

## Chapter 804 Landscape Architect Board

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### DIVISION 1

#### PROCEDURAL RULES

##### 804-001-0000 Notice Rule

Before adoption, amendment or repeal of any rule, the State Landscape Architect Board shall give notice of the intended action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date of the intended action.

(2) By mailing a copy of the notice to persons on the State Landscape Architect Board mailing list, established under ORS 183.335(7), at least 28 days before effective date of the rule.

(3) By mailing or furnishing a copy of the notice to:

(a) Oregon Chapter of the American Society of Landscape Architects;

(b) Capitol Press Room.

Stat. Auth.: ORS 183 & 671

Stats. Implemented: ORS 183.333 & 671.415

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1998, f. & cert. ef. 4-22-98

##### 804-001-0002 Biennial Budget

Pursuant to the provisions of ORS 182.462, following a public hearing held April 21, 2015, the Board adopts by reference the Oregon State Landscape Architects Board 2015–2017 biennial budget of \$428,103 covering the period July 1, 2015, through June 30, 2017. The Board Administrator, with the approval of the Board, will amend budgeted accounts as necessary, within the approved budget of \$428,103, for the effective operation of the Board. The Board will not exceed the approved budget amount without amending this rule, notifying all registrants, and holding a public hearing. Copies of the budget are available from the Board's office.

Stat. Auth.: ORS 671.415, 182.462 & 670.310

Stats. Implemented: ORS 671.415 & 182.462 804-001-0002

Hist.: LAB 1-1997(Temp), f. & cert. ef. 9-3-97; LAB 1-1998, f. & cert. ef. 2-5-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2005, f. & cert. ef. 5-18-05; LAB 2-2007, f. 5-22-07, cert. ef. 7-1-07; LAB 1-2009, f. 6-15-09,

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cert. ef. 7-1-09; LAB 1-2011, f. 5-31-11, cert. ef. 7-1-11; LAB 1-2013, f. 6-3-13, cert. ef. 7-1-13; LAB 1-2015, f. 5-22-15, cert. ef. 7-1-15

### 804-001-0005

#### Model Rules of Procedure

The Attorney General's Model Rules of Procedure under the Administrative Procedures Act, in effect on February 1, 2012, are adopted as the rules of procedure for the State Landscape Architect Board.

Stat. Auth.: ORS 183, 671.310 - 671.459

Stats. Implemented: ORS 671.415

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 3-2006, f. & cert. ef. 8-14-06; LAB 4-2008, f. & cert. ef. 11-7-08; LAB 2-2012, f. & cert. ef. 5-23-12

### 804-001-0014

#### Selection of Board Members

(1) Appointment of Board Members:

(a) A vacancy exists when a board member completes the term for that position, resigns, becomes incapacitated, or otherwise is incapable of performing the duties of a board member, or is removed from office or is not reappointed by the Governor prior to the expiration of the member's current term.

(b) A vacancy does not exist when an actively sitting board member completes the member's first or second full or partial term, so long as the member is reappointed by the Governor to a second or third term. A member who is eligible for reappointment to a second or third term shall give the board and the Governor written notice of intention to seek reappointment before the expiration of the member's term.

(2) Qualifications for Licensee Membership on the Board:

(a) A licensee is qualified to seek nomination for board membership if the licensee is registered by the board; has practiced as a registered landscape architect for a minimum of five years, and has lived in the State of Oregon for a least three years preceding appointment to the board.

(b) A licensee is not qualified for nomination to board membership if the licensee has been convicted, plead guilty, or plead nolo contendere to any criminal charge if the relationship of the facts which support the charge and all intervening circumstances tend to show that the licensee is not fit to hold the position, in the discretion of the board.

(c) A licensee is not qualified for nomination to board membership if the licensee, within the previous five years, has been disciplined by the board for a violation of ORS Chapter 671 or the rules adopted by the board.

Stat. Auth.: ORS 671.415

Stats. Implemented: 1997 SB 546

Hist.: LAB 3-1998, f. & cert. ef. 5-20-98 Suspended by LAB 1-2001(Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 3-2006, f. & cert. ef. 8-14-06

### 804-001-0015

#### Election of Officers

The board may elect a Chair, Vice Chair and Treasurer once a year at the first board meeting held after July 1. The new Chair, Vice-Chair and Treasurer's terms will begin at the end of the meeting at which they are elected.

Stat. Auth.: ORS 183 & 671

Stats. Implemented: ORS 671.459

Hist.: LAB 1-1984, f. & ef. 1-5-84; Renumbered from 804-030-0025; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05

### 804-001-0020

#### Public Records Requests

(1) All requests for copies of public records in the custody of the Oregon State Landscape Architect Board (Board) shall be made in writing to the Board Administrator. Written requests may be delivered in person, by mail, by fax or by email. All requests are subject to disclosure according to the Public Records Law.

(2) A public records request may be submitted on a request form provided by the Board. If the form is not used, the requestor must include the following information in the request:

(a) The name and address of the person requesting the public record;

(b) The telephone number, email address, and other relevant contact information for the person requesting the public record;

(c) A sufficiently detailed description of the records requested to allow the Board to search for and identify the responsive records;

(d) The date the request is submitted to the Board;

(e) Statement as to whether the person making the request wants to inspect any responsive, non-exempt records at the Board office or to receive copies of the records, and

(f) Signature of the person making the request if the request is not made by email.

(3) A reasonable period of time shall be allowed for the staff to locate and assemble the non-exempt public records responsive to the request. The regular discharge of duties of the Board will neither be interrupted nor substantially interfered with because of time and effort required to respond to the request.

(4) The Board charges fees for responding to public records requests which are reasonably calculated to cover costs of the response and records provided. Fees are designed to cover the cost of locating, reviewing, compiling, making available for inspection, preparing copies, and delivering the response and public records. Fees are as follows:

(a) Twenty-five (25) cents per page for photocopies, where a double-sided copy equals two (2) pages;

(b) One (1) dollar for the first page faxed and fifty (50) cents for each additional page, limited to a 20-page maximum, not including the cover page;

(c) At the Board Administrator's discretion, copies of public records may be provided electronically if stored in the Board's computer system. Electronic records may be provided by email or by other means as deemed appropriate by the Board Administrator. Due to the potential threat of computer viruses, the agency will not permit requestors to provide disks, USB drives, or other electronic devices for reproduction of electronic records;

(A) The cost of records transmitted by email is five (5) dollars per email, except when (6) of this rule applies, and may contain as much information as the Board email system will handle per email.

(B) The cost of records transmitted by other electronic means is five (5) dollars per device and may contain as much information as the electronic device will hold.

(d) Estimated cost for delivery of records such as postage and courier fees; and

(e) Labor charges that include researching, locating, reviewing, compiling, editing and otherwise processing information and records responsive to the request:

(A) No charge for the first fifteen (15) minutes of staff time;

(B) After the first fifteen (15) minutes, the staff labor rate is twenty-five (25) dollars per hour, with a six dollars twenty-five cents (6.25) minimum;

(C) Actual attorney and other legal fees and costs charged to the Board for review of the request, records, redacting confidential materials from the public records, segregating the public records into exempt and nonexempt records, and response.

(f) If fees are estimated to be more than twenty-five (25) dollars, the requestor will be provided a written cost estimate by Board staff before the Board responds to the request. The requestor must then confirm to the Board in writing that the requestor wants the Board to proceed with making the records available and understands the estimated fees. The Board will not take further action on the request prior to receiving such confirmation from the requestor.

(5) Fees for public records requests must be paid as follows:

(a) Before the requested public records will be made available for inspection or copies provided. The Board Administrator may require pre-payment of estimated fees before taking further action on a request.

(b) By check, money order, or any credit card accepted by the Board office.

(c) If payment is rejected by the bank or credit card company, the requesting party will be notified and be responsible for any charges incurred by the Board as a result of the rejected payment. This is in addition to the fees for response to the request.

(6) The Board Administrator may waive or reduce fees for:

(a) Responses to requests that can be provided with less than 15 minutes of staff time and in electronic format via email delivery; or

(b) Responses to requests that the Board Administrator determines are in the public interest because making the public records available primarily benefit the general public or Board registrants.

Stat. Auth. ORS 192.430, 192.440, 192.502, 192.505, 182.466, 670.310

Stat. Implemented. ORS 192.430, 192.440, 192.502, 192.505

Hist.: LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89;

LAB 1-1998, f. & cert. ef. 2-5-98; LAB 2-2015, f. 8-17-15, cert. ef. 9-1-15

### DIVISION 3

#### DEFINITIONS

##### 804-003-0000

###### Definitions

The definitions of terms used in ORS 671.310 to 671.459, and the rules of this chapter are:

(1) “Assumed or Fictitious Name” — A false name taken as one’s own.

