This is an amendment to 16.30.4 NMAC, Section 12, effective September 16, 2004. Subsection B of 16.30.4.12 NMAC was amended to specifically state that an architect must confer with a client to assure the client's program needs are met.

16.30.4.12   PROFESSIONAL CONDUCT
        A.   Each office maintained for the preparation of architectural drawings, specifications, reports or other professional work shall have an architect regularly employed having direct knowledge and supervisory control of such work.
        B.   In providing architectural services, an architect shall confer with the client to assure that the client's program needs are met.
        [B.] **C.**   An architect shall not sign or seal drawings, specifications, reports or other professional work which was not prepared by the architect or under his or her responsible charge as defined in Subsection M of 16.30.1.7 NMAC. Responsible charge may be exercised through a third party who is not a registered architect, but the architect must maintain and make available to the board upon request for at least five years following sealing or signing, adequate and complete records demonstrating the extent of the architect's control over and detailed knowledge of such technical submissions throughout their preparation.
        [C.] **D.**   An architect shall neither offer nor make any gifts, other than gifts of nominal value, which may include reasonable entertainment and hospitality, with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.
        [D.] **E.**   An architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.
        [E.] **F.**   A registered architect shall not associate in a business venture offering architectural services with a person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating board rules and regulations or statutes. A registered architect with such knowledge shall report such occasions to the board, and shall cooperate with any resulting investigations.
[16.30.4.12 NMAC - Rp 16 NMAC 30.4.8.5, 9/6/2001; A, 9/16/2004]