issuance, renewal, denial, suspension, and revocation of licenses.

(d) The board shall maintain a register of persons licensed as interior designers, and shall publish annually a list of the names and addresses of those persons, as well as a list of all persons whose licenses have been suspended or revoked within 3 years prior to the publication.

(e) The board shall submit annually to the Mayor a report of its activities for the preceding fiscal year.

(f) The members of the board shall be compensated in accordance with section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec.

1-612.8), and in addition shall be reimbursed for reasonable travel and other expenses incurred in the performance of their duties.

Sec. 5. Duties of the Mayor.

New, D.C. Cod  
sec. 2-3404  
(1987 supp.)

The board shall be under the administrative control of the Mayor, who shall:

(1) Provide administrative support to the board, including staff and facilities, at a level the Mayor determines necessary to enable the board to carry out its responsibilities;

(2) Establish and collect fees for the examination, licensure, and licensure renewal services required by this act, which shall be at the level necessary to defray all costs of administering this act; and

(3) Issue all rules necessary to implement the provisions of this act.

Sec. 6. Examination.

New, D.C. Cod  
sec. 2-3405  
(1987 supp.)

(a) The Mayor shall issue rules for the examination of applicants for licensure to practice interior design.

(b) Pursuant to subsection (a) of this section, the Mayor may require the examination prepared by the National Council for Interior Design Qualification, or may require the board to develop an examination to test competency in the technical and professional subjects relevant to the practice of interior design.

(c) The board shall administer the examination required by this section at least 2 times yearly at times and places determined by the board.

(d) Except as provided in section 7(d), an applicant shall satisfactorily complete the examination required by this section as a condition for licensure to practice interior design.

Sec. 7. Licensure of interior designers; waiver of examination.

New, D.C. Cod.  
sec. 2-3406  
(1987 supp.)

(a) It shall be unlawful for any person who is not licensed as an interior designer to engage in the practice of interior design, to advertise as an interior designer, to use the title of "interior designer" or any other words, letters, figures, or other device for the purpose of implying, directly or indirectly, that the person is an interior designer.

(b) No company, partnership, association, corporation, or other similar organization shall use the title of "interior designer" unless interior design services rendered by or on behalf of the organization are in the responsible charge of a licensed interior designer.

(c) An applicant for licensure as an interior designer shall establish to the satisfaction of the board that the applicant:

- (1) Is at least 18 years of age;



(2) Has not been convicted of an offense that bears directly on the fitness of the applicant to be licensed;

(3) Has passed the examination required by this act; and

(4) Meets any other requirements established by the Mayor by rule.

(d) The board may waive the examination requirement of this act for any person otherwise qualified for licensure who:

(1) Submits an affidavit establishing to the satisfaction of the board that he or she was regularly engaged in the practice of interior design, either on his or her own account or in the course of regular employment, for 3 years immediately preceding the effective date of this act, and applies for a waiver within 1 year of the effective date of this act; or

(2) Is licensed as an interior designer in a state or territory that admits interior designers licensed in the District in a like manner.

(e) The board may require licensees, as a condition of license renewal, to earn 1 continuing education unit per year at a continuing education course that is acceptable to the board. Satisfactory evidence of having met this requirement shall be presented to the board in whatever form

the board may require.

Sec. 8. License renewal.

New, D.C. Cod  
sec. 2-3407  
(1987 supp.)

(a) A licensee shall annually renew the licensee's license and pay the renewal fee established by the Mayor. It shall be unlawful for any interior designer who fails to renew his or her license to continue to practice interior design or to use the title of interior designer.

(b) Every license shall expire annually on a day designated by the board.

Sec. 9. Exemptions.

New, D.C. Cod  
sec. 2-3408  
(1987 supp.)

(a) The provisions of this act shall not apply to architects engaged in the practice of architecture in accordance with An Act to provide for the examination and regulation of architects and to regulate the practice of architecture in the District of Columbia, approved December 13, 1924 (43 Stat. 713; D.C. Code, sec. 2-201 et seq.).