(2) “Business entity” — A sole proprietor Landscape Architect operating under either the registrant name or an assumed business name or any corporation, limited liability company, partnership, or other entity or association of persons providing landscape architectural design or consulting services.

(3) “Deceit” — An attempt to portray as true or valid something that is untrue or invalid.

(4) “Delinquent” — A registrant who fails to renew his/her certificate on or before the renewal date.

(5) “Direct Supervision” — For purposes of chapter 804 divisions 10, 20, 22, 27 and 50, this is supervision provided by a licensed or registered 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:

(a) Be located in close proximity to or be readily accessible to the candidate or applicant;

(b) Be in frequent communication with the candidate or applicant;

(c) 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

(d) Take responsibility 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.

(6) “Emeritus” — Retired but retaining an honorary title corresponding to that held immediately before retirement.

(7) “Employing” — Hiring a person, not an independent contractor, for compensation.

(8) “Fraud” — Intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right.

(9) “Grossly Negligent” — Reckless and wanton disregard for exercising care and caution.

(10) “Impersonate” — To assume, without authority or with fraudulent intent, the identity of another person.

(11) “In good standing” — For purposes of ORS 671.376(4) and OAR 804-022-0025(1), ‘in good standing’ means that the reg-

istrant when making the request for inactive status has a current active unrestricted registration; is in compliance with all requirements for registration including, but not limited to, payment of all required fees and compliance with all continuing education requirements; and is not the subject of a pending board investigation or action or the subject of a board order.

(12) Late fee: a fee assessed when a payment is received after the date due.

(13) “Material Misrepresentation” — An untrue statement that is significant under the circumstances.

(14) “Renewal of Registration” — To annually maintain the current status of a valid registration or to bring a delinquent certificate of registration to current, valid status.

(15) Year — for purposes of qualifying work experience for examination or registration, a year is calculated as one calendar year for full-time work (i.e., 40 hours per week on average) with part-time work prorated (i.e., a year of experience takes two calendar years to acquire at 20 hours per week on average) or the equivalent of 2,000 total hours worked.

Stat. Auth.: ORS 1670.310, 671.415

Stats. Implemented: ORS 670.310 – 671.459

Hist.: LAB 1-1984, f. & ef. 1-5-84; LAB 1-1985, f. & ef. 7-1-85; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 3-2006, f. & cert. ef. 8-14-06; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 2-2010, f. & cert. ef. 10-19-10; LAB 2-2013(Temp), f. & cert. ef. 6-20-13 thru 12-17-13; LAB 5-2013, f. & cert. ef. 12-12-13; LAB 1-2014, f. & cert. ef. 11-19-14

### DIVISION 10

#### EXAMINATION QUALIFICATIONS

##### 804-010-0000

###### Examination Qualifications

(1) To qualify to sit for the Board required examination, an examination candidate must have a degree from a program accredited and accepted by the Landscape Architecture Accreditation Board (LAAB) or the equivalent as specified in 804-010-0010 or 804-010-0020.

(2) For a LAAB degree program, it must be listed in LAAB’s Accreditation Report current at the time of the candidate’s graduation.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001(Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 1-2007, f. & cert. ef. 4-27-07; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-14

##### 804-010-0010

###### Equivalent Education and Experience

(1) In lieu of the degree specified in OAR 804-010-0000, an applicant may satisfy the education requirement for examination eligibility by accumulating the required five years of credit through a combination of one or more of the following:

(a) Non-accredited B.L.A or M.L.A., four years credit;

(b) NAAB-accredited B.Arch. or M. Arch, four years credit;

(c) ABET-accredited degree in Civil Engineering, four years credit; or

(d) Any Bachelor’s degree, two years credit; and

(e) Up to three years of diversified experience in landscape architecture under the direct supervision of a licensed or registered landscape architect can fulfill the balance of the five years required to sit for the examination.

(2) In allowing examination applicants the opportunity to combine education and experience in fulfilling the minimum qualification requirements established by statute, the Board will apply the following evaluation criteria:

(a) Degrees listed in (1) above cannot be combined to satisfy the education credit requirement;



(b) The work experience applied as education credit may not also be used to satisfy experience requirements;

(c) Any degree awarded less than two years prior to the accreditation of the program will be accepted as an accredited degree;

(d) Any degree awarded after a program has ceased to be accredited will not be accepted as an accredited degree.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 1-1982(Temp), f. & ef. 5-6-82; LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1986, f. & ef. 3-5-86; LAB 2-1998, f. & cert. ef. 4-22-98; Suspended by LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 1-2007, f. & cert. ef. 4-27-07; LAB 1-2014, f. & cert. ef. 11-19-14

#### **804-010-0020**

##### **Experience in Lieu of Education**

(1) Applicants may qualify for examination under ORS 671.335(1) by completing eight years of experience under the direct supervision of a licensed or registered landscape architect.

(2) Applicants applying under the provisions of this section must submit a written request to the board seeking consideration of experience in lieu of education.

(3) The board shall supply the applicant with the format for submitting required documentation.

(4) A Board written response will provide the applicant with the Board's evaluation and conclusions regarding admission to the examination.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1983, f. & ef. 2-1-83; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; Renumbered from 804-010-0005, LAB 1-2007, f. & cert. ef. 4-27-07; LAB 1-2014, f. & cert. ef. 11-19-14

### **DIVISION 20**

#### **EXAMINATION PROCEDURES**

#### **804-020-0001**

##### **Landscape Architect Registration Examination (LARE)**

(1) The Landscape Architect Registration Examination (LARE) is prepared by the Council of Landscape Architect Registration Boards (CLARB) and tests candidates' knowledge, skills, and abilities considered to be the minimum competency needed for protecting the health, safety and welfare of the public.

(2) All sections of the LARE are administered by CLARB.

(3) Exam candidates must obtain Board approval before registering for any section(s) of the LARE as addressed in OAR 804-020-0003 and 804-020-0010.

(4) Depending on the date examination sections were taken, exam candidates or licensure applicants must upon request of the Board or Board staff request of CLARB that verification be provided to the Board of passing scores for completed sections of the LARE.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 2-1998, f. & cert. ef. 4-22-98; Renumbered from 804-020-0020, LAB 1-2007, f. & cert. ef. 4-27-07; LAB 4-2008, f. & cert. ef. 11-7-08; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-14

#### **804-020-0003**

##### **Application for Board Approval**

(1) Exam candidates must apply for and obtain Board approval before registering for any sections of the Landscape Architect Registration Examination (LARE).

(2)(a) The Board may delegate authority to the Board Administrator or a Board member to review and approve applications for examination.

(b) Board approval may be granted after verification of receipt and review of an application submitted on a form provided by the Board to the Board office and the following information:

(A) An official university sealed transcript(s) demonstrating the exam candidate meets the educational requirements to sit for the exam. For an exam candidate with a non-Landscape Architecture Accreditation Board (LAAB) accredited degree or no degree, work experience verification must also be provided as specified in 804-010-0010 or 804-010-0020, whichever is applicable.

(B) The exam application fee.

(3) When an exam application is approved, the exam candidate is authorized by the Board to register for all sections of the LARE, either at one time or at separate times. The Board's approval is valid for 5 years from the date of issuance.

(a) The Board Administrator may approve a 1 year extension of the Board's approval if the exam candidate has requested an extension in a written letter which includes an explanation of the need for the extension and is submitted no later than 45 days prior to the expiration of the Board's approval.

(b) If the Board's approval expires before the exam candidate completes all sections of the LARE, the exam candidate may re-apply but must include with the application a written explanation of preparation undertaken to facilitate completion of the examination.

(A) The exam candidate will not have to re-take exam sections already passed.

(B) The exam candidate will need to include the official university transcript if no longer on file with the Board.

(C) The exam application fee applies.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-2001(Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; Renumbered from 804-020-0000, LAB 1-2007, f. & cert. ef. 4-27-07; LAB 2-2009, f. & cert. ef. 12-11-09; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-14

#### **804-020-0005**

##### **Reapply for Exam**

Applicants are not required to submit a new application to retake failed portions of the examination except when the Board approval has expired as addressed in 804-020-0003(3).

