



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

NEW JERSEY

New Jersey Statutes: Title 45:3A
New Jersey Regulations: Chapter 27, Subchapter 8

Type of Law: Practice/Title act.

State Board of Architects

The board is composed of seven architects, two landscape architects, one interior designer, one State executive department member, and four public members. All members are appointed by the governor.

Powers: Adopt all necessary rules and regulations, establish fees, and approve academic programs..

Definitions

Licensed landscape architect: An individual who, by reason of his or her knowledge of natural, physical, mathematical, and social sciences, and the principles and methodology of landscape architecture and landscape architecture design acquired by professional education, practical experience, or both is qualified to engage in the practice of landscape architecture and is licensed by the board as a landscape architect.

Practice of landscape architecture: Any service in which the principles and methodology of landscape architecture are applied in consultation, evaluation, planning, and design, including the preparation and filing of sketches, drawings, plans and specifications for review and approval by governmental agencies, and responsible administration of contracts to the extent that the primary purpose of the contractual services is the preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings and approaches, or environment for structures or other improvements, the grading of land and water forms, natural drainage and determination of related impacts, assessments, and problems of land disturbance including erosion and sedimentation, blight, or other hazards. This practice includes the proposed location and arrangement of those tangible objects and features as are incidental and necessary for any government approval and as may be prescribed by state or local authorities, but does not include the design of structures or facilities ordinarily included in the practice of engineering or architecture and does not include the making of land surveys, or land plats for official approval or recording or other services as set forth in state law.

Responsible charge: means the rendering of regular and effective supervision by a competent landscape architect to those individuals performing services that directly and materially affect the quality and competence of landscape architectural services rendered by the licensee.

Exemptions

Interprofessional practice: The law exempts architects, engineers, surveyors and professional planners, however these professionals may not use the designation landscape architect.

No local policy or action purporting to define, or having the effect of defining, the scope of professional activity of architects, engineers, land surveyors, planners, or licensed landscape architects in the preparation of landscape design plans shall reduce or expand the scope of professional practice recognized by the respective boards that regulate these professions.

Any person preparing landscaping plans for sites where government review or approvals are not required or where government review or approvals do not require the signature and seal of a landscape architect.

Note: Bracketed [] material is drawn from regulations.



Eligibility Requirements – Initial Licensure

Applicants must pass the CLARB written examination. Applicants must have earned a bachelor's or higher degree in landscape architecture from a college or university having a LAAB accredited or board-approved landscape architecture curriculum, and engage in landscape architectural work satisfactory to the committee for four years following completion of educational requirement. Two years of this experience must be full-time work under the supervision of a licensed landscape architect, architect, engineer, or planner.

[Fee: Application, \$125. Initial license, \$160 (prorated to \$80 in second year). Biennial renewal, \$160.]

Eligibility Requirements – Reciprocal Licensure

Licensure in another United States jurisdiction provided the applicant's qualifications meet New Jersey requirements that were in effect at the time of licensure or CLARB certification. Applicants for reciprocity must meet the same standards for education and experience as initial applicants.

[Fee: Application, \$125. Reciprocity Fee, \$75. Initial license, \$160 (prorated to \$80 in second year). Biennial renewal, \$160.]

Eligibility Requirements – Allied Professionals

A New Jersey-licensed architect, professional engineer, land surveyor, or planner may be licensed by the board as a landscape architect if: (1) the licensee meets the educational standards for landscape architect licensure; (2) the licensee has engaged in landscape architectural work of a grade and character satisfactory to the board for a period of not less than four years; and (3) the licensee has passed LARE. The board is authorized to review the content and duration of courses of study offered by colleges and universities for degrees in architecture and engineering and to establish and maintain a register of colleges and universities whose curricula in architecture and engineering are approved by the board as containing sufficient recognized subjects and courses of study in landscape architecture to meet these requirements.

[Fee: Application, \$125. Initial license, \$160 (prorated to \$80 in second year). Biennial renewal, \$160.]

