



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

COLORADO

Colorado Revised Statutes: Title 12, Article 45

Colorado Regulations: 4 CCR 729-1

Type of Law: Practice/title act. Sunset date: 7/1/2017.

Board of Landscape Architects

Three licensed landscape architects and two public members (one must be a building/landscape contractor) appointed by the Governor. Funded through Division of Registrations Cash Fund.

Powers: Promulgate rules; examine license applicants for qualifications; review special cases as authorized; grant licenses of duly qualified applicants to practice landscape architecture; conduct hearings; require a licensed landscape architect to have a stamp as prescribed by the board; and implement certain penalties.

Definitions

Landscape architect: A person who engages in the practice of landscape architecture.

Practice of landscape architecture: (I) the application of landscape architectural higher education, training, and experience as well as required mathematical, physical, and social science skills to consult, evaluate, plan, and design projects and improvements principally directed at the functional and aesthetic uses of land; (II) collaboration with architects and engineers during the design of public infrastructure projects such as roads, bridges, buildings, and other structures, concerning the functional and aesthetic requirements of the area and project site; or (III) assistance in the preparation and administration of construction documents, contracts, and contract offers related to site landscape improvements. (see below for additional details provided in the regulations)

[Advertisement: The attempt by publication, dissemination, solicitation, or circulation, whether by visual, oral, electronic, or written means, to induce, directly or indirectly, any person to enter into an agreement for the professional services of a landscape architect.

Direct Supervision: That degree of supervision by a person overseeing the work of another, where both work in the same office in circumstances where personal contact is routine, and the supervisor has both control over and detailed professional knowledge of the work prepared under his or her supervision.

Educational Coursework: An academic year consists of 32 semester hours or 48 quarter hours. Academic experience is earned and credited for the purposes of these Rules in half-year increments. Educational credit is not earned where the individual has failed to earn a grade of 'C' or better in a given course.

Practical Experience: All practical experience or training shall meet the Board's approval. So long as it is not inconsistent with these Rules, the Board may use standards developed by CLARB as a guide for determining the adequacy of practical experience or educational equivalents.

Practice of Landscape Architecture: Includes, but is not limited to, the following substantive knowledge and skills:

Core areas of knowledge within the practice of landscape architecture are generally those identified by the Landscape Architecture Body of Knowledge, and specifically includes those areas tested on the competency examination, the Landscape Architect Registration Examination (L.A.R.E.). Core areas of knowledge tested on the L.A.R.E. consist of Project and Construction Administration; Inventory Analysis and Program

Note: Bracketed [] material is drawn from regulations.

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Development; Site Design; Design and Construction Documentation; and Grading, Drainage, and Stormwater Management.

The practice of landscape architecture includes designs, plans, specifications, and contract administration for improvements to public and private property that influence the safety, security, and effective functioning of the built and natural environment. Plan review and other expert services may constitute the practice of landscape architecture, provided special competence in the profession's core areas of knowledge must be applied in the individual's practice.

The practice of landscape architecture includes construction observation of site landscape improvements to evaluate compliance with construction documents.

Principal: A licensee who is a sole proprietor, or a partner in a partnership, or an officer or director of a corporation, or a member of a limited liability company, any of which is engaged in the practice of landscape architecture.

Record Set: A complete set of contract documents that is identified by the licensee's and consultant's original stamps, signatures, and dates.

Supervision of Landscape Architecture: That degree of control a landscape architect is required to maintain over landscape architectural decisions made personally or by others over which the landscape architect exercises supervisory direction and control authority, such that the landscape architect:

- Personally makes landscape architectural decisions, or personally reviews and approves proposed decisions prior to their implementation, including consideration of alternatives whenever landscape architectural decisions that could affect the life, health, property, and welfare of the public are made. In making said landscape architectural decisions, the landscape architect shall be physically present or, through the use of communication devices, be available in a reasonable period of time as appropriate.
- Judges the validity and applicability of recommendations prior to their incorporation into the work, including the qualifications of those making the recommendations.

Landscape architectural decisions that are made by, and are the responsibility of, the practicing landscape architect in responsible charge are those decisions concerning permanent or temporary work that could create a danger to the life, health, property, and welfare of the public, such as, but not limited to, the following:

- The selection of landscape architectural alternatives to be investigated and comparison of alternatives for landscape architectural works.
- The selection or development of design standards or methods, and materials to be used.
- The selection or development of techniques or methods of testing to be used in evaluating materials or completed works, either new or existing.