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-2007, f. & cert. ef. 4-27-07; LAB 1-2014, f. & cert. ef. 11-19-14

#### **804-020-0010**

##### **Date of Application and Prior Approval Request Receipt**

(1) Applications for Board approval to register for the Landscape Architect Registration Examination (LARE) must be received in the Board's office as follows:

(a) For candidates with a degree that is accredited by the Landscape Architecture Accreditation Board (LAAB), applications must be received in the Board's office no less than 30 days prior to the close of the examination registration period as set by the Council of Landscape Architectural Boards (CLARB); or

(b) For candidates without a degree that is accredited by the Landscape Architecture Accreditation Board (LAAB) and applying based in whole or in part on work experience in lieu of education under OAR 804-010-0010 or 804-010-0020, applications must be received in the Board's office no less than 45 days prior to the close of the examination registration period as set by CLARB

(2) The Board Administrator may waive the deadlines in (1) on a case-by-case basis to accept an exam candidate's application closer to CLARB registration deadlines but only upon receipt of a written request from the exam candidate or CLARB and upon determination by the Board Administrator of extenuating circumstances outside the control of a candidate. Failure of an exam candidate to be knowledgeable about the need for Board approval or to begin the registration process in a timely manner considering the

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Board deadlines are examples of situations that would not constitute extenuating circumstances.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1987,

f. & ef. 1-5-87; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 1-1993, f. & cert.

ef. 7-1-93; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 3-2012(Temp), f. & cert.

ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-

2014, f. & cert. ef. 11-19-14

### 804-020-0015

### Refunds

The Board's exam application fee is non-refundable.

Stat. Auth.: ORS 670.310, 671.335, 671.365, 671.415

Stats. Implemented: ORS 671.335, 671.365

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1998,

f. & cert. ef. 4-22-98; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13;

LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-

14

### 804-020-0030

#### Date of Exams

The Landscape Architect Registration Examination (LARE) shall be administered on the dates and times established by the Council of Landscape Architectural Registration Boards (CLARB) at test centers designated by CLARB.

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 1-1993, f. & cert. ef. 7-1-93; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2007, f. & cert. ef. 4-27-07; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-14

### 804-020-0040

#### Examination Grading

The Board shall accept the recommended grading procedures and minimum passing scores for all sections of the Landscape Architect Registration Examination (LARE) as established by the Council of Landscape Architectural Registration Boards (CLARB).

Stat. Auth.: ORS 671.

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12

### 804-020-0045

#### Notice of Score

Exam candidates will receive notification of examination scores directly from the Council of Landscape Architectural Boards (CLARB).

Stat. Auth.: ORS 670.310, 671.335, 671.415

Stats. Implemented: ORS 671.335

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-2007, f. & cert. ef. 4-27-07; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-14

### 804-020-0065

#### Revoked Registration

Individuals whose registrations have been revoked must reapply and pass an appropriate examination, as determined by the Board, and establish to the Board's satisfaction having met all requirements of ORS 671.425 to be re-registered.

Stat. Auth.: ORS 671

Stats. Implemented: ORS 671.425

Hist.: LAB 1-1984, f. & ef. 1-5-84; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 3-2012(Temp), f. & cert. ef. 9-5-12 thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12

## DIVISION 22

### QUALIFICATIONS FOR REGISTRATION

### 804-022-0000

#### Landscape Architect in Training (LAIT)

(1) A LAIT may only engage in the practice of landscape architecture under the direct supervision of a Registered Landscape Architect (RLA).

(2) A candidate who has successfully completed two or more sections of the Landscape Architect Registration Examination (LARE) and is working toward registration as a Landscape Architect is qualified to register with the Board as a LAIT.

(3) The initial LAIT registration application must include:

(a) A validation of supervision of the LAIT by the supervising RLA and

(b) Payment of the initial registration fee.

(4) The initial date of registration for an LAIT will be the date the application was approved.

(5) A LAIT registration must be renewed annually. An LAIT registration may only be renewed if the LAIT renewal form is signed by the LAIT and the RLA supervising the LAIT that is working toward registration as a Landscape Architect.

Stat. Auth.: ORS 670.310, 671.316(3), 671.335, 671.415

Stats. Implemented: ORS 671.316(3), 671.325, 671.335, 671.376

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1986, f. & ef. 1-3-86; LAB 3-1989, f. 6-23-89, cert. ef. 7-1-89; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 1-1993, f. & cert. ef. 7-1-93; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 3-2005, f. & cert. ef. 12-13-05; Renumbered from 804-020-0055, LAB 1-2007, f. & cert. ef. 4-27-07; LAB 3-2008, f. & cert. ef. 7-7-08; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 1-2014, f. & cert. ef. 11-19-14

### 804-022-0005

#### Initial Landscape Architect Registration not by Reciprocity

(1) An individual may apply for registration as a Landscape Architect.

(2) The application must include the following:

- (a) Completed and signed application form;
- (b) Application Fee;
- (c) Annual Registration Fee;
- (d) Signed Statement of Understanding; and

(e) Sufficient information to demonstrate that the applicant meets Board standards for examination, education, and work experience under subsections (3), (4), or (5) of this rule.

(A) The applicant may submit a CLARB Council Record to demonstrate the examination, education, and work experience qualifications.

(i) Information presented on the CLARB Council Record is subject to verification by the Board.

(ii) The Board may request additional documentation or information from the applicant as the Board or its staff deem necessary for verification of the applicant's qualifications. An application is deemed incomplete until the applicant has provided all requested documentation and information.

(3) Standard Registration Path, LAAB Degree: Minimum of 8 years of landscape architecture experience is required for registration, with 5 years of experience granted for any LAAB degree and 3 years of work experience required under a licensed or registered landscape architect.

(a) Exams: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national exam. The applicant must verify passage of all sections of the national exam.

(b) Education: A degree from a LAAB accredited university program. The applicant must provide an official transcript in the university sealed envelope to verify award of a LAAB degree. Any LAAB degree is granted 5 years of credit.

(c) Work Experience: A minimum of three years of work experience under the direct supervision of a licensed or registered Landscape Architect which was obtained after satisfying the requirements of OAR 804 Division 10 and (3)(b) of this rule. The applicant must provide a work history summary and work experience verification forms.

(A) Up to two years of the three years of experience may be supervised by a licensed or registered Engineer or Architect;

(4) Non LAAB Degree Path: Minimum of 8 years of landscape architecture experience is required for registration, with 5 years of experience for a degree and work experience with an additional 3 years of work experience required under a licensed or registered landscape architect.

(a) Exams: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national exam. The applicant must verify passage of all sections of the national exam.

(b) Education and Equivalent Experience: In the absence of a degree from a LAAB accredited university program, 5 years of credit for education and experience combined as specified in OAR 804-010-0010. The applicant must provide an official transcript in the university sealed envelope to verify award of a degree. The applicant must also provide a work history summary and work experience verification forms.

(A) Experience used to satisfy the education requirement cannot be used towards the work experience requirement of (4)(c) of this rule.

(c) Work Experience: A minimum of three years of work experience under the direct supervision of a licensed or registered

Landscape Architect which was obtained after satisfying the requirements of OAR 804 Division 10 and (4)(b) of this rule. The applicant must provide a work history summary and work experience verification forms.

(A) Up to two years of the three years of experience may be supervised by a licensed or registered Engineer or Architect;

(5) No Degree Path: Minimum of 11 years of landscape architecture experience is required for registration.

(a) Exams: The Board requires passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national exam. The applicant must verify passage of all sections of the national exam.

(b) Experience In Lieu of Education: In the absence of any degree, 8 years of work experience under the supervision of a licensed or registered Landscape Architect. The applicant must provide a work history summary and work experience verification forms.

(A) Experience used to satisfy this requirement cannot be used towards the work experience requirement of (5)(c) of this rule.

(c) Work Experience: A minimum of three years of work experience under the direct supervision of a licensed or registered Landscape Architect which was obtained after satisfying the requirements of OAR 804 Division 10 and (5)(b) of this rule. The applicant must provide a work history summary and work experience verification forms.

(A) Up to two years of the three years of experience may be supervised by a licensed or registered Engineer or Architect;

(6) Upon acceptance by the Board, the applicant is required to complete an Oral Exam.

(7) The initial date of registration shall be the date of the meeting during which the Board approves the application for registration.

Stat. Auth.: ORS 183.335(5), 670.310, 671.325, 671.335, 671.415

Stats. Implemented: ORS 671.316, 671.325, 671.335

Hist.: LAB 1-2007, f. & cert. ef. 4-27-07; LAB 1-2012, f. 5-17-12, cert. ef. 6-1-12; LAB 3-2013(Temp), f. & cert. ef. 6-20-13 thru 12-17-13; LAB 4-2013, f. & cert. ef. 12-12-13

### 804-022-0010

#### Landscape Architect Registration by Reciprocity

(1) Any person not registered as a Landscape Architect in Oregon, but who currently holds a license or registration to practice as a Landscape Architect in another state or territory, may file an application for registration by reciprocity under ORS 671.345 and the requirements of this rule.

