



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

WASHINGTON

Revised Codes of Washington: Chapter 18.96
Washington Administrative Code: Chapter 308-13

Type of Law: Practice/Title.

Board of Licensure for Landscape Architects

The board consists of five landscape architects and one public member appointed by the Governor.

Powers: Adopt rules, as the board may deem necessary for the performance of its duties.

Definitions

Landscape architect: An individual who engages in the practice of landscape architecture.

Landscape architecture: The rendering of professional services in connection with consultations, investigations, reconnaissance, research, planning, design, construction document preparation, construction administration, or teaching supervision in connection with the development of land areas where, and to the extent that, the dominant purpose of such services is the preservation, enhancement, or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, or natural drainage and erosion control. This practice includes the location, design, and arrangement of such tangible objects as pools, walls, steps, trellises, canopies, and such features as are incidental and necessary to the purposes in this chapter.

Landscape architecture involves the design and arrangement of land forms and the development of outdoor space including, but not limited to, the design of public parks, trails, playgrounds, cemeteries, home and school grounds, and the development of industrial and recreational sites.

Practice of landscape architecture: The rendering of services where landscape architectural education, training, experience, and the application of mathematical, physical, and social science principles are applied in consultation, evaluation, planning, design including, but not limited to, the preparation and filing of plans, drawings, specifications, and other contract documents, and administration of contracts relative to projects principally directed at the functional and aesthetic use and preservation of land.

Exemptions

This chapter does not affect or prevent:

- The practice of architecture, land surveying, engineering, geology, or any recognized profession by persons not licensed as landscape architects;
- Drafters, clerks, project managers, superintendents, and other employees of landscape architects from acting under the instructions, control, or supervision of their employers;
- The construction, alteration, or supervision of sites by contractors or superintendents employed by contractors or the preparation of shop drawings in connection therewith;
- Owners or contractors under chapter 18.27 RCW from engaging persons who are not landscape architects to observe and supervise site construction of a project;
- Qualified professional biologists as referenced in chapter 36.70 RCW from providing services for natural site areas that also fall within the definition of the practice of landscape architecture without a violation of this chapter;
- The preparation of construction documents including planting plans, landscape materials, or other horticulture-related elements;

Note: Bracketed [] material is drawn from regulations.



- Individuals from making plans, drawings, or specifications for any property owned by them and for their own personal use;
- The design of irrigation systems; and
- Landscape design on residential properties.

Eligibility Requirements – Initial Licensure

An applicant must have a degree from a LAAB accredited program of landscape architecture, or the equivalent thereof, plus three years of landscape architecture experience under a licensed landscape architect. Alternatively, a candidate may qualify with education and practical landscape architectural work experience, which may include landscape design as a principal activity and postsecondary education approved by the board, totaling the equivalent of 8 years of combined activity. In this case, at least six years of work experience must be under the direct supervision of licensed landscape architect. An applicant may receive up to two years of practical landscape architectural work experience for postsecondary education courses in landscape architecture, landscape architectural technology, or a related field, including courses in a community or technical college, if the courses are equivalent to education courses in an accredited landscape architectural degree program. Applicants must pass the LARE.

[Establishes requirements for a combination of education and experience as equivalent to the CLARB Standards of Eligibility, although a CLARB certificate is not required for licensure. Applicants must submit a summary of the licensing law and regulations.]

Fee: [Application, \$225. Initial licensure and biennial renewal, \$360.]

Eligibility Requirements – Reciprocal Licensure

Reciprocal licensure is available to landscape architects with licensure in any other state or country whose requirements for licensure by examination are equivalent to the requirements of Washington. [Establishes requirements for a combination of education and experience as equivalent to the CLARB Standards of Eligibility, although a CLARB certificate is not required for licensure. Applicants must submit a summary of the licensing law and regulations.]

Fee: [Application, \$325. Initial licensure and biennial renewal, \$360.]

Practice Entities

Licensure is on an individual, personal basis, and the director may not register any firm, company, partnership, corporation, or any public agency. Corporate practice is not permitted.

Seal Requirements

Drawings prepared by the licensee shall be sealed and signed by the licensee when filed with public authorities. It is unlawful to seal and sign a document after a licensee's certificate of licensure or authorization has expired, been revoked, or is suspended. A landscape architect shall not seal and sign technical submissions not prepared by the landscape architect or his or her regularly employed subordinates or individuals under his or her direct control, or if prepared by a landscape architect licensed in any jurisdiction recognized by the board, reviewed and accepted as the sealing landscape architect's own work; a landscape architect who signs or seals drawings or specifications that he or she has reviewed is responsible to the same extent as if prepared by that landscape architect. [Licensees must stamp: all technical submissions required for building permits, regulatory approvals and/or construction drawings that are filed with authorities having jurisdiction; drawings prepared by the landscape architect on each sheet; specifications and other technical submissions need only be sealed/stamped on the cover, title page, and all pages of the table of contents. The seal/stamp shall not be affixed to any drawings not prepared by the licensee or

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regularly employed subordinates, or not reviewed by the licensee.

Enforcement

Board powers: Determine the qualifications for examination; review applications to determine eligibility for licensure by applicants who do not have a degree, referring qualified candidates to CLARB for administration of the examination; review and act on applications for licensure by reciprocity; provide application instructions for reissuance of license to persons whose license has been suspended or revoked; provide reinstatement instructions to persons whose license is delinquent; provide guidelines for qualifying professional development activities; and audit and enforce professional development activities.

Director's powers: The director of licensing may discipline a licensee, including levying civil penalties not to exceed \$1,000 per violation. The director takes these disciplinary actions based upon the findings of the board after charges and evidence in support thereof have been heard and determined.