As a test to evaluate whether a landscape architect is in supervision the following must be considered. A landscape architect who signs and seals landscape architectural documents in responsible charge must be capable of answering questions as to the landscape architectural decisions made during the landscape architect's work on the project in sufficient detail as to leave little doubt as to the landscape architect's proficiency for the work performed. It is not necessary to defend decisions as in an adversary situation, but only to demonstrate that the landscape architect in supervision made them and possessed sufficient knowledge of the project to make them. Examples of questions to be answered by the landscape architect could relate to criteria for design, methods of analysis, selection of materials and systems, economics of alternate solutions, and environmental considerations. The individual should be able to clearly define the degree of control and how it was exercised and be able to demonstrate that the landscape architect was answerable within said degree of control necessary for the landscape architectural work done.

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The term “supervision” does not refer to financial liability. A practicing landscape architect who adopts, signs, and seals landscape architectural work previously produced shall perform sufficient review and calculation to ensure that all standards of practice required of licensees are met, including satisfying the relevant criteria stated in paragraphs (b) and (c) above, and shall take professional and legal responsibility for documents signed and sealed under his/her supervision.]

Exemptions

Interprofessional practice: Architects, engineers and land surveyors are exempt from the law. [Architects, Professional Engineers, and Professional Land Surveyors exempted from licensure by law are subject to disciplinary or other action if they hold themselves out as a licensed landscape architect or employ any title restricted by the landscape architect licensing law or rules.]

Exempt services:

- Residential landscape design, defined as landscape design services for single- and multi-family residential properties of four or fewer units not including common areas.
- Design of irrigation systems by professionals qualified by appropriate experience or certification.
- Landscape installation and construction services. [This exemption does not include design services. Design-build practice and similar forms of design service delivery, including shop drawings associated with construction documents, are generally subject to the jurisdiction of the Board.]
- Employees of the United States government while discharging official duties.

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Eligibility Requirements – Initial Licensure

Requirements: The law provides that the board may require (1) an [LAAB-]accredited landscape architecture degree [or substantially equivalent education and experience] and [two] years of practical experience; (2) a [6]-year period of practical experience; or (3) a combination of education and experience that meets the [6]-year requirement. The law does allow for substitution of a non-accredited degree or a degree in a related field to apply toward eligibility. After meeting one of these eligibility requirements, all candidates must pass the Landscape Architectural Registration Exam. [Graduates with a BA or BS from a program accredited by the Professional Landcare Network (PLANET) may receive three years credit for the practical experience requirements. One year of education or experience credit will be given to applicants who have engaged in one year of practical field experience in construction techniques, teaching or accredited research. Applicants for initial licensure in other states that have passed the LARE, but not yet completed the requirements may apply in Colorado if they meet the requirements.]

Fee: \$425, Initial Licensure and Annual Renewal.

Eligibility Requirements – Reciprocal Licensure/Endorsement

Requirements: Applicants with a current valid license in another jurisdiction substantially equivalent to the eligibility requirements for initial licensure in Colorado. [When an applicant who is licensed by a foreign jurisdiction seeks licensure under this category, the board reserves the right to request additional information regarding the licensure standards in that country.]

Fee: \$425, Initial Licensure and Annual Renewal.

Eligibility Requirements – Education/Experience Equivalents

[Applicants who have degrees from foreign schools for which they wish to receive educational credit are required to have their foreign transcripts evaluated by a transcript evaluation service approved by the Board at the applicant's expense. Credit for a foreign degree will be provided only if it is evaluated by the board-approved service. Applicants with foreign degrees who do not wish to receive educational credit for their college education must submit a transcript verifying completion of the equivalent of the high school level of education.]

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For the purposes of computing education and experience requirements, to qualify for licensure, an applicant must have a degree from a program accredited and In lieu of an accredited degree, an applicant may satisfy the requirements by accumulating the required experience credits through a combination of experience and one of the following educational qualifications:

- Degree in a program accredited through PLANET (3 years credit);
- Non-accredited degree in landscape architecture (3 years credit);
- NAAB-accredited degree in architecture (2 years credit);
- ABET-accredited degree in civil engineering (2 years credit); or
- Any other bachelor's degree, (1 year credit).

In allowing examination applicants the opportunity to combine education and experience in fulfilling the minimum qualification requirements, the board will apply the following evaluation criteria:

- Practical experience applied as education credit may not also be used to satisfy experience requirements;
- Any degree awarded less than two years prior to the accreditation of the program will be accepted as an accredited degree; and,
- Any degree awarded after a program has ceased to be accredited will not be accepted as an accredited degree.