(2) An application must include the following:

- (a) Completed and signed application form;
- (b) Application Fee;
- (c) Annual Registration Fee;
- (d) Signed Statement of Understanding;

(e) Identification of all states in which licensure is currently held, with official verification from the licensing state and where exams were passed; and

(f) Sufficient information to demonstrate that the applicant meets Board standards for examination, education, and work experience under subsections (3), (4), or (5) of this rule.

(A) The applicant may submit a CLARB Council Record to demonstrate the examination, education, and work experience qualifications.

(i) Information presented on the CLARB Council Record is subject to verification by the Board.

(ii) The Board may request additional documentation or information from the applicant as the Board or its staff deem necessary for verification of the applicant's qualifications. An application is deemed incomplete until the applicant has provided all requested documentation and information.

(3) Standard Registration Path: Minimum of 8 years of landscape architecture experience is required for registration, with 5 years of experience granted for an LAAB degree and 3 years of work experience required under a licensed or registered landscape architect.



(a) Exams: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national exam. The applicant must verify passage of all sections of the national exam.

(b) Education: A degree from a LAAB accredited university program. The applicant must provide an official transcript in the university sealed envelope to verify award of a LAAB degree. Any LAAB degree is granted 5 years of credit.

(c) Work Experience:

(A) A minimum of three years of work experience under the direct supervision of a licensed or registered Landscape Architect which was obtained after satisfying the education requirements of OAR 804 division 10 and (3)(b) of this rule. The applicant must provide a work history summary and work experience verification forms. Up to two years of the three years of experience may be supervised by a licensed or registered Engineer or Architect; or

(B) A minimum of 11 years of work experience as a Landscape Architect licensed or registered in another U.S. state or territory verified as follows:

(i) A minimum of three professional reference letters in a form acceptable to the Board signed by licensed or registered Landscape Architects, Engineers, or Architects and submitted to the Board; and

(ii) A resume of the applicant detailing the 11 years of verified work experience.

(4) Non LAAB Degree Path: Minimum of 8 years of landscape architecture experience is required for registration, with 5 years of experience for a degree and work experience with an additional 3 years of work experience required under a licensed or registered landscape architect.

(a) Exams: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national exam. The applicant must verify passage of all sections of the national exam.

(b) Education and Equivalent Experience: In the absence of a degree from a LAAB accredited university program, 5 years of credit for education and experience combined as specified in OAR 804-010-0010. The applicant must provide an official transcript in the university sealed envelope to verify award of a degree. The applicant must also provide a work history summary and work experience verification forms.

(A) Experience used to satisfy the education requirement cannot be used towards the work experience requirement of (4)(c) except as provided in (4)(c)(B) of this rule.

(c) Work Experience:

(A) A minimum of three years of work experience under the direct supervision of a licensed or registered Landscape Architect which was obtained after satisfying the requirements of OAR 804 division 10 and (4)(b) of this rule. The applicant must provide a work history summary and work experience verification forms. Up to two years of the three years of experience may be supervised by a licensed or registered Engineer or Architect; or

(B) A minimum of 11 years of work experience as a Landscape Architect licensed or registered in another U.S. state or territory verified as follows:

(i) A minimum of three professional reference letters in a form acceptable to the Board signed by licensed or registered Landscape Architects, Engineers, or Architects and submitted to the Board; and

(ii) A resume of the applicant detailing the 11 years of verified work experience.

(5) No Degree Path: Minimum of 11 years of landscape architecture experience is required for registration.

(a) Exams: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national exam. The applicant must verify passage of all sections of the national exam.

(b) Experience in Lieu of Education: In the absence of any degree, 8 years of work experience under the supervision of a licensed or registered Landscape Architect or a minimum of 11 years of work experience as a Landscape Architect licensed or reg-

istered in another U.S. state or territory. The applicant must also provide a work history summary and work experience verification forms.

(A) Experience used to satisfy this requirement cannot be used towards the work experience requirement of (5)(c) except as provided in (5)(c)(B).

(c) Work Experience:

(A) A minimum of three years of work experience under the direct supervision of a licensed or registered Landscape Architect which was obtained after satisfying the requirements of OAR 804 Division 10 and (5)(b) of this rule. The applicant must provide a work history summary and work experience verification forms. Up to two years of the three years of experience may be supervised by a licensed or registered Engineer or Architect; or

(B) A minimum of 11 years of work experience as a Landscape Architect licensed or registered in another U.S. state or territory verified as follows:

(i) A minimum of three professional reference letters in a form acceptable to the Board signed by licensed or registered Landscape Architects, Engineers, or Architects and submitted to the Board; and

(ii) A resume of the applicant detailing the 11 years of verified work experience.

(6) Registration may be granted without oral exam after all application materials are approved.

Stat. Auth.: ORS 183.335(5), 670.310, 671.325, 671.335, 671.415

Stats. Implemented: ORS 671.345

Hist.: LAB 1-1983, f. & ef. 2-1-83; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1989, f. 7-1-89, cert. & ef. 6-23-89; LAB 2-1989, f. 6-23-89, cert. ef. 7-1-89; LAB 1-1993, f. & cert. ef. 7-1-93; LAB 2-1998, f. & cert. ef. 4-22-98; Renumbered from 804-010-0025, LAB 1-2007, f. & cert. ef. 4-27-07; LAB 1-2008, f. & cert. ef. 2-4-08; LAB 1-2012, f. 5-17-12, cert. ef. 6-1-12; LAB 3-2013(Temp), f. & cert. ef. 6-20-13 thru 12-17-13; LAB 4-2013, f. & cert. ef. 12-12-13

### 804-022-0015

#### Initial Date of Registration & Renewal

(1) The initial date of registration will be the date the application was approved, and the registration will be subject to renewal on an annual basis.

(2) The annual registration renewal date is the last calendar day of the month in which registration was first granted by the Board. The registration is delinquent if not renewed by or before the renewal date.

(a) A renewal must include the completed renewal form signed by the registrant showing the registrant meets all the qualifications for renewal and the annual renewal fee.

(b) A renewal is considered timely if the Board has receipt of the items listed in (a) on or before the renewal date.

(3) The registration must be renewed annually on or before the renewal date to remain active. If the annual renewal is not made by the renewal date, the registration is delinquent but may be reinstated in accordance with 804-022-0020.

Stat. Auth.: ORS 670.310, 671.415

Stats. Implemented: ORS 671.325, 671.345, 671.365, 671.376

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1984, f. & ef. 5-1-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2005, f. & cert. ef. 2-14-05; Renumbered from 804-030-0015, LAB 1-2008, f. & cert. ef. 2-4-08; LAB 1-2014, f. & cert. ef. 11-19-14

### 804-022-0020

#### Late Renewal and Reinstatement of Delinquent Registration

(1) A registration is delinquent (lapsed) if the registrant has not completed the requirements for renewal by or before the renewal due date.

(2) A registrant with a delinquent (lapsed) registration is not authorized to practice landscape architecture or use the title Registered Landscape Architect or variations thereof in Oregon.

(3) A registrant with delinquent (lapsed) registration has the following options for obtaining an active registration with the Board:

(a) If registration is not renewed or reinstated within five (5) years of the last renewal due date, then the registration expires. The individual cannot renew an expired registration but can apply for a new registration subject to current Board registration requirements.

(b) If the registrant takes action to renew within five (5) years of the last renewal due date, then the renewal is subject to the requirements of (4) or (5) of this rule based on the date the renewal requirements are fulfilled.

(4) If a registrant fails to renew a registration by the renewal date but completes the renewal requirements within sixty (60) days of the renewal due date, the following apply:

(a) No late fee is required if the renewal is completed not later than thirty (30) days after the renewal date; or

(b) A late fee is required if the renewal is completed more than thirty (30) days but not later than sixty (60) days after the renewal date.

(5) Reinstatement is required if the renewal is completed more than sixty (60) days after the renewal date but within five (5) years of the last renewal due date (i.e., the reinstatement period). Individuals seeking renewal of registration within the reinstatement period must complete the requirements for renewal and the following additional reinstatement requirements:

(a) Submit a written request for reinstatement to the Board explaining why the registration renewal was late;

(b) Submit documentation of continuing education completion as required in OAR 804-025-0015(3) and pass a continuing education audit; and

(c) Pay all fees required by the Board (i.e. renewal fee and late fee for each year registration was delinquent (lapsed)).