Practice Entities

Requires corporations to obtain a certificate of authorization in order to offer landscape architecture services. It does not apply to professional service corporations. [Unless the entity has a contract relationship with a licensee, the certificate of authorization must designate an officer or full-time employee who is a New Jersey licensee(s) in responsible charge of the landscape architecture activities and decisions of the corporation.] All final drawings, papers or documents involving the practice of landscape architecture, when issued by the corporation or filed for public record, must be signed and sealed by the New Jersey licensee who is in responsible charge of the work. [Entities must file the names, addresses, license numbers and signatures of all officers, board members, directors, principals and any licensees in responsible charge of the practice of landscape architecture through the corporation, along with the percentage of ownership interest in the entity by licensees of the board and closely allied professionals.]

[Fee: Application, \$100. Initial license and biennial renewal, \$500 (prorated to \$250 in second year).]

Seal Requirements

All working drawings and specifications prepared by the landscape architect or under the supervision of the landscape architect must be signed on the original with the personal signature of the licensee. Thereafter, all copies of such drawings and specifications shall be sealed prior to submission to the client with a public agency.

Enforcement

Joint powers: When it appears to the board, the director of the division of consumer affairs or the attorney general that a person has engaged in, or is engaging in any act or practice declared unlawful by the law or

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regulations, or when the board, the director or the attorney general deems it to be in the public interest to inquire whether any such violation may exist, the board or the director through the attorney general, or the attorney general acting independently, may conduct investigations.

Prohibitions/penalties: The board may refuse to admit a person to an examination; refuse to issue a license; or suspend or revoke a license upon proof that the applicant or license has: obtained a license or authorization to sit for an examination, as the case may be, through fraud, deception, or misrepresentation; engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense; engaged in gross negligence, gross malpractice or gross incompetence which damaged or endangered the life, health, welfare, safety or property of any person; engaged in repeated acts of negligence, malpractice or incompetence; engaged in professional misconduct; been convicted of, or engaged in acts constituting, any crime or offense involving moral turpitude or relating adversely to landscape architecture; had a license revoked or suspended by any other state, agency or authority for reasons consistent with New Jersey law; violated or failed to comply with the law or regulations; aided and abetted unlicensed practice; is incapable (for medical or any other good cause) of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare; has repeatedly failed to submit completed applications, or parts of, or documentation submitted in conjunction with such applications required to be filed with the Department of Environmental Protection; has committed insurance fraud; is engaged in drug or alcohol abuse that is likely to impair the ability to practice landscape architecture with reasonable skill and safety; or advertised fraudulently in any manner.

The board may take the following alternative disciplinary actions: issue a letter of warning, reprimand, or censure; assess civil penalties of not more than \$10,000 for the first violation and not more than \$20,000 for a second or subsequent violation; issue cease and desist orders; order the person to restore to any person aggrieved by an unlawful act or practice, any moneys or property, real or personal, acquired by means of such act or practice; provided, the order of restoration may not be in a dollar amount greater than those moneys received by a licensee. The board may petition the court for injunctions of prohibited practices and the court may assess a civil penalty.

Prohibitions/penalties for unlicensed use of the title: Use of the title landscape architect or any other title, sign, card or device which tends to convey the impression that an unlicensed person is a landscape architect is prohibited. [Rules specify many versions of the title (not intended to be an exclusive list) that includes licensed landscape architect, registered landscape architect, and professional landscape architect.

Mandatory Continuing Education

New Jersey requires 24 hours of continuing education for landscape architects as a condition of biennial renewal.

- No carryover permitted
- Suitable programs include any of the subjects tested by the LARE, such as professional practice, design (conceptual site design, planting design, comprehensive site design), communication, or design implementation (grading construction details, layout).

