



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

MISSOURI

Missouri Revised Statutes: Chapter 327, Sections 600-635

Missouri Code of State Regulations: Title 4, Division 196

Type of Law: Practice/title act.

Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

The board consists of fifteen members: a chairperson, who may be either a landscape architect, an architect, a professional engineer or a professional land surveyor, 3 architects; 4 professional engineers, 3 professional land surveyors, 3 landscape architects, and a voting public member. Financed through a separate fund.

Powers: Establishes and maintains appropriate standards of competence and integrity in the profession of landscape architecture. Promulgates such rules and regulations as are necessary to administer the law.

Definitions

Professional landscape architect: Any person authorized by law to practice as a professional landscape architect in Missouri as the practice of landscape architecture is defined by law

Professional Landscape architecture: the performance of professional services, including but not limited to consultations, research, analysis, planning, design, or responsible supervision in connection with feasibility studies, design surveys, formulation of graphic and written criteria to govern the planning and design of land construction programs, preparation, review, and analysis of master plans for land use and development, production of site plans, landscape grading and landscape drainage plans, irrigation plans, planting plans and construction details, specifications, and reports for land development, design coordination, construction observation and the inspection of landscape architectural construction for the purpose of compliance with drawings and specifications.

Practice of landscape architecture: The location and arrangement of such tangible objects and features as are incidental and necessary to the purposes specified in the definition of landscape architecture, but shall not include the design of structures or facilities with separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture, and shall not include the making of final land plats for official approval or recording.

Design coordination: The review and coordination of technical submissions prepared by others including, as appropriate and without limitation, architects, professional engineers, professional land surveyors, professional landscape architects, and other consultants.

Incidental practice: The performance of other professional services that are related to a licensee's professional service, but are secondary and substantially less in scope and magnitude when compared to the professional services usually and normally performed by the licensee practicing in their licensed profession. This incidental professional service shall be safely and competently performed by the licensee without jeopardizing the health, safety, and welfare of the public. The licensee shall be qualified by education, training, and experience as determined by the board to perform such incidental professional service

Responsible charge: The independent direct control of a licensee's work and personal supervision of such work pertaining to the practice of architecture, engineering, land surveying, or landscape architecture.

Exemptions

Note: Bracketed [] material is drawn from regulations.

Summary of Licensure Laws: Missouri

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Interprofessional practice: Nothing contained in this section shall under any circumstances be construed as in anyway affecting the laws relating to the practice, licensing, certification or registration of architects, engineers and land surveyors. An architect, engineer or land surveyor licensed, certified or registered to practice his or her profession or occupation pursuant to the provisions of any law to regulate the practice of such profession or occupation is exempt from licensing as a landscape architect, and nothing contained in this section shall under any circumstances be construed as in anyway precluding an architect or engineer from performing any of the services included within the definition of the term landscape architecture.

Exempt persons:

- Employees of the state of Missouri or its political subdivisions while performing official duties, provided the project does not jeopardize the public health, safety and welfare.
- Persons engaged in nursery occupations, gardeners, landscape contractors, home builders or residential developers may preparing planting plans and items incidental thereto, provided the project scope does not jeopardize the public health, safety and welfare.

Eligibility Requirements – Initial Licensure

An applicant must pass [the CLARB] examination and must be a graduate of an accredited school of landscape architecture and have at least three years satisfactory landscape architectural experience.

[Fee: Application, \$100. Biennial renewal, \$35.]

Eligibility Requirements – Reciprocal Licensure

Licensure in another state or country where the applicant has qualifications that are at least equivalent to the requirements in Missouri.

[Fee: Application, \$200. Biennial renewal, \$35.]

Practice Entities

The right to practice landscape architecture is a personal right and shall not be transferable, however, any landscape architect may practice his or her profession through the medium of, or as a member or as an employee of, a partnership or corporation. [Entities must have a certificate of authority to render landscape architecture services. The application must include the names and addresses of all officers and directors (corporation) or members (LLC), plus the licensee in serving as managing agent in charge of landscape architecture practice in Missouri. The managing agent must be an owner or officer of the corporation, member of the LLC, or a full-time employee of the corporation/LLC. A certificate of authority is not necessary if the firm's landscape architectural work is done by a subconsultant who is licensed in Missouri. In this case, however, the firm cannot advertise that it provides landscape architectural services.]

[Fee: Initial certificate, \$200. Biennial renewal, \$100.]

Seal Requirements

Requires each licensee to seal all final technical submissions, including, but not limited to, drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction prepared by or under the supervision of the landscape architect. [Licensees must also incorporate a title block on all drawings, exhibits, plans, plats, maps, and surveys that are required to be sealed. The title block must include: (1) the name of the licensee either as a sole proprietor, partnership, corporation, limited liability company or other appropriate entity; (2) the licensee's address and phone number; (3) name or identification of project; (4) address/location of project (city/county and state); (5) date prepared; (6) space for the licensee's signature, date and seal; (7) the printed name, discipline and license number of the person sealing the document; and (8) the printed name, discipline and certificate of authority number of the corporation.]

Enforcement

Note: Bracketed [] material is drawn from regulations.



Board powers: Refuse to issue, renew or reinstate a license; suspend or revoke a license; censure a licensee; or place a licensee on probation.