(6) The Board delegates to the Board Administrator the authority to renew delinquent (lapsed) registrations per (4) of this rule.

(7) The Board delegates to the Continuing Education Coordinator the authority to approve continuing education audits for purposes of reinstatement of delinquent (lapsed) registrations under (5) of this rule. Documentation of audit completion will be filed in the Board office.

(8) The Board delegates to the Administrator the authority to grant reinstatement of registration under (5) of this rule upon confirmation that all necessary requirements have been met.

Stat. Auth.: ORS 671.415

Stats. Implemented: ORS 671.376

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 2-1998, f. & cert. ef. 4-22-98; Renumbered from 804-030-0035, LAB 1-2008, f. & cert. ef. 2-4-08; LAB 2-2010, f. & cert. ef. 10-19-10; LAB 2-2015, f. 8-17-15, cert. ef. 9-1-15

### 804-022-0025

#### Inactive and Inactive Emeritus Status

(1) The Board has two types of inactive status as described in this rule.

(2) The Board shall grant Inactive status to any Registered Landscape Architect who while in good standing as defined in 804-003-0000(11) submits:

(a) A written request to the Board by or before the registration renewal date; and

(b) A signed statement of non-practice on a form provided by the Board.

(3) The Board shall grant Inactive Emeritus status to any Registered Landscape Architect who while in good standing as defined in 804-003-0000(11) submits:

(a) A written request to the Board by or before the registration renewal date;

(b) A signed statement of non-practice on a form provided by the Board; and

(c) Validation of twenty-five (25) consecutive years of registration as a Landscape Architect.

(4) A registrant on Inactive or Inactive Emeritus status cannot practice landscape architecture in Oregon. A registrant on Inactive status may not use the Registered Landscape Architect title or any similar title in Oregon. A registrant on Inactive Emeritus status may use the title Registered Landscape Architect, Emeritus or any similar title indicating the Emeritus or Retired status in Oregon.

(5) A registrant on Inactive or Inactive Emeritus status must submit an annual registration fee to cover the Board's administrative cost of maintaining a registration record.

(6) Per ORS 671.376(4), a registrant can remain on Inactive or Inactive Emeritus status for a period of five (5) years. The five (5) year period is counted forward from the last renewal due date. At the end of the five (5) year period, the registration expires and cannot be renewed, but the individual can apply for a new registration subject to current Board registration requirements.

(7) If a registrant on Inactive or Inactive Emeritus status wishes to resume practicing within the five (5) year period described in (5) of this rule, the registrant can request a return to Active status as follows:

(a) Submit a written request asking to return to Active status;

(b) Submit the current year's renewal fee; and

(c)(A) Complete the continuing education requirements for reactivation of registration found at 804-025-0015 as verified by an audit, except:

(B) A Landscape Architect in Training on Inactive status is not subject to continuing education requirements.

(8) The Board delegates to the Administrator the authority to grant Inactive and Inactive Emeritus status upon verification that the requirements of (2) or (3), whichever is applicable, have been met.

(9) The Board delegates to the Continuing Education Coordinator the authority to approve continuing education audits for purposes of return to Active status under (7) of this rule. Documentation of audit completion will be filed in the Board office.

(10) The Board delegates to the Administrator the authority to grant return to Active status upon confirmation that the audit and all other requirements for return to Active practice have been met.

Stat. Auth.: ORS 671.376(4); ORS 671.415; ORS 671.310

Stats. Implemented: ORS 671.325, 671.335, 671.365, 671.415

Hist.: LAB 2-2009, f. & cert. ef. 12-11-09; LAB 2-2015, f. 8-17-15, cert. ef. 9-1-15

### 804-022-0030

#### Required Application Information

(1) The Oregon State Landscape Architect Board (Board) will not issue or renew any individual registration unless an applicant or registrant provides his or her Social Security Number on the application or renewal form.

(a) A registrant need not provide the Social Security Number on the renewal form if the Social Security Number has been previously provided to the Board and is in the record.

(b) An applicant need not provide the Social Security number on a subsequent application if the Social Security Number has been previously provided to the Board and remains in the record.

(2) If an individual has not been issued a Social Security Number by the United States Social Security Administration, the Board will accept a written statement from the applicant to fulfill the requirements of OAR 809-050-0050(1) and this rule. The individual may, but is not required to, submit the written statement on a form provided by the Board. Any written statement submitted must:

(a) Be signed by the individual;

(b) Attest to the fact that no Social Security Number has been issued to the individual by the United States Social Security Administration;

(c) Assert that the information provided about the Social Security Number is true and correct; and

(d) Acknowledge that knowingly supplying false information under this section is as crime.

(3) Individuals must provide Social Security Numbers as required by ORS 25.785, 305.385, 42 USC § 666(a)(13), and 42 USC § 405(c)(2)(C)(i) for child support enforcement purposes and Department of Revenue purposes. The Board will not release a Social Security Number for any other purpose without express written consent of the individual.

Stat. Auth.: ORS 670.310, 25.785, 305.385, 42 USC § 666, 42 USC § 405

Stats. Implemented: ORS 671.335, 671.345, 671.376, 671.415, 25.785, 305.385

Hist.: LAB 2-2015, f. 8-17-15, cert. ef. 9-1-15



DIVISION 25

CONTINUING EDUCATION

**804-025-0000**

**Effective Date for Compliance with Continuing Education Requirements**

The criteria and guidelines set forth in these rules for compliance with Continuing Education Requirements shall take full effect on July 1, 2006. At that time each registrant may be required to submit proof to the Board that they have met the requirements of this section in the manner prescribed.

Stat. Auth.: ORS 671.415

Stat. Implemented: ORS 671.395

Hist.: LAB 1-2005, f. & cert. ef. 2-14-05

**804-025-0010**

**Continuing Education Requirements**

(1) Exemptions: A registrant may be exempt, upon board review and approval, from continuing education requirements in any of the following situations:

(a) A registrant is called to active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year. This registrant may request an exemption from obtaining one-half of the required continuing education during that renewal period. Alternatively, the registrant may request to be placed on inactive status under ORS 671.376(4). If the registrant on inactive status requests to return to active practice, the registrant shall complete all professional development hours as required by 804-025-0015.

(b) A registrant experiences physical disability, illness, or other extenuating circumstances that prevents the registrant from practicing landscape architecture. The registrant shall provide supporting documentation for the board's review and approval of the medical exemption. Alternatively, the registrant may request to be placed on inactive status under ORS 671.376(4). If the registrant on inactive status elects to return to active practice, the registrant shall complete all professional development hours as required by 804-025-0015.

(c) A registrant on inactive status must return to active status within 5 years of being placed on inactive status or the registration will lapse and cannot be renewed.

(2) Records: each registrant shall maintain:

(a) A log showing the subject and type of activity claimed, the sponsoring organization, location, duration and instructor's or speaker's name.

(b) Documentation sufficient to prove completion of the activity claimed such as attendance verification records, completion certificates or other documents;

(c) Required log and documentation for at least four (4) years.

(3) Audit: Upon request, each registrant shall provide proof of satisfying the continuing education requirements. If the registrant fails to furnish the information as required by the board or if the information is not sufficient to satisfy the requirements, the license shall not be renewed.

(4) Disallowance: If the board disallows one or more continuing education activities claimed, the board may, at its discretion, allow the registrant up to 120 days after notification to substantiate the original claim or to complete other continuing education activities sufficient to meet the minimum requirements.

Stat. Auth.: ORS 183.335(5), 670.310, 671.376, 671.395, 671.415

Stat. Implemented: ORS 671.376, 671.395

Hist.: LAB 1-2005, f. & cert. ef. 2-14-05; LAB 4-2008, f. & cert. ef. 11-7-08; LAB 2-2013(Temp), f. & cert. ef. 6-20-13 thru 12-17-13; LAB 5-2013, f. & cert. ef. 12-12-13

**804-025-0015**

**Continuing Education Requirements for Reactivation of Registration**

(1) If the inactive registration is less than one year, the Inactive registrant must provide proof of meeting all of the continuing education requirements of OAR 804-025-0020(2) for reactivation of registration.

(2) If the inactive registration is for one year or more, the Inactive registrant must provide proof of meeting the continuing education requirements of OAR 804-025-0020(2) during the two year period immediately prior to reactivation of registration.

(3) Delinquent registrants seeking reinstatement must provide proof of compliance with requirements of OAR 804-025-0020(2) for each year the registration has been delinquent before the registration may be considered for reinstatement.

