



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

OKLAHOMA

Oklahoma Statutes: Title 59, Section 46.1, et seq.
Oklahoma Administrative Code: Title 55, Chapter 10

Type of Law: Practice/title act. Sunset date: 7/1/2014.

Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers

The 11-member board is comprised of seven architects, two landscape architects, one registered interior designer and one public member appointed by the Governor. The professional members may be appointed from a list of nominees provided by the respective professional societies. However, membership in a professional society is not a prerequisite to appointment. It is financed through a separate fund.

Powers: Prescribe such rules and to make such orders, as it may deem necessary or expedient in the performance of its duties; prepare, conduct, and grade examinations of persons who shall apply for the issuance of licenses to them, and to promulgate such rules with reference thereto as it may deem proper as a portion used to determine competency for the issuance of licenses; work with nationally recognized licensing organizations to prepare, conduct, and grade examinations, written or oral, of persons who shall apply for the issuance of licenses; determine the satisfactory passing score on examinations and issue licenses to persons who shall have passed examinations, or who shall otherwise be entitled thereto; determine eligibility for licenses and certificates of authority and issue them; promulgate rules to govern the issuing of reciprocal licenses; obtain an office, secure such facilities, and employ, direct, discharge and define the duties and set the salaries of such office personnel and set the salaries of such unclassified and exempt office personnel as deemed necessary by the Board; promulgate rules of conduct governing the practice of licensed architects and landscape architects; keep accurate and complete records of proceedings, and certify the same as may be appropriate; whenever it deems it appropriate, confer with the Attorney General or the Attorney General's assistants in connection with all legal matters and questions. The Board may also retain an attorney who is licensed to practice law in this state. The attorney shall serve at the pleasure of the Board for such compensation as may be provided by the Board. The attorney shall advise the Board and perform legal services for the Board with respect to any matters properly before the Board. In addition to the above, the Board may employ hearing examiners to conduct administrative hearings under the provisions of the Administrative Procedures Act; prescribe by rules, fees to be charged as required by this act; adopt rules providing for a program of continuing education in order to ensure that all licensed landscape architects remain informed of those technical and professional subjects that the Board deems appropriate. The Board may by rule describe the methods by which the requirements of such program may be satisfied. Failure to meet such requirements of continuing education shall result in nonrenewal of the license issued to the architect or landscape architect or nonrenewal of the registration issued to the registered interior designer; adopt rules regarding requirements for intern development as a prerequisite for licensure or registration; give scholarships, as determined by the Board, to an individual or individuals advancing toward obtaining an accredited National Architectural Accreditation Board, Landscape Architectural Accreditation Board or Council for Interior Design Accreditation degree in one of these three professions in an Oklahoma higher education institution; and take such other action as may be reasonably necessary or appropriate to effectuate the State Architectural and Registered Interior Designers Act.

Definitions

Landscape architect: A person licensed to practice landscape architecture.

Landscape architecture: The performance of professional services defined as teaching, consultations, investigations, reconnaissance, research, planning, design, preparation of construction drawings and specifications, and construction observation and the coordination of any elements of technical submissions

Note: Bracketed [] material is drawn from regulations.



prepared by others in connection with the planning and arranging of land and the elements thereon for public and private use and enjoyments, including the design and layout of roadways, service areas, parking areas, walkways, steps, ramps, pools, parks, parkways, trails and recreational areas, the location and site of improvements including buildings and other structures, and the grading of the land, surface and subsoil drainage, erosion control, planting reforestation, and the preservation of the natural landscape, in accordance with accepted professional standards, and to the extent that the dominant purpose of such services or creative works is the preservation, conservation, enhancement, or determination of proper land uses, natural land features, ground cover and plantings, or naturalistic and aesthetic values.