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Practical experience will be measured in years of diversified practical experience. Diversified practical experience shall consist of work as an employee under the direct supervision of a landscape architect, licensed architect in Colorado, or licensed professional engineer in Colorado, or in the employ of an organization otherwise engaged in the practice of landscape architecture. Practical experience will be credited for teaching landscape architecture in an approved educational program and conducting research in landscape architecture, provided that teaching and research duties demonstrate comprehensive knowledge of the practice of landscape architecture. Experience credit may be granted for post-professional degrees, as verified by a transcript. No practical experience may be earned for foreign training other than under the direct supervision of a person practicing landscape architecture.]

Practice Entities

Although Colorado does not require registration of business entities, the law includes a provision that requires entities to maintain a qualifying policy of professional liability insurance. The insurance shall be at least \$75,000 multiplied by the number of landscape architects employed (maximum: \$500,000).

Seal Requirements

Records and documents must include the date and the stamp and signature of the landscape architect. Prohibits affixing a seal or authorizing a seal to be affixed to a document if it misleads another into believing that a licensed landscape architect was the document's author or was responsible for its preparation. [A seal must be applied to either the final reproducible or final reproduction of all of the following: (a) each sheet of landscape architectural technical drawings; (b) the cover, title page, and table of contents of specifications bound in book form; (c) the title page of details bound in book form and prepared specifically to supplement project drawings; (d) the title or signature page of landscape architectural technical reports.]

Enforcement

Board powers: Upon violation of the law, the board may deny issuance or renewal, suspend for a specified period, or revoke licenses. The board may issue a letter of admonition or censure, or place a licensee on probation. The board may also issue confidential letters of concern, issue cease and desist orders or impose other conditions or limitations on a licensee.

Prohibitions/penalties: The board may discipline licensees for: fraud or a material misstatement of fact made in procuring or attempting to procure a license; an act or omission that fails to meet the generally accepted standards of the practice of landscape architecture and that endangers life, health, property or the public welfare; fraud or deceit in the practice of landscape architecture; affixing a seal or authorizing it to be

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affixed if it misleads another into believing that a landscape architect was the document's author or was responsible for its preparation; violation of this law or rules promulgated by the board, or a board order; conviction of a felony (or pleading nolo contendere to a felony) if it concerns landscape architecture; failure to report to the board a landscape architect known to have violated the law or rules, including knowledge of an action or arbitration in which claims regarding the life and safety of the users of a site are alleged; false, deceptive, or misleading advertising; habitual or excessive use or abuse of alcohol or a habit-forming drug/controlled substance, when it renders the landscape architect unfit to engage in the practice of landscape architecture; use of a schedule I controlled substance; making or offering a substantial gift to influence a prospective client or employer to use or refrain from using a specific landscape architect; failure to exercise adequate professional supervision of persons assisting in the practice of landscape architecture under a licensed landscape architect; performing services beyond the competence, training, or education of a landscape architect; selling, fraudulently obtaining, or fraudulently furnishing a license or renewal of a license to practice landscape architecture. Penalties may include a maximum fine of \$5,000.

Prohibitions/penalties for unlicensed practice: Practicing landscape architecture or advertising, representing, or holding oneself out as a licensed landscape architect or using the title 'landscape architect' or 'licensed landscape architect' without a license. [Use of the designation 'RLA' or 'PLA' may constitute holding out as a licensed landscape architect if it is established that the designation is intended to represent the status of a licensed landscape architect in Colorado.] Violation of this section is classified as a Class 2 misdemeanor for the first offense and as a Class 6 felony for the second and subsequent offenses. The first offense carries a minimum sentence of three months imprisonment, \$250, or both and a maximum sentence of 12 months imprisonment, \$1000, or both. Subsequent offenses carry a sentence of \$1000 fine and 12-18 months imprisonment.

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Retaining Landscape Architecture Documents

One record set of documents shall be retained in the possession of the licensee for a minimum of three years from the beginning of beneficial use. The record set shall consist of, at a minimum, the sealed, signed, and dated reproducible, or a copy of all documents displaying the licensee's seal, signature, and date.

Reporting of Felony Convictions

Licensees must report to the board if convicted of a felony under any state or federal law. The licensee is permitted to issue a written statement with the report. Applies to any conviction or plea that occurs on or after April 1, 2009.

Mandatory Continuing Education

Colorado does not require continuing education.

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