Prohibitions/penalties: The board may place on probation, censure, deny, revoke, or suspend a license under the following causes: use of any controlled substance, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter; guilt (or entering a plea of guilty or nolo contendere) in a criminal prosecution under the laws of any state or of the US, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed; use of fraud, deception, misrepresentation or bribery in securing a license or in obtaining permission to take the examination; obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; violation of, or assisting or enabling any person to violate, any provision of this licensure law, or its accompanying rules; impersonation of any person holding a license, or allowing any person to use his or her license, or diploma from any school; disciplinary action against the holder of a license, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in Missouri; a person is finally adjudged insane, incompetent, incapacitated or disabled by a court of competent jurisdiction; assisting or enabling any person to practice or offer to practice any licensed profession who is not licensed and currently eligible to practice; issuance of a professional license or a certificate of authority based upon a material mistake of fact; failure to display a valid license if so required by this chapter or any rule promulgated pursuant to this chapter; violation of any professional trust or confidence; use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed. [Licensees may not sign/seal plans, specifications, reports, and other documents or instruments not prepared by the licensee or under the licensee's supervision.]

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Prohibitions/penalties for unlicensed practice: No person shall practice or offer to practice, or hold himself or herself out as a landscape architect or as being able to practice landscape architecture or to use in connection with his or her name or otherwise assume, or advertise unless he or she is licensed. Unlicensed individuals may not: engage in or offer to render or engage in the practice of landscape architecture; use/employ the title "landscape architect," or imply authorization to provide or offer professional services, or otherwise use/advertise any title, word, figure, sign, card, advertisement, or other symbol or description tending to convey the impression that the person is licensed or holds a certificate of authority to practice landscape architecture; present or attempt to use another person's license, seal, or certificate of authority as his or her own; attempt to use an expired, suspended, revoked, or nonexistent license or certificate of authority; affix his or her or another landscape architect's seal on any plans, drawings, specifications or reports which have not been prepared by such person or under such person's immediate personal supervision care; give false or forged evidence of any kind to the board or any member of the board in obtaining or attempting to obtain a certificate of licensure in this state or any other state or jurisdiction; knowingly aid or abet an unlicensed or unauthorized person who engages in any prohibited activity identified in this subsection; violate any provision of the code of professional conduct or other rule adopted by the board.

The board may apply to the court for an injunction, restraining order or other order as may be appropriate to enjoin a person from offering to engage or engaging in the performance of any acts or practices for which a license is required upon a showing that such acts or practices were performed or offered to be performed without a license; or engaging in any practice authorized by a license issued pursuant to this chapter upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare.

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Violators are guilty of a Class A misdemeanor. The board may issue an order imposing a civil penalty not to exceed \$5,000 for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of \$25,000.

Responsible Charge

Professional landscape architects shall be in responsible charge of all landscape architectural designs that can affect the health, safety, and welfare of the public within their scope of practice.

Mandatory Continuing Education

Missouri requires 24 CEUs for every biennial renewal period.

- 16 of 24 CEUs must be related to health, safety and welfare and be acquired in structured educational activities
- Licensees may carry over 12 extra CEUs to the next renewal period
- CEU = at least 50 minutes of actual course time, excluding introductory remarks, breaks, meals or administrative matters
- Continuing education should maintain, improve, or expand skills and knowledge obtained for initial licensure, or develop skills and knowledge relevant to the practice of landscape architecture and necessary to safeguard life, health, property and promote public welfare.

Administration:

- Affidavits will be chosen by random for audit

Activities:

- College-sponsored short courses or seminars dealing with landscape architectural subjects
- Technical presentations on subjects that are held in conjunction with conventions or at seminars related to materials use and function (includes those sponsored by ASLA, CLARB, and similar organizations)
- Short courses or seminars relating to business practice or new technology offered by colleges, professional organizations, or system suppliers
- Computer software instructional courses which relate to landscape architecture
- Self-study courses sponsored by ASLA, CLARB or similar organizations
- Teaching landscape architectural courses or seminars (first occurrence only; 3 CEU for 1 hour of preparing to teach class; college faculty ineligible for regular curriculum courses)
- Landscape architectural research that is published or formally presented to the profession or public
- College credit courses dealing with landscape architectural subjects or business practice (1 semester hour = 15 CEU)
- Professional service to the public that draws upon the licensee's professional expertise on boards or commissions, such as: serving on planning commissions, park boards, city council, county commissions or state registration boards
- Actively participating in a technical profession society or organization as an officer or member of a committee
- Educational tours of landscape architecturally significant projects, where the tour is sponsored by a college or professional organization
- One-time award of 10 CEUs for obtaining a work-related patent.

Recordkeeping: Licensees must submit a CE reporting form with the biennial renewal application. Licensee has responsibility for maintaining four-year record. Licensees are responsible for obtaining from the course sponsor verification records such as certificates of attendance, signed attendance receipts, paid receipts, a

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copy of a listing of all attendees signed by a person in responsible charge of this activity or other documentation verifying attendance.

Reciprocity: A licensee is exempt from these provisions if the landscape architect attests in the renewal that for not less than 21 months of the preceding two-year renewal period, the licensee was a resident of another state having CE requirements and has met those requirements.

Exemptions:

- Governmental employee working as a landscape architect and assigned to duty outside the U.S for at least 21 months of the two-year renewal cycle
- Licensees who serve on full-time active duty in the U.S. military

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