The practice of landscape architecture includes the location and arrangement of such tangible objects and features as are incidental and necessary to the purpose outlined for landscape architecture. The practice of landscape architecture does not include the design of structures or facilities with separate and self contained purposes for habitation or industry, or the design of public streets, highways, utilities, storm and sanitary sewers and sewage treatment facilities, that are statutorily defined as the practice of engineering or architecture.

Intern Landscape Architect: an individual in the process of obtaining credits acceptable to the board in order to complete requirements and is currently testing to pursue licensure as a landscape architect.

Broadly experienced: a person who can demonstrate that the Board's equivalent education, training, and examination standards have been met through a combination of education and comprehensive practice in responsible control in architectural, landscape architecture or interior design experience. This person is currently licensed in the same profession or one of these professions in another jurisdiction for 10 years depending on the amount of education and is in good standing. The person seeking licensure may be required to have a personal interview by the Board and may, at the sole discretion of the Board, issue a license.

Technical submissions: drawings, plans, specifications, studies and any other technical reports or documents which are issued in the course of practicing landscape architecture with the intent that they be considered as formal or final documents but shall not include record drawings. Prototypical plans are not technical submissions.

Responsible control: the amount of direct control and personal supervision of landscape architectural work and detailed knowledge of the content of tactical and technical submissions during their preparation as is ordinarily exercised by licensed landscape architects applying the required professional standard of care. The terms direct control and personal supervision, whether used separately or together, mean active and personal management of the firm's personnel and practice to maintain charge of, and concurrent direction over landscape architecture and the instruments of professional services to which the licensee affixes the seal, signature, and date.

Plans: technical documents issued by the licensed professionals intended to meet all current and applicable codes as adopted by the Uniform Building Code Commission of the State of Oklahoma, other statutory codes and applicable federal codes and which shall be submitted to all required building code and/or permit offices required by the State of Oklahoma, county, municipal and/or federal government.

Exemptions

Interprofessional practice: The law exempts incidental practice of landscape architecture by architects and engineers, defined as less than 10% of the total project cost.

Exempt persons:

- A landscape contractor building or installing what was designed by a landscape architect.

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- An agriculturist, horticulturist, forester, nursery operator, gardener, landscape gardener, garden or lawn caretaker and grader or cultivator of land involved in the selection, placement, planting and maintenance of plant material.
- Persons who act under the supervision of a landscape architect or an employee of a person lawfully engaged in the practice of landscape architecture and who, in either event, does not assume responsible charge of design or supervision.
- Regional planners or urban planners who evaluate and develop land-use plans to provide for community and municipal projections of growth patterns based on demographic needs.
- A landscape designer or contractor whose business is to consult and prepare plans and specifications with respect to choosing types of plants and planning the location thereof and the design of landscapes for those projects or whose work is limited to projects for a single-family residential home. Landscape design or installation work may also be performed by an owner or occupant on the single-family residence of the owner/occupant.
- Persons other than landscape architects who prepare details and shop drawings for use in connection with the execution of their work.
- Builders or their superintendents in the supervision of landscape architectural projects.

These exempt persons may not use the title landscape architect or hold themselves out to practice landscape architecture.

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Eligibility Requirements – Initial Licensure

[Must hold LAAB-accredited degree in landscape architecture or have at least 5 years of education credits (see below), plus three years of diversified acceptable training credits (see below), pass the LARE, OK plant materials exam, and OK law/rules exam. Note that a degree from an LAAB-accredited program satisfies this requirement, regardless of the length of the program. A foreign exam comparable to the LARE may be accepted at the discretion of the board. Training credits must be earned after earning at least 3 education credits. All applicants must earn at least one year of training after earning 5 years of education credit as an employee in the offices of a licensed landscape architect, as a principal with a record of substantial practice, or as an employee of an organization when the experience is related to landscape architecture work and is under the personal supervision of a licensed landscape architect, architect, civil engineer, or credentialed planner (see below for details).

