



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

RHODE ISLAND

General laws of Rhode Island: Title 5, Chapter 5-51 and Chapter 5-84
Rules of the Board (non-codified)

Type of Law: Practice/title act.

Board of Examiners of Landscape Architects

A seven member board comprised of four landscape architects and one public member. While the remaining two positions are not specified, the Board Chair indicates that they are reserved exclusively for landscape architects, but as Rhode Island is such a small state, there may not always be five licensees available to serve on the board. Board is subject to supervision by the Department of Business Regulation.

Powers: Adopt any necessary regulations and bylaws, subject to the approval of the Director.

Definitions

Landscape architect: A person who engages or offers to engage in the practice of landscape architecture.

Landscape architecture: Planning and designing the use, allocation, and arrangement of land and water resources, through the creative application of biological, physical, mathematical, and social processes. Insofar as these services involve safeguarding life, health or property, and include any other professional services that may be necessary to the planning, progress, and completion of any landscape architectural services, these services may include, but not be limited to, the following: consultation, research, analysis and assessment, selection, and allocation of land and water resources; formulation of graphic and written criteria to govern the planning and design of land construction development programs including: the preparation, review and analysis of master and site plans; reconnaissance, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation; design coordination and review of technical plans and construction documents prepared by other professionals working under the direction of a landscape architect; land preservation, restoration, conservation, reclamation, rehabilitation, management and development; feasibility studies and site selection for developments; integration, site analysis and determination of settings for grounds and locations of buildings, structures, transportation systems, and environmental systems; analysis and design of grading and drainage, stormwater management, irrigation systems for erosion and sediment controls, planting plans, lighting, and ground cover; and feasibility studies, cost estimates and reports for development.

Landscape architecture does not mean nor extend to the preparation of decorative planting plans. Decorative planting plans means and refers to planning and designing intended exclusively for the decoration of residential structures or settings which contain no greater than two dwelling units as defined and which involves the use and arrangement of trees, shrubs, plants, ground cover, and/or flowers for aesthetic and decorative purposes only, but specifically does not include the following: plans or designs which create the layout of grading, vehicular paving, drainage, stormwater management, irrigation, erosion control, retaining walls, decks, gazebos, pools, or any similar structures; and/or plans or designs intended or used at any time or in any manner for or in furtherance of the purpose of obtaining federal, state, or local building, construction, or related permits or like authorizations; and/or plans or designs relating to federal, state, or local public works or public projects, or otherwise relating to property which is not privately owned.

Exemptions

Interprofessional practice: The law is not to be construed to prohibit or restrict the practice of architects, professional engineers, or land surveyors in the performance of their business or profession as distinct from the profession of landscape architecture..

Note: Bracketed [] material is drawn from regulations.



Exempt persons:

- Employees of the United States doing work in Rhode Island for the United States government.
- State, city, town, or regional planners.
- Private consultants engaging in the practice of professional planning.
- Employees of public agencies.
- Landscape gardeners, or nursery workers in the performance of their business or profession as distinct from the profession of landscape architecture.

Eligibility Requirements – Initial Licensure

Passage of [the LARE plus the supplemental exam appropriate to the practice of landscape architecture in Rhode Island.] In order to qualify for the examination, the applicant must have graduated from an approved college or school of landscape architecture. In addition to the education requirement, an applicant must have a minimum of two years' experience in landscape architectural work under the direct supervision of a landscape architect; or one year's experience in landscape architectural work under the direct supervision of a landscape architect and one year's experience in satisfactory related work under the direct supervision of an architect, engineer, or land surveyor. In lieu of the education requirement, an applicant must have at least six years of satisfactory practical experience in landscape architectural work. Credit may be given for approved college education at the discretion of the board.

[Fee: Initial license, \$30. Biennial renewal, \$80.]

Eligibility Requirements – Reciprocal Licensure

Licensure in another jurisdiction, provided that the jurisdiction grants equal reciprocity rights to Rhode Island landscape architects and has at least equal standards, and provided that the applicant's license is based on comparable written examinations and that his or her qualifications meet all of the requirements of law based on verified evidence satisfactory to the board.

[Fee: Application and initial license, \$150. Biennial renewal, \$80.]

Practice Entities

The practice or offer to practice landscape architecture by a corporation, partnership or sole proprietorship through one or more licenses is permitted provided that one or more licensees are in direct control of the practice and exercise personal supervision of all personnel who act on behalf of the firm in professional and technical matters. Such entities must obtain a certificate of authorization from the board.

[Fee: Application, \$50. Biennial renewal, \$100.]

Seal Requirements

A licensee must stamp with the official seal all final drawings, plans, specifications, reports, and other contract documents, prepared by him or her, or under his or her supervision. Firms consisting of more than one licensed landscape architect may use a single seal identifying a principal corporate officer or partner as being personally responsible for the professional services provided.

Enforcement

Board/Department powers: Establish complaint procedures, hold hearings and compel testimony of witnesses; revoke, suspend, or take other permitted action with respect to any license; impose administrative fines of up to \$1,000 per violation; censure licensees publicly or in writing; limit licensees' scope of practice;

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place licensees on probation; or order reimbursement to the Board of all fees, expenses, costs, and attorneys fees in connection with the proceedings.

Prohibitions/penalties: Licensees may be disciplined for any one or more of the following causes: bribery, fraud, deceit, or misrepresentation in obtaining a license or certificate of authorization; practicing landscape architecture in another jurisdiction in violation of the laws of that jurisdiction; practicing landscape architecture in violation of the standards of professional conduct established by the board; fraud, deceit, recklessness, gross negligence, misconduct, or incompetence in the practice of landscape architecture; misuse of a landscape architect's stamp; violation of any of the provisions of the law; suspension or revocation of the right to practice landscape architecture in another jurisdiction; conviction of or pleading guilty or no contest to any felony or to any crime of, or an act constituting a crime of, forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, or any other similar offense or offenses involving moral turpitude, in the courts of Rhode Island, any other state or the federal government; failure to furnish to the board or any person acting on behalf of the board in a reasonable time the information that may be legally requested by the board; in conjunction with any previously stated violation, any conduct reflecting adversely upon the licensee's fitness to engage in the practice of landscape architecture or discreditable to the landscape architectural profession.

Prohibitions/penalties for unlicensed practice: It is unlawful for an unlicensed person to engage in the practice of landscape architecture or use the title landscape architect or display or use any words, letters, figures, title, signs, seal, advertisement, or other device to indicate that the person practices or offers to practice landscape architecture or may represent himself or herself as a practitioner of landscape architecture.

Individuals or entities may be disciplined if they violate the provisions above or do any of the following: present or attempt to use the license or certificate of authorization of another; give any false or forged evidence of any kind to the board or to any member thereof in obtaining or attempting to obtain a license or certificate of authorization; falsely impersonate any other licensee whether of a like or different name; use or attempt to use an expired, revoked, or nonexistent license or certificate of authorization; or falsely claim to be licensed. Violations are punishable by a civil penalty of up to \$1,000 for the first offense, and \$2,000 for each subsequent offense. The Division of Design Professionals is authorized to order a fine of up to \$2,500 for each offense for unlicensed activity. The court may order violators to reimburse the board for any and all fees, expenses, and costs incurred in connection with the proceedings, including attorneys' fees. The board has the power to institute injunction proceedings in superior court to prevent violations of these provisions.

Mandatory Continuing Education

Licensing statute authorizes the board to promulgate rules for continuing education requirements, but the board has not yet established any requirements.

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