



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

OREGON

Oregon Revised Statutes: Chapter 671

Administrative Rules: Chapter 804

Type of Law: Practice/title act.

Landscape Architect Board

The board consists of four landscape architects and three public members appointed by the Governor. It is financed through a separate fund.

Powers: Adopt necessary rules and act as an arbiter in a dispute between a landscape architect and a member of the public.

Definitions

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

Landscape architecture or practice of landscape architecture: The performance of, or offer to perform, professional services that have the dominant purpose of landscape preservation, development and enhancement, including but not limited to reconnaissance, research, planning, landscape and site design, the preparation of related drawings, construction documents and specifications and responsible construction observation. Includes the location, arrangement and design of tangible objects and features that are incidental and necessary for landscape preservation, development and enhancement.

Landscape preservation, development and enhancement: The preservation and aesthetic and functional enhancement of land uses and natural land features; location and construction of aesthetically pleasing and functional systems, approaches and settings for structures, roadways and walkways or other improvements for natural drainage and erosion control; design for trails, pedestrian systems, plantings, irrigation, site lighting, grading and drainage and other site features; investigation, selection and allocation of land and water resources for appropriate uses; feasibility studies; formulation of graphic and written criteria to govern the planning and design of land conservation programs; preparation, review and analysis of master plans for land use and development; production of overall site plans, plans for grading, drainage, irrigation and planting, and related construction details; development specifications, cost estimates and reports; collaboration in the design of roads, bridges and structures with respect to the functional and aesthetic requirements of the areas where the roads, bridges and structures are to be placed; negotiation and arrangement for execution of land area projects; and field observation of land area construction, restoration and maintenance.

The exemptions section of the law states that the definition does not preclude a licensee from planning the development of land areas and elements used on land areas or performing services in connection with the settings, approaches, or environment for buildings, structures, or facilities in accordance with legally established standards for public health, safety and welfare.

[Direct Supervision: supervision provided by a licensed landscape architect to a candidate or applicant for either examination or registration, including a Landscape Architect-in-Training. The supervising landscape architect must provide oversight, inspection, control, and direction regarding the services and work being performed by the candidate or applicant. This means the supervisor must: (1) Be located in close proximity to or be readily accessible to the candidate or applicant; (2) Be in frequent communication with the candidate or applicant; (3) Ensure communications with the candidate or applicant are responsive and include face-to-face, e-mail, telephone, internet and other similar forms of direct communication; and (4) Take responsibility

Note: Bracketed [] material is drawn from regulations.

Summary of Licensure Laws: Oregon

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for the services or work done by the candidate or applicant including but not limited to sealing and signing documents when required. The primary goals of direct supervision are to assure that the candidate or applicant understands and is performing services and work within the professional standard of practice and to ensure that public health, safety, and welfare are protected.]

Exemptions

Interprofessional practice: The law is not intended to restrict or otherwise affect the right of any individual licensed to practice architecture or engineering.

Exempt persons and activities:

- Engaging in the occupation of growing and marketing nursery stock, or use the title nurseryman or landscape nurseryman.
- Operating as a licensed landscape construction professional or landscape contracting business (as defined in state law), or use the title landscape contractor.
- Engaging in making plans or drawings for the selection, placement or use of plants or other site features unless the plans or drawings are for the purpose of providing construction details and specifications not otherwise exempted. Persons may use the title "landscape designer" in connection these with activities.
- Making any plans, drawings or specifications for property owned by that person.
- Providing recommendations or written specifications for soil amendments or planting mediums if the recommendations or specifications are solely for purposes of plant installation and do not significantly alter the stability of the soil profile or surface drainage patterns.
- The preparation of detailed or shop drawings that a construction contractor is required to furnish or the administration of construction contracts by a person customarily engaged in contracting work.
- The preparation of technical submissions or the administration of construction contracts by employees of a landscape architect or a landscape architecture business when acting under the direct supervision of a licensee.
- Employees of the federal government acting within the scope of that employment.

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Eligibility Requirements – In-Training Licensure

Applicants who have successfully completed two or more sections of the LARE and who are working toward licensure are qualified to register with the board as a landscape architect in training. The LAIT may only engage in the practice of landscape architecture under direct supervision of a licensed landscape architect.

[Fee: Application and annual renewal, \$50.]

Eligibility Requirements – Initial Licensure

Passage of the [LARE] and/or oral examination as determined by the board [and satisfaction of the following criteria: Graduation from an LAAB-accredited program in landscape architecture plus three years experience under the direct supervision of a licensed landscape architect. Experience under the direct supervision of a licensed engineer or architect may substituted for up to two years of experience.

In lieu of graduation from an LAAB-accredited program, an applicant may satisfy the education requirement through five years credit through a combination of experience plus one of the following: a non-accredited BLA or MLA (four years credit); NAAB-accredited BArch or MArch (four years credit); ABET-accredited degree in civil engineering (four years credit); or any bachelor's degree (2 years credit). Under this requirement, the applicant must also have up to 3 years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect.

In lieu of the education requirements, an applicant may qualify with eight years of experience under the direct supervision of a licensed landscape architect.

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The board also requires an oral examination]

[Fee: Application, \$100. Initial license and annual renewal, \$250.]

Eligibility Requirements – Reciprocal Licensure

Licensure in any other state or territory of the United States if the licensure requirements in that jurisdiction were substantially equal to the requirements in Oregon at that time; or passage of a national examination within the past five years. [The application must either include CLARB record or specified documentation of education and experience. Provides a path to reciprocal licensure for those with a minimum of 11 years of work experience as a licensed landscape architect with proper documentation.]

[Fee: Application, \$100. Initial license and annual renewal, \$250.]