The board has set equivalent education and training standards as follows:

Education Credits – Education programs	Degree	No Degree - first 2 years	No degree - 3+ years	Maximum credit w/o Degree
LAAB Accredited Program	Meets standard	75% credit	100% credit	5 years
Non-Accredited LA program (accredited w/in 2 years of graduation)		75% credit	75% credit	4 years
Foreign BLA program accredited by national body acceptable to OK		75% credit	100% credit	5 years
Any Bachelor Degree				3 years

Education/Training Credits – Experience	First 2 years	3+ years	Maximum credit	Limit?
Diversified experience directly related to landscape architecture as employee in the offices of a licensed landscape architect	50%	50%	5 years	100% training credits allowed; no limit

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Diversified experience, practicing as a principal, with a verified record of substantial practice, directly related to landscape architecture work	50%	50%	5 years	100% training credits allowed; no limit
Diversified experience directly as an employee of an organization (other than the offices of a licensed landscape architect) when the experience is related to landscape architecture work and is under the personal supervision of a licensed landscape architect, architect, civil engineer, or credentialed planner in good standing.	50%	50%	5 years	100% training credits allowed; no limit
Experience as an employee of an organization (other than the offices of a licensed landscape architect) when the experience is in a foreign country or on a military installation and directly related to landscape architectural work but not under direct supervision of a licensed engineer, architect, landscape architect, or credentialed planner in good standing in the US or Canada, but rather a foreign credential entity or the military.	50%	50%	5 years	100% training credits allowed; no limit

Training Credits Only	Training Credits	Limit
Other experience directly related to on-site building construction, maintenance or installation operations	50%	1 year
Non-diversified experience in landscape architecture under the personal supervision of a licensed landscape architect, architect, engineer or credentialed planner in good standing	50%	1 year
Master or Doctoral degree in landscape architecture when it is a second professional degree	100%	1 year
Full-time teaching or research in a LAAB-accredited landscape architect program	100%	1 year

An applicant with an LAAB-accredited degree in landscape architecture or at least 5 years of education credits may be granted licensure if the applicant has accumulated 10 or more years of excess training credits and has passed an examination given by the Board at their discretion.

[Fee: Application, \$100. Initial license and biennial renewal, \$325.]

Eligibility Requirements – Reciprocal Licensure

[Application through submission of a CLARB record or directly through the board showing licensure based on passage of the CLARB written examination in any other state, country or territory whose requirements are at least equivalent to Oklahoma’s and which jurisdiction extends the same privilege of reciprocity to landscape architects in Oklahoma. Applicants must also pass an examination on Oklahoma plant material and an examination on the licensing act and rules. The board may accept a landscape architect who is “broadly experienced,” defined as a person who can demonstrate that the board’s education standards have been met through a combination of education and comprehensive landscape architectural experience. Such individuals must be currently licensed in another jurisdiction (foreign or domestic) and is in good standing.]

[Fee: Application, \$100. Initial license and biennial renewal, \$325.]

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Practice Entities

An individual licensee may practice landscape architecture through a corporation, partnership, firm, association, limited liability company or limited liability partnership and a corporation, partnership or firm may practice landscape architecture through an individual licensee, pursuant to the board's requirements. One or more of the principals of such entities must be a licensee who is designated as being responsible for the landscape architectural activities and decisions of the entity. All personnel of the entity who act in its behalf as landscape architects must be licensees. Such entities must be issued a certificate of authority by the board for each office location performing work on Oklahoma projects. Excludes sole proprietors practicing under the name of the licensee.

[Fee: Application, \$325. Revisions, \$100.]