Stat. Auth.: ORS 183 & 671

Stat. Implemented: ORS 671.335, 671.395 & 671.415

Hist.: LAB 4-2008, f. & cert. ef. 11-7-08

**804-025-0020**

**Uniform Continuing Education Standards**

(1) Definitions:

(a) Activity — any course or educational endeavor that has a clear purpose and objective and maintains, improves or expands the professional knowledge or skill of the registrant.

(b) Professional Development Hour (PDH) — one hour (with no less than 50 minutes of direct involvement, commonly referred to as a contact hour) of an activity that meets the requirements of these regulations.

(c) Structured educational activity — any activity that has:

(A) a sponsor other than the registrant;

(B) evidence of pre-planning including a written objective and format;

(C) an assessment component; and

(D) is documented and verifiable.

(d) Health, safety and welfare issue — any issue related to the practice of landscape architecture exemplified by the most current examination required for licensure.

(e) Common conversions:

(A) One university quarter credit hour = 30 PDHs.

(B) One university semester credit hour = 45 PDHs.

(C) One IACET Continuing Education Unit (CEU) = 10 PDHs.

(2) Basic Requirements as a condition of renewal:

(a) Each landscape architect shall complete 12 PDH of acceptable continuing education requirements during the one-year period immediately preceding each annual renewal date.

(b) At least 9 PDH of the continuing education requirement must be earned by completing structured educational activities that directly address the health, safety, and welfare issues of the public as related to the practice of landscape architecture.

(c) If a registrant exceeds the total continuing education requirement in a renewal period, the registrant may carry a maximum of 12 PDH forward into the next renewal period.

(3) Conditions For Acceptance:

(a) To be accepted as a PDH, a structured educational activity must be related to the practice of landscape architecture, performed outside of the normal performance of one's occupation, and contemporaneously documented.

(b) The following are types of PDH that may be accepted by the Board:

(A) Professional or Technical presentations; making professional or technical presentations at recognized professional meetings, conventions or conferences may qualify for up to one PDH per reporting period.

(B) Teaching or instructing a qualified presentation may be eligible for up to two PDH for each contact hour spent in the classroom. Teaching PDH may be available only for teaching a course or seminar in its initial presentation. Teaching PDH are not available to full-time faculty of any college or university.

(C) Authoring; Authoring (publishing) or presenting an original paper, article or book may be eligible for up to 20 PDH per publication. PDH may be available for authorship or presentation of that activity, but not for both. PDH cannot be requested until the paper, article, or book is actually published or presented. PDH may be available only for authorship or presentation in its initial version.

(D) Professional societies or organizations; Serving as an elected officer or appointed chair of a committee of an organization

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in a professional society or organization may qualify for the equivalent of up to 4 PDH per reporting period. PDH of this type are limited to 4 PDH per organization and may be eligible only at the completion of each year of service.

(E) Professional boards or commissions; Serving as an elected officer or appointed member of a professional board or commission may qualify for up to 4 PDH per reporting period. PDH of this type are limited to 4 PDH per elected office or appointment and may be eligible only at the completion of each year of service.

(F) Professional examination grading or writing; Serving as an exam grader or on a committee writing exam materials for a professional registration examination may be eligible for up to 4 PDH per exam. A maximum of 8 PDH of this type may be accepted per biennium.

(G) Attaining specialty certifications through examination from a qualified professional society or organization may be eligible for PDHs equal to two times the allotted examination time (i.e. 4 PDHs may be granted for a certification exam of 2 hours in length). A maximum of 4 PDH of this type may be accepted per reporting period.

(H) Pro-bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the registrant may be eligible for up to 1 PDH for every 4 hours of service. A maximum of 4 PDH of this type may be accepted per year.

(I) Extended travel outside the State of Oregon may be eligible for up to 2 PDH per week of travel.

(J) Attendance at industry related exhibitions such as home and garden shows may be eligible for up to 1 PDH per show. A maximum of 2 PDH of this type may be accepted per year.

(K) Mentoring one or more students for one day at the University of Oregon Landscape Architecture Shadow Mentor Day program or other mentoring event may be eligible for up to 1 PDH per mentor day. A maximum of 4 PDH of this type may be accepted per year.

(L) Membership on the regulatory board for the practice of landscape architecture may be eligible for up to 8 HSW PDH per year of membership.

(4) The board has final authority with respect to approval for courses, specific activities, and other PDH.

(5) A Landscape Architect registered for 25 consecutive years or more in Oregon or other states requiring registration may meet Oregon's continuing education requirement upon completing 4 PDH per year. This can be accomplished through formal continuing education or self study.

Stat. Auth.: ORS 671.415

Stat. Implemented: ORS 671.395

Hist.: LAB 1-2005, f. & cert. ef. 2-14-05; LAB 1-2008, f. & cert. ef. 2-4-08; LAB 1-2010, f. & cert. ef. 2-17-10

### 804-025-0030

#### Documentation of PDH

(1) All active Registered Landscape Architects must maintain proper documentation for any PDH listed on the registrant's PDH Documentation Log. If audited, acceptable documentation must accompany the PDH Documentation Log.

(2) For any PDH activity, each Registered Landscape Architect is responsible for obtaining verification of participation as required under this rule.

(3) The following documentation from a third party provider qualifies as verification of attendance at a PDH activity. The documentation must include the name of the provider, the title of the event, dates attended, and the number of PDHs requested for attendance:

- (a) Certificate of completion;
- (b) Certificate of attendance;
- (c) Letter of confirmation of attendance; or
- (d) Transcript.

(4) If proof of attendance is not available from the third party provider as provided under paragraph (3) above, a copy of the sign-in sheet which includes the date, title, and presenter along with the

agenda may be submitted to validate participation for purposes of PDH compliance.

(5) In the absence of the above documentation, a summary may be submitted to the Board for review and must include (at a minimum) the following:

- (a) Name/Title of the activity;
- (b) Date(s) and hours of the activity;
- (c) Location of the activity;
- (d) Presenter or instructor of the activity;
- (e) Written summary of the subject matter:

(A) If the activity is to meet the HSW component, the summary must include key elements which meet HSW related to the practice of landscape architecture.

(B) If the activity is not related to HSW, the summary must identify the benefit of the activity to the registrant's practice.

Stat. Auth.: ORS 671.415

Stats. Implemented: ORS 671.395

Hist.: LAB 2-2010, f. & cert. ef. 10-19-10

### 804-025-0035

#### Auditing of PDH

(1) Each registrant may be audited annually.

(2) Audited registrants are selected randomly each year. All active registrants are subject to being audited each year.

(3) Registrants receiving an audit notification must respond within 21 days with:

(a) The Board approved PDH Documentation Log identifying all PDH activities for the audit period and documentation validating all PDH for which the registrant is seeking credit, including carry-over hours; or

(b) proof of exemption from the Continuing Education requirements per OAR 804-025-0010(1),

(4) PDH documentation received from the registrant is reviewed by the Board's Continuing Education Committee (CEC). If the documentation is incomplete, the audited registrant will have 21 days after such notice to provide additional documentation.

(5) The CEC recommendation will be presented for approval to the Board.

(6) Written notification of the Board's decision will be issued following the Board meeting in which the PDH is approved.

(7) It is the responsibility of the registrant to identify all PDH on the PDH Documentation Log. Any carryover PDH may be used only in the subsequent compliance period. The letter informing the registrant of approved carryover hours may be submitted without additional documentation if the registrant is selected for audit in subsequent years.

Stat. Auth.: ORS 671.415

Stats. Implemented: ORS 671.395

Hist.: LAB 2-2010, f. & cert. ef. 10-19-10

## DIVISION 27

### PROFESSIONAL PRACTICE OF THE REGISTRANT

#### 804-027-0005

##### Landscape Architect in Training (LAIT)

(1) The Code of Professional Conduct (OAR 804, Division 50) applies to LAITs. LAITs have a duty to follow and uphold the Code of Professional Conduct as well as the statutes and rules governing the practice of landscape architecture (ORS 671.310 to 671.459 and OAR Chapter 804).

(2) The function of an LAIT is to develop skill and competence in the practice of landscape architecture that leads to the passing of the examinations required to become a Registered Landscape Architect.

(3) The LAIT has the power to engage in the practice of landscape architecture under the direct supervision of a Registered Landscape Architect except that the LAIT does not have the power or authority to stamp plans or documents. Only the supervising Registered Landscape Architect is allowed to stamp plans and documents.

