



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

ARIZONA

Arizona Revised Statutes, Title 32, Chapter 1.
Arizona Administrative Code, Title 4, Chapter 30.

Type of Law: Practice/title act. Sunset date: 7/1/2016.

Board of Technical Registration

Consists of nine members appointed by the Governor comprised of two architects, three professional engineers, two of whom are other than civil engineers, one public member, one landscape architect, one geologist or assayer, and one land surveyor. Also regulates home inspectors and remediation specialists. Ten percent of fees/revenues placed in the general fund; remainder in dedicated fund.

Powers: Adopt rules and regulations and code of conduct.

Definitions

Landscape architect: A person who, by reason of professional education or practical experience, or both, is qualified to engage in the practice of landscape architecture as attested by license as a landscape architect.

Landscape architect-in-training: A candidate for license as a professional landscape architect who is a graduate of a school approved by the board or who has had four years or more of education or experience, or both, in landscape architectural work, which meets standards specified by the board. In addition, the candidate must have passed the landscape architect-in-training examination.

Landscape architectural practice: The performance of professional services such as consultations, investigation, reconnaissance, research, planning, design or responsible supervision in connection with the development of land and incidental water 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 of and approaches to buildings, structures, facilities or other improvements, natural drainage and the consideration and the determination of inherent problems of the land relating to erosion, wear and tear, blight or other hazards. This practice shall include the location and arrangement of such tangible objects and features as are incidental and necessary to the purposes outlined in this paragraph but shall not include the making of cadastral surveys or final land plats for official recording or approval, nor mandatorily include planning for governmental subdivisions.

[Bona fide employee: Any person employed by a town, city, county, state or federal agency working under the direction or supervision of a licensee; any person employed by a business entity and working under the direct supervision of a licensee who is also employed by the same business entity; or any person working under the direct supervision of a licensee who receives direct wages from the licensee, receives contract compensation from the licensee or receives direct wages from the project prime professional who has a contract with another licensee and whose work product is the responsibility of the latter licensee.]

[Direct supervision: A licensee's critical examination and evaluation of the bona fide employee's work product, during and after the preparation, for purposes of compliance with applicable laws, codes, ordinances, and regulations pertaining to professional practice.]

Exemptions

Interprofessional practice: Licensees may engage in practice in another category regulated pursuant to the law only to the extent that the person is qualified and to the extent that the work may be necessary and

Note: Bracketed [] material is drawn from regulations.



incidental to the work of the profession on a specific project. This exception does not apply to public works projects.

Exempt persons:

- An officer or employee of the United States, practicing as such.
- An employee of a licensee, or of a person exempt from licensure, if such employment does not involve direct responsibility for design, inspection or supervision.
- A person who provides horticultural consultations or prepares planting plans for plant installations.

Exempt structures:

- Detached single-family dwellings.
- Buildings or structures to be erected on property owned or leased by the unlicensed person or by a person, firm or corporation, including a utility, telephone, mining or railroad company, which employs the unlicensed person on a full-time basis, if the buildings or structures are intended solely for the use of the owner or lessee of the property, are not ordinarily occupied by more than twenty people, are not for sale to, rental to or use by the public and conform to the building code adopted by the city, town or county in which the building is to be erected or altered.

Eligibility Requirements – In-Training Licensure

[Graduation from an LAAB- accredited program or four years of combined education and experience in work directly related to landscape architecture. Must complete the exam designated by the board.]

Fee: [Application, \$40.]

Eligibility Requirements – Initial Licensure

Eight years of active engagement in landscape architectural education or experience, or both (not more than five years of education); and (unless exempt) pass the in-training and professional examinations in the profession.

Fee: [Application, \$100; Initial license and triennial renewal, \$225.]

Eligibility Requirements – Reciprocal Licensure

Licensure in a jurisdiction with substantially similar licensing requirements; certificate of qualification issued by a national bureau for licensing; or active engagement as a professional licensee in another state or country in landscape architecture.

Fee: [Application, \$100; Initial license and triennial renewal, \$225.]

Practice Entities

No firm or corporation may engage in the practice of landscape architecture unless the work is under the full authority and responsible charge of a licensee, who is also a principal of the firm or officer of the corporation. Firms or corporations must identify responsible licensees and file a list of responsible principals or officers, their license numbers and a description of the services the firm or corporation is offering to the public.

Fee: [\$10].

Seal Requirements

Plans, specifications, plats or reports prepared by a licensee or a licensee's bona fide employee shall be issued under the licensee's seal. A seal is not necessary if the document is marked 'preliminary' or 'not for construction'; however, all documents must include a seal if the document is prepared for the purpose of

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dispute resolution, litigation, arbitration or mediation. Seal must include notation of the expiration date of the landscape architect license.]

Enforcement

Board powers: Investigate and impose civil penalties for unlicensed practice. Hear and pass upon complaints or charges or direct an administrative law judge to hear and pass on complaints and charges, compel attendance of witnesses, administer oaths and take testimony. Revoke or suspend a license; impose an administrative penalty of no more than \$2,000 per violation; impose restrictions on the scope of the licensee's professional practice; impose peer review and professional education requirements; impose probation requirements; impose a written reprimand.

Prohibitions/penalties: Licensees may be disciplined for the following: fraud or misrepresentation in obtaining a license; gross negligence, incompetence, bribery or other misconduct in the practice of the profession; aiding or abetting an unlicensed person to evade the law or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person with intent to evade provisions of the law; failing to pay a collaborating professional within seven calendar days; and violating the rules of the board. It is unlawful for a licensee to sign, stamp, or seal any document not prepared by him or her, or his or her bona fide employee.

Prohibitions/penalties for unlicensed practice: Practicing, offering to practice or by any implication holding oneself out as qualified to practice landscape architecture; advertising or displaying any card, sign or other device that may indicate to the public that the person is a licensed landscape architect; assuming the title of "certified," "professional certified," "professional," "registered," "registered professional" or "professional registered" landscape architect; using a license of another, or using an expired or revoked license; presenting false evidence to the board with the intent to obtain a license; or otherwise violating any provision of the law. These acts are punishable as a Class 2 misdemeanor. Empowers the Superior Court to enjoin the practice of an unlicensed person.

Mandatory Continuing Education

The statute gives the Board of Technical Registration the power to require evidence it deems necessary to establish the continuing competency of licensees as a condition of renewal. It has not yet promulgated any rules to establish continuing education requirements for landscape architects.

Last updated February 25, 2015

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