(b) The provisions of this act shall not apply to the following persons, so long as they do not use the title of "interior designer" or otherwise hold themselves out to be "interior designers":

(1) Consultants, officers, and employees of the District or of the United States, or of private businesses engaged in services other than interior design, who practice interior design solely for the government or the private business by whom they are employed;

(2) Landscape architects, landscape engineers, and city and regional planners engaged in the preparation of drawings for, and the supervision of, planting, grading, walks, paving, and such minor structural features as fences, steps, walls, pools, and garden structures, normally included as a part of their work, where these features could not constitute a possible menace to life, health, or public welfare;

(3) Structural engineers, heating engineers, plumbing engineers, air conditioning and ventilation engineers, electrical engineers, elevator engineers, and civil engineers, who perform interior design services that are incidental to their practice;

(4) Employees of licensed interior designers acting under the control, instruction, or supervision of their employers; and

(5) Interior decorators engaged only in the application of aesthetic principles in the selection of furnishings, materials, and appliances.

Sec. 10. Signing of drawings and specifications.

New, D.C. Cod  
sec. 2-3409  
(1987 supp.)

All drawings and specifications prepared in the practice of interior design as defined in this act shall be signed by the interior designer responsible for their preparation.

Sec. 11. Revocation, suspension, or denial of license.

New, D.C. Cod  
sec. 2-3410  
(1987 supp.)

(a) The board may revoke, suspend, or deny a license in accordance with the procedures established by this act and rules issued pursuant to this act if the board determines from the evidence that:

(1) The license was obtained through fraud or misrepresentation;

(2) The licensee has been convicted by a court of any offense involving fraud or deceit in the licensee's professional practice;

(3) The licensee has manifested gross incompetence or recklessness in the practice of interior design; or

(4) The licensee has violated any provision of this act or rules issued pursuant to this act.

(b) The board may begin proceedings to revoke, suspend, or deny a license upon receipt of a written complaint or on its own initiative by majority vote. The board shall provide the person who is the subject of the proceedings with notice of the allegations and an opportunity for a hearing in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.).

(c) The board may administer oaths and compel the attendance and testimony of witnesses and the production of books, papers, and other evidence in connection with any

proceeding under this section. In the case of contumacy by  
refusal to obey a subpoena issued by the board to any  
person, the board may refer the matter to the Superior Court  
of the District of Columbia, which may order the person to  
appear and give testimony or produce books, papers, and  
other evidence bearing on the hearing. Refusal to obey the  
order shall constitute contempt of court.

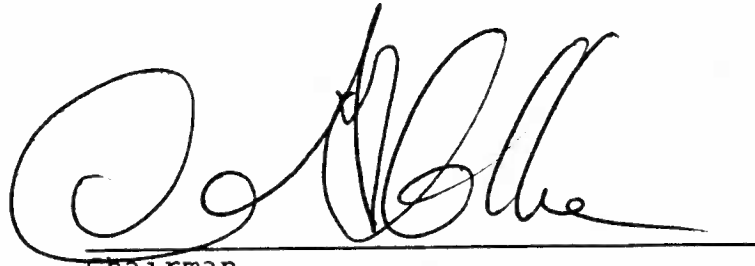
Sec. 12. Penalty for illegal practice or use of title. New, D.C. Code  
sec. 2-3411  
(1987 supp.)

Any person who engages in the practice of interior  
design or who uses the title "interior designer" or any  
other words, letters, figures, or other device for the  
purpose of implying that the person is an interior designer  
without having complied with the provisions of this act  
shall be subject to a civil fine of not more than \$200.

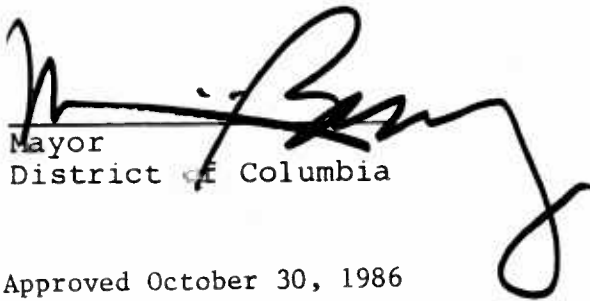
Sec. 13. Effective date.

This act shall take effect after a 30-day Congressional  
review period following approval by the Mayor (or in the  
event of veto by the Mayor, action by the Council of the  
District of Columbia to override the veto) as provided in  
section 602(c)(1) of the District of Columbia  
Self-Government and Governmental Reorganization Act,

approved December 24, 1973 (87 Stat. 813; D.C. Code, sec.  
1-233(c)(1)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

Approved October 30, 1986



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Council Period Six — Second Session**

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B 6-251

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 9-23-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

10/15/86  
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 10-7-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Kane and Mason

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

10/15/86  
 Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date