Stat. Auth.: ORS 671 & 183

Stats. Implemented: ORS 671.315, 671.316, 671.335, 671.345, 671.365, 671.425 & 671.393

Hist.: LAB 3-2008, f. & cert. ef. 7-7-08

### 804-027-0010

#### Registered Landscape Architect

(1) Documents bearing the Registered Landscape Architect's seal and signature shall be those prepared under the supervision of the Registered Landscape Architect.

(2) The seal with the Registered Landscape Architect's signature shall appear on the title page of specifications and on every sheet of the working drawings, as well as on all professional documents and reports.

(3) Registered Landscape Architects shall not affix their seal or allow their seal to be fixed to any plans, drawings, documents, specifications, or reports not personally prepared or prepared under their supervision.

(4) Supervision means the Registered Landscape Architect has exercised guidance, professional judgment, and control in the preparation of all landscape architectural matters shown or contained within the document.

Stat. Auth.: ORS 671 & 183

Stats. Implemented: ORS 671.315, 671.316, 671.335, 671.345, 671.365, 671.425 & 671.393

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 2-1998, f. & cert. ef. 4-22-98; Renumbered from 804-030-0005 & 804-030-0010, LAB 3-2008, f. & cert. ef. 7-7-08

## DIVISION 30

### GENERAL

### 804-030-0000

#### Seal of the Landscape Architect

(1) Every registered landscape architect must obtain a seal of the design approved by the Board. The seal may be a rubber stamp or a computer-generated seal.

(2) The circular seal shall be approximately 1 5/8 inches in diameter with the word REGISTERED over the top with a large dot at both ends of the word and the words LANDSCAPE ARCHITECT around the bottom.

(3) The circular seal must have space for the registrant's signature through the center.

(4) The following must be included on the seal:

(a) The registration certificate number above the center signature space and below the word REGISTERED; and

(b) The following information below the center signature space and above the words LANDSCAPE ARCHITECT:

(A) The name of the registrant below the center signature space;

(B) The word OREGON below the registrant's name; and

(C) The initial date of registration below the word OREGON.

(5) Each final draft of professional drawings and documents per ORS 671.379 must be stamped or printed with the seal and signed by the registrant. Only the title page of bound specifications must be stamped or printed with the seal and signed by the registrant.

(6) The registrant's expiration date must be noted near the registrant's signature on the seal.

(7) Use of the seal without signature by the responsible Registered Landscape Architect is acceptable on preliminary plans, documents or drafts prepared for review by agencies or others prior to final submittal.

(8) A Registered Landscape Architect is responsible for the custody and proper use of the registrant's seal. Improper use of the seal by anyone shall be grounds for disciplinary action.

[ED. NOTE: Graphic referenced is available from the agency.]

Stat. Auth.: ORS 671.379, 671.415

Stats. Implemented: ORS 671.315

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-1993, f. & cert. ef. 7-1-93; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 2-2009, f. & cert. ef. 12-11-09

### 804-030-0003

#### Signature

(1) After the registrant's seal has been applied to the original or record copy, the registrant shall place the registrant's handwritten signature in permanent ink across the seal.

(2) For electronic or digital documents, a digital signature is acceptable as allowed by ORS 84.001 to 84.061.

(3) A digital signature transforms a message through the use of an algorithm or series of algorithms that provide a key pair, private and public, for signer verification, document security, and authentication.

(4) A digital signature must be:

(a) Unique to the registrant using it;

(b) Under the direct control of the registrant;

(c) Verifiable; and

(d) Linked to the document being signed in such a manner that the digital signature is invalidated if any data in the document is altered.

(5) Documents signed using a digital signature will bear the phrase "digital signature" in place of the handwritten signature.

(6) Each displayed copy of, and each hard copy printed from, a transmitted or stored electronic document containing a digital signature shall bear the seal and the signature, and shall be a confirmation that the electronic document was not altered after the initial digital signing of the document.

(a) If the electronic document is altered, both the digital signature and electronic seal are void.

(b) A registrant is responsible for the custody and proper use of the electronic or digital signature.

(c) Improper use of the electronic or digital signature will be grounds for disciplinary action.

Stat. Auth.: ORS 671.415

Stats. Implemented: ORS 671.379

Hist.: LAB 1-2010, f. & cert. ef. 2-17-10

### 804-030-0011

#### Advertising

A registered landscape architect employed by a corporation or other business entity may advertise landscape architecture under the registrant's own name. A business registered with the State to provide landscape architectural services may advertise only under the registered business name.

Stat. Auth.: ORS 671

Stats. Implemented: ORS 671.315

Hist.: LAB 2-1984, f. & ef. 5-1-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2006, f. & cert. ef. 6-26-06

### 804-030-0020

#### Civil Penalties

Civil Penalties may be assessed up to \$5,000 for each offense. Such offenses include, but are not limited to:

(1) Unregistered individuals representing themselves as landscape architects.

(2) Registered landscape architects violating any of the provisions of ORS 671.310 through 671.459 or any rule adopted by the board.

Stat. Auth.: ORS 671.415, 671.950

Stats. Implemented: ORS 671.950

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 1-2006, f. & cert. ef. 3-17-06; LAB 2-2008, f. & cert. ef. 3-20-08

### 804-030-0040

#### Roster

The Board may publish a biennial roster containing the names of all registrants.

Stat. Auth.: ORS 671

Stats. Implemented:

Hist.: LAB 1-1984, f. & ef. 1-5-84; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89



**DIVISION 35**

**CERTIFICATE OF AUTHORIZATION**

**804-035-0010**

**Qualifications for a Certificate of Authorization for Business Providing Landscape Architecture Services**

(1) A business entity is required to obtain a Certificate of Authorization from the board.

(2) Each such business entity must meet the following requirements:

(a) For purposes of ORS 671.318, an “officer” of the business entity means an individual owning, operating, or employed by the business entity in Oregon 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.

(b) Each business entity must designate one or more Registered Landscape Architects as being in responsible charge of the landscape architectural services and decisions of the business entity. In the case of a business entity with multiple offices, each office in Oregon will have a designated Registered Landscape Architect in responsible charge of that office.

(c) Each Landscape Architect designated as being in responsible charge of the business entity’s landscape architectural activities and decisions must file an Statement of Responsibility with the board.

(3) Each certified business entity must notify the board in writing within 30 days of any change in:

- (a) Address;
- (b) Business status; or

(c) Status of the person or persons designated as being in responsible charge of the landscape architectural services and decisions of the business entity.

Stat. Auth.: ORS 671.415  
 Stats. Implemented: ORS 671.315  
 Hist.: LAB 2-1984, f. & ef. 5-1-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2006 f. & cert. ef. 6-26-06, Renumbered from 804-030-0011; LAB 2-2008, f. & cert. ef. 3-20-08; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 2-2010, f. & cert. ef. 10-19-10

**804-035-0020**

**Application for Certificate of Authorization for a Business Entity**

(1) A business entity must submit an application for a Certificate of Authorization to the board, accompanied by the appropriate fee. See OAR 804-040-0000.

(2) The application must be on forms prescribed by the board and will contain the following information:

(a) Name and address of each Registered Landscape Architect designated as being in responsible charge of the business entity’s landscape architectural activities and decisions.

(b) Statement of Responsibility from each Registered Landscape Architect designated as being in responsible charge of the business entity’s landscape architectural activities and decisions.

Stat. Auth.: ORS 671.415  
 Stats. Implemented: ORS 671.315  
 Hist.: LAB 2-1984, f. & ef. 5-1-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2006 f. & cert. ef. 6-26-06, Renumbered from 804-030-0011; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 2-2010, f. & cert. ef. 10-19-10

**804-035-0030**

**Issuance and Renewal of Certificate of Authorization**

(1) Upon satisfactory completion of all requirements, the board may issue or renew a Certificate of Authorization for a business entity (Certificate). The Certificate expires one year from the date of issuance or renewal unless earlier revoked, suspended, or not renewed.

(2) The Certificate may be renewed prior to its expiration date on the last day of the renewal month or within 30 days of the expiration date without payment of a late fee.

(3) A Certificate of Authorization issued by the board shall be displayed at the business entity’s primary place of business in Oregon where the public can readily view it.

(4) A Certificate that is not renewed within 30 days of its expiration date may be reinstated only as provided in OAR 804-035-0035.

Stat. Auth.: ORS 671.415  
 Stats. Implemented: ORS 671.315  
 Hist.: LAB 2-1984, f. & ef. 5-1-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2006 f. & cert. ef. 6-26-06, Renumbered from 804-030-0011; LAB 1-2010, f. & cert. ef. 2-17-10

**804-035-0035**

**Reinstatement of Expired Certificate of Authorization**

To reinstate a certificate that has expired more than 30 days, the business must provide the following:

(1) A written request to the Board for reinstatement of the certificate explaining the reason for failing to renew within 30 days of the expiration date;

(2) Any additional information the Board may request for purposes of considering the request for reinstatement;

(3) Payment of the current annual renewal fee;

(4) Payment of any delinquent annual renewal fees; and

(5) Payment of late fees.