Administration:

- Committee must maintain a list of approved programs or courses
- Licensees are subject to audit by the committee
- Program providers are responsible to submit, at least 60 days prior to offering a course or program, a detailed description of program content and the number of hours of instruction and a summary of each lecturer's qualifications. A sponsor must monitor the attendance at each approved program and furnish to each enrollee a verification of attendance. Sponsors are prohibited from excluding non-members from the program, but are allowed to impose a reasonable differential in fees based upon membership within a group or association.

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- Suitable programs include subjects tested in the LARE, such as professional practice, design (conceptual site design, planting design, comprehensive site design), communication, or design implementation (grading construction details, layout).

Activities:

- Continuing education is defined as professional development activities whose purpose is academic and professional instruction in order to advance the professional knowledge and skill of a landscape architect.
- Seminars, conferences and other programs offered for the purpose of keeping the licensee apprised of advancements and new developments in the profession.
- Graduate coursework relevant to landscape architecture beyond that required for licensure, at college-sponsored programs or at college level (maximum 9 hours/course)
- Courses, programs, or seminars approved by the NJ Department of Environmental Protection that are directly related to landscape architecture.

Recordkeeping: Licensee must certify on a board-specified form that the person has completed the requirement. Licensee has responsibility for maintaining five-year record. Licensee may obtain approval for attendance at a seminar, conference or other program that meets the committee's CE requirements. For approval prior to attendance at a seminar, conference or other program, the licensee must submit a descriptive outline of the program or a description as prepared by the sponsor (including dates and hours) 60 days prior to enrollment. For approval subsequent to attending a seminar, conference or other program, the licensee shall submit to the committee a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours together with written verification of attendance.

Reciprocity: If a licensee submits proof that his/her primary practice is in another state with CE requirements, and that the other state requires review and approval of CE substantially equal to the requirements imposed by New Jersey, then the licensee may satisfy the NJ requirements by demonstrating that he/she has completed the CE requirements in that state.

Exemptions:

- New licensees in the first renewal period
- Authorizes the committee to waive or modify CE requirements on an individual basis for reasons of hardship, such as severe illness or disability which prevents attendance at or completion of CE, or military service or other good cause.

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Site Plan Rule

Regulation 13:27-7 establishes the division of responsibility among design professions in submission of site plans and major subdivision plats (not including informal site plans not required by local ordinances) as follows:

Scope of Practice		Landscape architect	Architect	Engineer	Planner	Land Surveyor	Other Acceptable to Reviewing Body
Depiction of Existing Conditions on a Site Plan	Showing existing conditions & exact location of physical features including metes and bounds, drainage, waterways, specific utility locations, and easements					X	
	Vegetation, general flood plain determination or general location of utilities, buildings, or structures.	X	X	X	X	X	X
Preparation of Site Plan	The location of proposed buildings and their relationship to the site and the immediate environs	X	X	X			
	The locations of drives; parking layout; pedestrian circulation; and means of ingress and egress.	X	X	X			
	Drainage facilities for site plans of 10 acres or more; or involving stormwater detention facilities; or traversed by a water course			X			
	Other drainage facilities		X	X			
	Utility connections and on tract extensions		X	X			
	Off tract utility extensions			X			
	On site sanitary sewage disposal or flow equalization facilities			X			
	Preliminary floor plans and elevation views of buildings illustrating the architectural design of a project		X*	X*			
	Landscaping, signs, lighting, screening or other information not specified above	X	X	X	X	X	X
	The general layout of a conceptual site plan for a multiple building project, showing developmental elements including their relationship to the site and immediate environs	X	X	X	X		
	The grading of land and water forms, natural drainage, and determination of related impacts, assessments, and problems of land disturbance including erosion and sedimentation, blight, or other hazards	X	X	X			
Preparation of a Major Subdivision Plan	The general location of facilities, site improvements and lot layouts	X	X	X	X		
	The design and construction details of all public improvements, including street pavements, curbs, sidewalks, sanitary sewage, storm drainage facilities			X			
	Final subdivision map with metes and bounds					X	

*By an architect, except when the building is part of an engineering or industrial project, floor plans and elevations views may be made by engineer.

Last updated March 10, 2015

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