Seal Requirements

[Any landscape Architect preparing documents that would be considered to fulfill an entire contract with a client being the end point of service, whether or not the plans are complete, shall sign, seal and date those documents. The Licensee may add any words on the documents that he/she/it chooses to indicate an incomplete document and not for construction notice. Landscape architects are permitted to review and adapt portions of technical submissions if: (1) the seal of the original landscape architect appears on the submissions to authenticate authorship; (2) the succeeding landscape architect clearly identifies all modifications to the submissions; (3) the succeeding landscape architect assumes responsibility and liability for the adequacy of the design on the modifications. All Licensees shall affix their seal, signature and date, to all original working drawings, and to the original cover sheet and the page identifying all specification pages covered, including all addenda and field changes. In the absence of sheets or covers identifying all sheets or pages bound, all original contract documents of service must have the seal, date and signature of the Licensee responsible. In addition, the Licensee shall identify on the page or covers of sheets or pages bound, by name and License number the consultants used on the project and the sections the consultants worked on. A landscape architect or entity shall retain a copy of all technical submissions produced for a minimum of 10 years following the date of preparation. Should the submissions be retained by electronic means, all submissions shall be updated into current versions so they are accessible at all times and can be printed out in a legible format.]

Enforcement

Board powers: Upon good cause shown, deny the issuance of a license, registration, certificate of authority or certificate of title or suspend, revoke, refuse to renew or issue probation orders for licenses or registrations, and/or require additional educational course work and determine when the objectives have been met; upon proper showing, reinstate or conditionally reinstate licenses, registrations, certificates of title or certificates of authority previously issued; review, affirm, reverse, vacate or modify its order with respect to any such denial, suspension, revocation, probation and/or educational course work requirements or refusal to renew; prescribe rules governing proceedings for the denial of issuance of a license, registration, certificate of authority or certificate of title, suspension, revocation or refusal to renew, to issue probation orders and/or require additional educational course work and determine when the objectives have been met for cause, and reinstate them; prescribe such penalties, as it may deem proper, to be assessed against holders of licenses, registrations, certificates of authority or certificates of title for the failure to pay the biennial fee; levy civil penalties plus the legal costs incurred by the Board to prosecute the case against any person or entity who shall violate any of the provisions of the State Architectural and Registered Interior Designers Act, or any rule promulgated pursuant thereto; Initiate disciplinary action, prosecute and seek injunctions against any person or entity who has violated any of the provisions of the State Architectural and Registered Interior Designers Act or any rule of the Board promulgated pursuant to said act and against the owner/developer of the building type not exempt; Investigate alleged violations of the State Architectural and Registered Interior Designers Act or of the rules, orders or final decisions of the Board

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Prohibitions/penalties: The board may suspend, revoke or refuse to renew a license or certificate of authority when the holder has: been convicted of a felony; been guilty of fraud; been guilty of gross incompetency or recklessness in the practice of landscape architecture, or of dishonest practices; presents the license of another as his/her own; gives false or forged evidence to the board; conceals information relative to any inquiry, investigation, or violation of the law or rules; or been found to be guilty of a violation of the law or rules of the board. The board may also reprimand, or censure a licensee or place a license on probation.

Prohibits landscape architects from accepting or receiving compensation (directly or indirectly) from any person other than the client in connection with any project in relation to which the landscape architect shall have accepted employment in any manner. Prohibits landscape architects from bidding for a contract for a project for which the landscape architect has prepared construction documents.

[Further grounds for disciplinary action include: violating any other jurisdiction's licensing laws, requirements or rules and regulations; being mentally impaired; failure of a reciprocal licensee to maintain a license in good standing in one additional jurisdiction; loss of CLARB certification for reciprocal license; nonpayment of fees or penalties or failure to complete continuing education requirements or failure to file required documents with the board; unauthorized or misuse of seal which includes sealing, dating and signing any or all documents not prepared under the licensee's responsible control; aiding or abetting unlicensed practice; sealing, signing and/or dating plans and/or specifications not prepared in accordance with the law and rules; falsifying any documents submitted to the board or generated in the practice of architecture or landscape architecture; presenting the license of another as the individual's own; concealing information relative to any violation of the law or rules.]

