



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

LOUISIANA

Revised Statutes of Louisiana: Chapter 24, 38.3801, et seq.
Louisiana Administrative Code: Title 7, Part XXIX

Type of Law: Practice/title act.

Horticulture Commission of Louisiana

A thirteen member commission comprised of the commissioner of agriculture, the assistant commissioner of agricultural and environmental sciences, the director of the Louisiana Cooperative Extension Service, a licensed arborist, a licensed retail florist, a licensed wholesale florist, a licensed horticulturist, a licensed landscape architect, a licensed landscape contractor, a nursery stock dealer, a wholesale nurseryman, a licensed utility arborist, and a sod grower. The landscape architect is appointed by the commissioner from a list of three persons nominated by the Louisiana Chapter of the American Society of Landscape Architects.

Powers: Adopt rules and regulations as necessary.

Definitions

Commissioner: The Commissioner of Agriculture.

Direct supervision: Giving direction or instruction to and accepting responsibility for the work product of the person being supervised.

[Landscape architect: Any person that applies creative and technical skills and scientific, cultural, and political knowledge in the planned arrangement of natural and constructed elements on the land with a concern for the stewardship and conservation of natural, constructed and human resources.]

Landscape architect's license: A license authorizes the holder to perform professional services such as consultation, investigation, research, preparation of general development and detailed landscape design plans, studies, specifications, and responsible supervision in connection with the development of landscape areas where, and to the extent that, the principal purpose of the service is to arrange and modify the effects of natural scenery for aesthetic effect, considering the intended use of the land. Such services concern the arrangement of natural forms, features, and plantings, including the ground and water forms, vegetation, circulation, walks, and other landscape features to fulfill aesthetic and practical requirements.

The landscape architect may prepare feasibility studies; formulate graphic and written criteria to govern the aesthetic and practical planning and design of land construction programs; prepare, review, and analyze plans for aesthetic and practical land use and development; produce landscape plans, landscape grading and landscape drainage plans, landscape irrigation plans, planting plans, and related landscape construction details, specifications, estimates of probable costs, and reports for aesthetic and practical land use; collaborate in the design of pleasing and practical settings and approaches for vehicular and pedestrian circulation systems, bridges, and nonhabitable structures, all with respect to the practical and aesthetic requirements of the areas on which they are to be placed; negotiate and arrange for execution of landscape projects; and conduct field observation of landscape construction, restoration, and maintenance.

The law does not permit landscape architects to perform professional services which are defined as the practice of architecture, engineering or land surveying and which are not included in the practice of landscape architecture.

Exemptions

Interprofessional practice: The law exempts architects, engineers and land surveyors.

Note: Bracketed [] material is drawn from regulations.

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Exempt persons:

- An unlicensed person who has a regular employee who is a license may receive fees, whether directly or indirectly, for engaging in a landscape architecture, advertise as being engaged in landscape architecture, and solicit business in landscape architecture.
- An unlicensed person who is employed by or is working under the direct supervision of a licensee may receive fees, whether directly or indirectly, for engaging in a landscape architecture, advertise as being engaged in landscape architecture, and solicit business in landscape architecture.

Eligibility Requirements – Initial Licensure

Meet the minimum qualification standards established by CLARB to take the LARE, plus passage of the LARE and the Louisiana Landscape Architects Exam. In lieu of a degree, the applicant must have completed six years of practical landscape architectural experience under the direct supervision of a landscape architect or landscape horticulturalist, or design professional in a related profession. Alternatively, a candidate may be qualified by virtue of a combination of education and experience [that allows applicants to substitute two years of credit for a degree in horticulture/plant science, architecture, civil engineering, environmental design, or urban design. Applicants who seek to take the exam after completing six years experience must present a minimum of six examples of work in at least three of the following areas: site design; staking or layout plan; grading plan; irrigation plan; construction details; planting plan with a plant list; or specifications.]

Fee: \$75 (annual renewal).

Eligibility Requirements – Reciprocal Licensure

Passage of the CLARB examination and the Louisiana Landscape Architects Examination.

Fee: \$75 (annual renewal).

Practice Entities

No provisions.

Seal Requirements

Licensees must affix seals to all drawings and specifications prepared by or under their direct supervision. [The licensee shall sign his or her legal name on each document and shall affix his or her seal over that signature. The seal must be placed on all professional documents, including contracts, maps, plans, designs, drawings, specifications, estimates and reports issued by the licensee. The presence of one's seal over the signature on any document constitutes proof that the licensee accepts all legal and professional responsibility for the work accomplished.]

Enforcement

Commission Powers: Hold hearings and conduct investigations; institute civil proceedings in district court to enforce the rulings of the commission; and institute civil proceedings in district court seeking injunctive relief to restrain and prevent violations. The commission may revoke or suspend licenses and assess civil penalties of not more than \$250 for each violation of the law or rules and regulations (each day on which a violation occurs is considered a separate offense).

Prohibitions/penalties: Violating the provisions of the law or the rules and regulations of the commission; failing to meet the standards determined by the commission; or failing to insure that the personnel employed by the licensee meet the professional standards determined by the commission are all grounds for disciplinary action. [Licensees must cooperate with any representative of the commission in any inspection of the premises and/or any other reasonable request. Prohibits the giving of a false statement to any representative of the commission. Licensees must display license prominently. Rules provide detailed

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requirements in relation to use or sale of sod and establish that it is the responsibility of the licensee to provide the proper classification of sod. All designs must make use of plant materials commonly found growing in Louisiana or which are suitable for growth in Louisiana's growing conditions. Licensees must meet CLARB standards. Prohibits fraud and false advertising. The commission may assess a civil penalty of not more than \$250 for each violation (first offense); \$500 (second offense); \$1,000 (more than two violations). The commission may also assess the cost of the proceedings.]

Prohibitions/penalties for unlicensed practice: No unlicensed person may receive fees, whether directly or indirectly, for engaging in landscape architecture, or advertise as being engaged in landscape architecture, or solicit business in landscape architecture or use the official seal of a licensee.

Mandatory Continuing Education

Louisiana requires 8 credit hours of continuing education as a condition of annual renewal.

- Credit hour = contact hour of at least 50 minutes of instruction or presentation
- Licensees may carry over 4 extra hours to the next renewal period
- CE must directly benefit the health, safety, or welfare of the public

Administration

- Creates a standing continuing education committee with three elected licensed landscape architects, plus two staff members (election concurrent with balloting for members of the Louisiana Landscape Architects Selection Board)
- Commission staff will make initial determination as to whether an activity may qualify. If staff determines that an activity may not qualify, it is forwarded to the full committee for review and determination. A licensee may appeal the decision of the committee to the Horticulture Commission, in accordance with the Administrative Procedure Act.
- The Commission will conduct an annual audit, either by cross-section or random. Licensees who are audited must submit documented proof of the CE credits from that year.

Activities

- Annual professional meetings, lectures, seminars, workshops, conferences, university or college courses, in-house training, and self directed activities.

Recordkeeping: Licensees must submit written certification that the licensee has completed CE requirements with annual license renewal. Licensees has responsibility for maintaining a three-year record, which must include attendance records (or an approved substitute for attendance)

Reciprocity: No provision.

Exemptions: Licensees may submit written request for an approved substitute for attendance or a hardship exemption (or extension).

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