Practice Entities

A business may not provide landscape architecture services unless the work is under the responsible charge of a licensed landscape architect who is also an owner or officer of the business. [Officer is defined as an individual owning, operating, or employed by the business entity and having the authority on behalf of the business entity to enter into contracts for landscape architectural services and to otherwise make decisions regarding the execution and outcome of such services.] Entities must file a form with the State Landscape Architect Board identifying responsible landscape architects by name and registration number. The filing must also describe the services that the business is offering to the public. The business shall notify the board in writing no later than 30 days after a change of registered owners or officers or a change of business name or address. [Each office must have a designated licensed landscape architect in responsible charge of that office.]

[Fee: Application, \$100. Initial certificate and biennial renewal, \$225.]

Seal Requirements

Licensees must stamp all final drafts of professional documents that they issue, including maps, plans, designs, contract documents and reports.

Enforcement

Board powers: Investigate complaints, refuse to issue or renew a license, suspend or revoke a license, impose civil penalties (up to \$5,000/offense). The board may also restriction the licensee's scope of practice, impose peer review, impose of specific or additional professional education requirements, impose probationary registration status and restrictions (including requirements designed to protect the public health, safety and welfare and restitution payments to clients or other persons suffering economic loss due to the violation), and issue a written reprimand. All violations are deemed a class A misdemeanor.

Prohibitions/penalties: The board may take disciplinary action if the board finds that an applicant or licensee: has used dishonesty, fraud or deceit in obtaining or attempting to obtain a license (including but not limited to dishonesty, fraud or deceit in applying for registration, applying to sit for an examination or passing an examination); is impersonating or has attempted to impersonate a licensee or a former licensee, or is practicing under an assumed or fictitious name; has used dishonesty, fraud or deceit or to have been negligent, in the practice of landscape architecture; has affixed the person's signature to plans, reports or other professional documents that have not been prepared by the person or under the person's immediate and responsible direction or has permitted the use of the person's name for the purpose of assisting any individual, not a licensed landscape architect, to evade the provisions of the code of conduct, has been found to have violated ethical or professional standards by a court or administrative body in another state for committing or omitting acts that, if committed or omitted in this state, would be a violation of ethical or

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professional standards; has willfully evaded or attempted to evade a local or state law, ordinance, code or rule, governing the construction of landscapes or other site features.

Prohibitions/penalties for unlicensed practice: It is unlawful for an unlicensed person to engage in the practice of landscape architecture or use the title of registered landscape architect, landscape architect, or any title, designation, words, letters, abbreviations, sign, card or device indicating, or tending to indicate, or represent in any manner that the individual is a landscape architect. Violations are punishable by the imposition of a civil penalty in an amount not to exceed \$1,000.

Mandatory Continuing Education

Oregon requires landscape architects to complete 12 professional development hours (PDHs) for each annual renewal cycle.

- PDH = one hour, with no less than 50 minutes of direct involvement, commonly referred to as a contact hour
- 9 of 12 PDH must be completed structured educational activities in public health, safety and welfare issues
- Licensees may carry over no more than 12 PDH to the next renewal period
- Landscape architects licensed for 25 consecutive years or more may meet the MCE requirement upon completing 4 hours/ year, which can be completed by formal continuing education or self-study.

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Activities:

- All PDH must be related to the practice of landscape architecture, performed outside the normal performance of one's occupation and contemporaneously documented
- Course or educational endeavor that has a clear purpose and objective and maintains, improves or expands the professional knowledge or skill of the licensee
- Structured educational activity is any activity that has a sponsor other than the licensee, has evidence of preplanning, including a written objective and format, has an assessment component, and is documented and verifiable
- 'Health, safety and welfare issue' is defined as any issue related to the practice of landscape architecture exemplified by the LARE
- Professional or technical presentations (including as instructor) at recognized professional meetings, conventions, or conferences (1 PDH; Instructor earns 2 PDH for each classroom hour in initial presentation only; full-time college faculty are not eligible)
- Authoring (publishing) or presenting an original paper, article or book (upon publication/presentation; maximum 20 PDH per publication; credit for authorship or presentation, not both)
- Serving as an elected officer or appointed chair of a committee in a professional society or organization (4 PDH per organization, earned upon completion of a year of service)
- Serving as an exam grader or on a committee writing exam materials for a licensure exam (4 PDH; maximum 8 PDH/biennium)
- Attaining specialty certifications through examination from a qualified professional society or organization (2x allotted exam time; maximum 4 PDH)
- Pro-bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the registrant (1 PDH for every 4 hours of service; maximum 4PDH)
- Extended travel outside Oregon (2 PDH per week of travel)
- Attending industry-related exhibitions such as home and garden shows (1 PDH per show; maximum 2 PDH)
- Mentoring one or more students for one day at the University of Oregon Landscape Architecture Shadow Mentor Day program or other mentoring event (1 PDH per mentor day; maximum 4 PDH)
- Membership on the landscape architecture licensing board (8 HSW PDH)

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Recordkeeping: Licensees must submit an affidavit that the CE requirements have been fulfilled with the renewal application. [Licensees must maintain a log](#) showing activity claimed, sponsoring organization, location, duration, and instructor's name. Licensees must maintain documentation sufficient to prove completion of the activity (e.g., copies of attendance verification records, completion certificates). Records must be retained for four years.

Exemptions (all cases upon board review and approval):

- Licensees called to active duty in the U.S. armed forces for 120 consecutive days during a fiscal year are exempt from obtaining half of the PDH required during that fiscal year
- Licensees experiencing physical disability, illness or other extenuating circumstances that prevent the licensee from practicing landscape architecture

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