Violations are a misdemeanor punishable by imprisonment in county jail not to exceed one year, or by a fine of not more than \$1,000 or both. Each day of continued violation is deemed to be a separate offense. Violators may be liable for a civil penalty of not more than \$100 for each day that the violation continues. The maximum civil penalty may not exceed \$10,000 for any related series of violations. Legal costs may also be assessed.

Prohibitions/penalties for unlicensed practice: It is unlawful for an unlicensed person to practice landscape architecture or use the title landscape architect on any sign, title, card or device to indicate that he or she is practicing landscape architecture or is a landscape architect. Violations are a misdemeanor punishable by imprisonment in county jail not to exceed one year, or by a fine of not more than \$1,000 or both. Each day of continued violation is deemed to be a separate offense. Violators may be liable for a civil penalty of not more than \$100 for each day that the violation continues. The maximum civil penalty may not exceed \$10,000 for any related series of violations.

Mandatory Continuing Education

Oklahoma requires landscape architects to complete 24 continuing education units (CEUs) for each biennial renewal period.

- One CEU = one contact hour, which means one clock hour of at least 50 minutes
- Licensees may carry over no more than 4 CEUs to the next reporting period
- All courses must include technical and practical applications that impact the public health, safety, and welfare, plus also maintain, improve, expand, or enhance the quality of existing technical knowledge, fill voids that may exist in professional education and training, or develop new and relevant technical profession skills and knowledge
- Acceptable subject matter is limited to: study of codes including safety codes, and laws and regulations governing the practice of landscape architecture; environmental issues; design proficiency; study within planning, engineering, horticulture, construction contracting and related disciplines; legal aspects of contracts, documents, insurance, bonds, project administration, etc;

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specialization in areas of concentration; construction documents and sources; project administration; professional ethics; safety guidelines (playgrounds, trails, etc.); herbicide and pesticide use; ADA guidelines; irrigation system design; grading and drainage.

Administration:

- Requires the board to perform audits, determine if courses address health, safety and welfare, and discipline licensees
- The board's staff must review each affidavit for completeness

Activities:

- All courses sponsored by ASLA, CLARB, AIA and NCARB are deemed to qualify for CE if they meet the requirements of the state rules and the intent of the board
- Courses must provide individual participant documentation for recordkeeping and reporting
- Attending in-house programs sponsored by corporations or other organizations
- Successfully completing seminars, tutorials, short courses, correspondence courses, televised courses or videotaped courses
- Attending or making professional or technical presentations at meetings, conventions or conferences
- Teaching or instructing a qualified presentation, approved by the board (2 CEUs per hour in classroom for teaching a course or seminar). Teaching credit may be claimed by full-time faculty at a college or other educational institution for the initial presentation only and must be related to health safety, welfare issues only.
- Authoring a published paper, article (not newspaper), writing a CEU course or a book (24 CEUs)
- Successfully completing one college semester hour of credit (12 CEUs)

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Recordkeeping: Licensees must submit an affidavit that the CE requirements have been fulfilled with the biennial renewal application. Licensees must maintain a log showing activity claimed, sponsoring organization, location, duration, etc. signed by the sponsor. Licensees must maintain copies of attendance certificates, signed attendance receipts, and the sponsor's list of attendees (signed by a person in responsible charge of the activity). Records must be retained for four years following the filing of an application for license renewal.

Reciprocity: Licensees by reciprocity are exempt from the CE requirements if the licensee's resident state's CE requirements are equal to, or exceed, the requirements of Oklahoma. The licensee must certify to the board that the OK standards have been met and provide substantiation when audited.

Exemptions:

- New licensees in the first renewal period if it is less than two years from the original date of licensure
- Licensees with emeritus status
- Licensees called to active duty in the U.S. Armed Forces are exempt from obtaining the CEUs required during that fiscal year
- Licensees experiencing physical disability, illness or other extenuating circumstances may request exemption from board

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