Stat. Auth.: ORS 671  
 Stats. Implemented: ORS 671.315  
 Hist.: LAB 2-2006 f. & cert. ef. 6-26-06; LAB 2-2010, f. & cert. ef. 10-19-10

**804-035-0040**

**Revocation of Certificate of Authorization**

The board may revoke, suspend, or refuse to renew a certificate if the board finds that the business has:

(1) Committed any act of dishonesty, fraud, or deceit in obtaining or attempting to obtain a certificate;

(2) Not notified the board of a change in status under OAR 804-035-0010(3);

(3) Not had a registered landscape architect in responsible charge of the landscape architectural services and decisions of the business;

(4) Not had a registered landscape architect as an owner or officer of the business;

(5) Violated any provision of ORS 671.310 to 671.459, 671.992, or 671.005, or any rule promulgated thereunder.

Stat. Auth.: ORS 671  
 Stats. Implemented: ORS 671.315  
 Hist.: LAB 2-2006 f. & cert. ef. 6-26-06

**DIVISION 40**

**FEES**

**804-040-0000**

**Fees**

The following are fees established by the board:

(1) Examination Fees:

(a) Application fee for examination: \$100.

(b) Landscape Architect Registration Examination (LARE): the cost for each section of the LARE is set by the Council of Landscape Architectural Boards (CLARB) and must be paid directly to CLARB.

(2) Registration Fees:

(a) Initial Landscape Architect in Training registration: \$50.00.

(b) Annual renewal for Landscape Architect in Training: \$50.00.

(c) Application fee for initial Landscape Architect registration: \$100.00.

(d) Application fee for Landscape Architect registration by reciprocity: \$100.00.

(e) Initial Landscape Architect registration: \$250.00.

(f) Annual renewal for Landscape Architect: \$250.00.

(g) Inactive and Inactive Emeritus Annual fee: \$25.00.

(3) Business Fees:

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(a) Application fee for business registration: \$100.00.

(b) Initial certification as an Authorized Business Entity in Landscape Architecture: \$112.50.

(c) Annual renewal fee for an Authorized Business Entity in Landscape Architecture: \$112.50.

(4) Miscellaneous Fees:

(a) Late fee: \$100.00 for each delinquent year.

(b) Duplicate certificate: \$50.00.

(c) Fee for registrant list: \$50.00.

Stat. Auth.: ORS 182.466(4), 670.310, 671.365, 671.415

Stats. Implemented: ORS 671.325, 671.345, 671.365, 671.376

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1983, f. & ef. 2-1-83; LAB 3-1983(Temp), f. 10-14-83, ef. 11-1-83; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1987, f. & ef. 1-5-87; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-1992, f. 3-23-92, cert. ef. 4-1-92; LAB 1-1993, f. & cert. ef. 7-1-93; LAB 1-1998, f. & cert. ef. 2-5-98; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-1999, f. & cert. ef. 10-22-99; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2005, f. & cert. ef. 5-18-05; LAB 1-2006, f. & cert. ef. 3-17-06; LAB 2-2008, f. & cert. ef. 3-20-08; LAB 2-2009, f. & cert. ef. 12-11-09; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 3-2012(Temp), f. & cert. ef. 9-5-12

thru 3-4-13; LAB 4-2012, f. 11-16-12, cert. ef. 11-21-12; LAB 1-2014, f. & cert. ef. 11-19-14; LAB 2-2015, f. 8-17-15, cert. ef. 9-1-15

### DIVISION 50

#### CODE OF PROFESSIONAL CONDUCT

##### 804-050-0005

##### Responsibility to the Board

(1) A Registered Landscape Architect or a Landscape Architect in Training must respond to written requests from the Board within 21 days after the request is mailed by registered or certified mail to the Registered Landscape Architect's or Landscape Architect in Training's address of record with the Board.

(2) If a Registered Landscape Architect or a Landscape Architect in Training has information which leads to a reasonable belief that another Registered Landscape Architect or Landscape Architect in Training has committed a violation of this Code of Professional Conduct, or that an individual or business is in violation of the

statutes or rules governing the practice of landscape architecture (ORS 671.310 to 671.459 and OAR chapter 804), such information must be promptly reported to the Board.

(3) A Registered Landscape Architect must not dismiss from his or her employment, or take any other action punitive in nature against another Registered Landscape Architect because of the other Registered Landscape Architect's compliance with any part or subsection of this Code of Professional Conduct, or any other provision of OAR chapter 804, or any provisions of ORS 671.310 to 671.459.

(4) A Registered Landscape Architect must not knowingly prepare or stamp construction documents which are in violation of any codes, laws, or regulations.

(5) A Registered Landscape Architect must only verify landscape architecture experience of those applicants for examination or registration that have been under the direct supervision of the Registered Landscape Architect.

(6) A Registered Landscape Architect must only affix a signature to the renewal form verifying completion of Professional Development Hours (PDH) if they have the proper documentation to validate completion of the PDH.

(7) A Landscape Architect in Training must only engage in the practice of landscape architecture under the direct supervision of a Registered Landscape Architect.

Stat. Auth.: ORS 671

Stats. Implemented: ORS 671.393

Hist.: LAB 2-1987, f. & ef. 6-1-87; LAB 2-1998, f. & cert. ef. 4-22-98, Renumbered from 804-050-0001, LAB 3-2008, f. & cert. ef. 7-7-08

#### **804-050-0010**

##### **Responsibility to the Profession**

(1) Registered Landscape Architects must conduct professional duties with honesty and integrity. Registered Landscape Architects must comply with all rules and laws governing the practice of landscape architecture and with all orders of the Board.

(2) Registered Landscape Architects and Landscape Architects in Training must not accept, solicit or pay any inducement greater than \$50.00 in the course of professional work during one calendar year to any prospective client in order to gain necessary public approval.

(3) Contemporaneously with government employment, a Registered Landscape Architect must not engage in the private practice of landscape architecture with any person or firm who does business with the Registered Landscape Architect's employing agency if doing so would constitute any violation of ORS chapter 244.

(4) Registered Landscape Architects must only take credit for work they have performed.

(5) A Registered Landscape Architect must not knowingly misrepresent to clients or the public about the results that can be achieved through the use of the registrant's services, nor state that the Registered Landscape Architect can achieve results by means that violate this code or the law.

(6) Registered Landscape Architects must not reveal information obtained in the course of professional activities which they have been asked to maintain in confidence except when disclosure

(a) Could stop an act which creates a significant risk to the public health, safety or welfare, and could not otherwise be prevented, or

(b) Is necessary in order to comply with applicable laws, orders of a court, or requests or orders of the Board.

(7) A Registered Landscape Architect must perform professional services only when he or she is qualified by education, training, or experience in the specific areas involved.

(8) A Registered Landscape Architect must only sign or seal drawings, specifications, reports, or other professional work for which the Registered Landscape Architect has direct professional knowledge and direct supervisory control.

(9) A Registered Landscape Architect must apply technical knowledge and skills for clients in a manner that meets the standard of technical knowledge and skills applied by Registered

Landscape Architects in good standing practicing in the State of

Oregon.

Stat. Auth.: ORS 671

Stats. Implemented: ORS 671.393

Hist.: LAB 2-1987, f. & ef. 6-1-87; LAB 2-1998, f. & cert. ef. 4-22-98, Renum-

bered from 804-050-0001, LAB 3-2008, f. & cert. ef. 7-7-08

#### **804-050-0015**

##### **Responsibility to the Employer**

(1) A Registered Landscape Architect must be truthful in rep-

resenting personal qualifications, capabilities and experience to the

client, employer, and public.

(2) A Registered Landscape Architect must not take credit for

work performed under the direction of a former employer beyond

the accurate definition of his or her project involvement.

(3) A Registered Landscape Architect must make full disclosure

of all applicable project information to clients, public and other

interested parties who rely on the Registered Landscape Architect's

advice and professional work product.

Stat. Auth.: ORS 671

Stats. Implemented: ORS 671.393

Hist.: LAB 2-1987, f. & ef. 6-1-87; LAB 2-1998, f. & cert. ef. 4-22-98, Renum-

bered from 804-050-0001, LAB 3-2008, f. & cert. ef. 7-7-08