Prohibitions/penalties: The director may take disciplinary action if a licensee: offers to pay, pays, or accepts, either directly or indirectly, any substantial gift, bribe, or other consideration to influence the award of professional work; being willfully untruthful or deceptive in any professional report, statement, or testimony; has a financial interest in the bidding for or the performance of a contract to supply labor or materials for or to construct a project for which employed or retained as a landscape architect except with the consent of the client or employer after disclosure of such facts; or allows an interest in any business to affect a decision regarding landscape architectural work for which retained, employed, or called upon to perform; signs or permits a seal to be affixed to any drawings or specifications that were not prepared or reviewed by the landscape architect or under the landscape architect's personal supervision by persons subject to the landscape architect's direction and control; or willfully evades or tries to evade any law, ordinance, code, or regulation governing site or landscape construction.

The director must immediately suspend the license of a landscape architect who has been certified by the department of social and health services as a person who is not in compliance with a support order or a residential or visitation order. If the person has continued to meet other requirements for reinstatement during the suspension, reissuance of the certificate shall be automatic upon the director's receipt of a release issued by the department of social and health services stating that the individual is in compliance with the order.

The director must also suspend the license of a landscape architect reported to be in default of a government guaranteed student loan or service-conditional scholarship. If the person has continued to meet all other requirements for licensure during the suspension, reinstatement is automatic upon receipt of the notice and payment of any reinstatement fee the director may impose.

Prohibitions/penalties for unlicensed practice: It is unlawful for an unlicensed person to practice, or offer to practice landscape architecture. It is also unlawful to use the title landscape architect, landscape architecture, or landscape architectural or other language tending to imply that the licensee is a landscape architect.

In 2003, certain disciplinary acts were consolidated in the Uniform Regulation of Business and Professions Act, and they are referenced under the landscape architect licensure law. Under this statute, the following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter (including landscape architects): the commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession or operation of the person's business, whether the act constitutes a crime or not (conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended); misrepresentation or concealment of a material fact in obtaining or renewing a

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license or in reinstatement thereof; advertising that is false, deceptive, or misleading; incompetence, negligence, or malpractice that results in harm or damage to another or that creates an unreasonable risk of harm or damage to another; the suspension, revocation, or restriction of a license to engage in any business or profession by competent authority in any state, federal, or foreign jurisdiction; failure to cooperate with the disciplinary authority in the course of an investigation, audit, or inspection authorized by law by, as specified; failure to comply with an order issued by the disciplinary authority; violating any lawful rule made by the disciplinary authority; aiding or abetting an unlicensed person to practice or operate a business or profession when a license is required; practice or operation of a business or profession beyond the scope of practice or operation as defined by law or rule; misrepresentation in any aspect of the conduct of the business or profession; failure to adequately supervise or oversee auxiliary staff, whether employees or contractors, to the extent that consumers may be harmed or damaged; conviction of any gross misdemeanor or felony relating to the practice of the person's profession or operation of the person's business; interference with an investigation or disciplinary action by willful misrepresentation of facts before the disciplinary authority or its authorized representatives, or by the use of threats or harassment against any consumer or witness to discourage them from providing evidence in a disciplinary action or any other legal action, or by the use of financial inducements to any consumer or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary action; and engaging in unlicensed practice.

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Mandatory Continuing Education

Washington requires landscape architects to complete 24 Professional Development Hours (PDH) for each biennial renewal cycle.

- Effective for the biennial renewals that end July 1, 2012
- PDH = 50 minutes of course time
- At least 18 PDH must address public health, safety, and welfare
- 12 PDH may be carried over from the second year of the biennium to the subsequent year
- Those licensed for 25 or more consecutive years in a CLARB-recognized jurisdiction only need to complete 4 PDHs per year.

Administration: The board must audit between 5-15% of licensees each year.

Activities:

- Must have a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the practice of landscape architecture.
- Course work, seminars, professional/technical meetings, conventions, conferences (teaching these courses applicable, with a 10 PDH/year maximum). Teaching is not available to full-time faculty.
- Participation in organized courses, including employer-provided courses, on environmental health topics/ first aid/ safety, technical or management skills.
- Attendance at professional or technical society meetings with an informational program (maximum 5 PDH/ year)
- Authoring technical paper papers or articles (maximum of 10 PDH) or books (maximum 30 PDH)
- Serving as an elected officer or appointed chair of a committee of an organization in a professional society or organization (PDH earned upon completion of one year of service; maximum 4 PDH per organization)
- Serving as an elected officer or appointed member of a board or commission (PDH earned upon completion of one year of service; maximum 4 PDH per organization)
- Professional exam grading or writing (maximum of 8 PDH/ biennium)
- Membership on the regulatory board for landscape architecture (maximum 8 PDH/ year)
- Attendance at meetings or hearings of the board (excludes existing board members or parties or witnesses to hearings before the board; maximum 6 PDH/year)

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- Work outside the normal duties of employment that involves participation in other recognized professional activities (maximum 2 PDH / year)
- Self-study (maximum of 5 PDH/ year)
- Pro bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the licensee (4 hours = 1 PDH; maximum 4 PDH/year)
- Participation in any activity involving substantial and organized peer interaction, excluding time spent in regular employment (maximum 5 PDH/year)
- In-house courses are acceptable if also advertised and open to the public.
- The following activities do not qualify: activities a condition of a board order; attendance or testimony at legislative hearings, at city/county meetings, or at trials; time spent fund-raising for scholarships or other society purposes or lobbying for legislation; attendance at gatherings primarily social in nature; or membership/attendance in service club meetings.

Recordkeeping: Licensee has responsibility for maintaining five-year record, including the date of each activity, the instructor's name, a description of activity and its location and the number of PDHs.

Exemptions:

- Licensees called to active military duty for at least 120 days
- Licensees experiencing physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship
- Licensees in Retired Status

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