

IC 22-15-3.2

Chapter 3.2. Design Releases

IC 22-15-3.2-1

"Applicant"

Sec. 1. As used in this chapter, "applicant" means a person who applies for a design release under IC 22-15-3.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-2

"Application"

Sec. 2. As used in this chapter, "application" means an application for a design release and any supporting plans and specifications.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-3

"Design professional"

Sec. 3. As used in this chapter, "design professional" means:

- (1) an architect registered under IC 25-4-1; or
- (2) a professional engineer registered under IC 25-31.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-4

"Division"

Sec. 4. As used in this chapter, "division" means the division of fire and building safety.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-5

Form of notice

Sec. 5. Any notice required under this chapter may be provided:

- (1) by mail; or
- (2) by electronic mail, if the applicant provides an electronic mail address.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-6

Application requirements

Sec. 6. An applicant for a design release shall submit an application meeting the requirements of IC 22-15-3 to the division.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-7

Selection for plan review

Sec. 7. (a) A design release shall be issued to an applicant without a plan review if:

- (1) the applicant submits a complete application; and
- (2) the division does not select the application for a plan review

under this section.

(b) The division may select any application for design release to be subject to a plan review. The division has complete discretion in the criteria used by the division to select a design release application for a plan review. A criterion used by the division may be whether the design professional has received disciplinary sanctions under IC 25-1-11-12 within the preceding five (5) years.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-8

Receipt of application; notice of design release issuance or plan review

Sec. 8. Upon receiving a complete application for a design release, the division shall do one (1) of the following:

(1) Not later than ten (10) business days after the application is received, send written notice to the applicant that a design release will be issued. Not later than the next business day after the date the notice is sent, the division shall provide the applicant with:

(A) a copy of the design release; or

(B) a confirmation number that serves as a temporary design release until the applicant receives a copy of the design release.

(2) Not later than ten (10) business days after the application is received, send written notice that a plan review will be conducted. However, if the applicant does not receive the notice within the period specified in this subdivision, the division shall, not later than the eleventh day after the date a complete application is received, provide the applicant with:

(A) a copy of the design release; or

(B) a confirmation number that serves as a temporary design release until the applicant receives a copy of the design release.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-9

Notice of plan approval and design release; notice that plan corrections required

Sec. 9. If the division sends an applicant notice of a plan review under section 8(2) of this chapter within the period required, the division shall do one (1) of the following:

(1) Not later than twenty (20) business days after the date that notice of the plan review is sent, send notice to the applicant that the plans and specifications have been approved for a design release as submitted. The division shall, not later than the next business day after the date that notice is sent to the applicant, provide to the applicant:

(A) a copy of the design release; or

(B) a confirmation number that serves as a temporary design

release until the applicant receives a copy of the design release.

(2) Not later than twenty (20) business days after the date that notice of the plan review is sent, send notice to the applicant that a design release will not be issued until the applicant submits corrections to the plans. However, if the applicant does not receive notice within the period specified in this subdivision, the division shall, not later than the twenty-first business day after the date that notice of a plan review is sent under section 10 of this chapter, provide the applicant with:

(A) a copy of the design release; or

(B) a confirmation number that serves as a temporary design release until the applicant receives a copy of the design release.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-10

Receipt of plan corrections; notice of plan approval and design release; notice that additional plans corrections required

Sec. 10. (a) If the division receives corrections to a plan in response to a notice sent under section 9(2) of this chapter, and any time the division receives corrections to a notice under subdivision (2) thereafter, the division shall do one (1) of the following:

(1) Not later than ten (10) business days after receiving the corrections, send notice to the applicant that the corrected plans have been approved for a design release as submitted. The division shall, not later than the next business day after the date that notice is sent to the applicant, provide to the applicant:

(A) a copy of the design release; or

(B) a confirmation number that serves as a temporary design release until the applicant receives a copy of the design release.

(2) Not later than ten (10) business days after receiving the corrections, send notice to the applicant that a design release will not be issued until the applicant submits additional corrections. However, if the applicant does not receive the notice within the period specified in this subdivision, the division shall, not later than the eleventh business day after the date that the corrections are received by the division, provide the applicant with:

(A) a copy of the design release; or

(B) a confirmation number that serves as a temporary design release until the applicant receives a copy of the design release.

(b) A review under this section is limited to the corrections required by the division pursuant to notice sent under section 9(2) of this chapter or subsection (a)(2). All other parts of a project not directly related to corrections required by the division, including previously completed corrections that the division has already

accepted, are deemed approved for a design release and may not be included in subsequent notice requests sent under this section. Except for a project reviewed under IC 22-15-3-6 and subject to the deadlines set forth in this chapter, the division may delay issuing a design release until all corrections to a project have been accepted by the division.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-11

Plan violations; notice to design professional licensing or registration authority

Sec. 11. (a) This section applies if the results of a plan review reveal that a design professional knowingly or recklessly submitted plans or specifications containing one (1) or more violations of the rules of the commission that are determined by the division and the commission to pose a wanton and willful disregard for the public health, safety, or welfare.

(b) The provisions regarding the time limitations for review and notice under this chapter do not apply, and the division is not required to issue a design release and confirmation number for providing notice. The division shall send written notice of its determination to:

- (1) the design professional's licensing or registration authority under IC 25-4-1 or IC 25-31, as appropriate, for the purpose of conducting a hearing under IC 4-21.5 to determine if action under IC 4-21.5-3-8 is appropriate;
- (2) the design professional; and
- (3) the project owner or general contractor on whose behalf the application was submitted.

(c) An applicant that receives notice under subsection (b) may withdraw the application and submit a new application and plans to the division that are prepared by a different design professional. Withdrawal of an application does not affect any disciplinary action against the professional of record that prepared the plans described in subsection (a).

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-12

Information maintained by division

Sec. 12. (a) The division shall maintain the following information for every application:

- (1) The type of project that is the subject of the application.
- (2) The name and profession of the design professional.
- (3) The location of the project.
- (4) The date the application was submitted to the division.
- (5) Whether the application was selected for plan review.
- (6) If the application was selected for a review:
 - (A) whether the division requested corrections to the plans and specifications;

(B) the dates that corrections were requested by the division;
and

(C) the dates that the applicant responded to the requests
under clause (B).

(7) Whether a design release was issued by the division. The
date a design release was issued (if any) or other final action
was taken.

(8) Any other significant plan review activity related to an
application.

(b) The division shall maintain the information described in
subsection (a) in a single electronic file in a format that permits easy
comparison of the information for each applicant. The division shall
update the information at least quarterly.

As added by P.L.218-2014, SEC.14.

IC 22-15-3.2-13

Contracting of plan review responsibilities permissible

Sec. 13. The division may contract with a person or an entity to
perform the division's plan review responsibilities under this chapter.

As added by P.L.218-2014, SEC.14.