

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

Title of Rule: Rules and Regulations for Landscape Architects

Rule Identifier: 420-RICR-00-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: February 17, 2023

End of Public Comment: March 19, 2023

Rulemaking Authority:

R.I. Gen. Laws § 5-51-2

R.I. Gen. Laws § 5-51-9

Summary of Rulemaking Action:

The Department is proposing this amendment to make the licensing process conform with a new streamlined national uniform application. The Council of Landscape Architectural Registration Boards (CLARB) started a Uniform Application project two (2) years ago to try to provide more consistency in the information that was being delivered to the jurisdictions, to try to streamline information and to identify information that was not being required by the jurisdictions for the licensure process. One of those items identified was the general references requirement. As a result, as of October 8, 2021, CLARB no longer collects general references. However, CLARB does collect the required employment verifications from registered landscape architects and other allied professionals.

The Board of Examiners for Landscape Architects ("Board") considered these national changes and agreed to remove the regulatory requirement for these general references, finding that their value was minimal compared to the information provided by registered design professionals who were verifying the applicants statutorily required experience.

In addition, upon reviewing the regulation the Board proposed a few additional clean up amendments.

§ 1.1 – Remove reference to § 42-14-17, which is a general statutory reference to the Director's regulation making authority. This reference is redundant when included with §§ 5-51-2 and 5-51-9 which together outline the Director's specific authority related to LA professions.

§ 1.4(D) –Simplify the phrasing of the defined term for ease of understanding.

§ 1.6(A)(3)(a) through (c) – Add headings to clarify the three main requirements for licensure: (1) Exam completion, (2) Education, and (3) Experience. Delete requirement in subparagraph (a) for general references consistent with changes by CLARB to the national licensing process.

§ 1.6(A)(4) – Deleted procedure not used by the Board.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until March 19, 2023 by contacting the appropriate party at the address listed below:

Joshua Nault

Board of Examiners of Landscape Architects

1511 Pontiac Ave, Bldg. 68-2

Cranston, RI 02920
joshua.nault@dbr.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

Benefits: These amendments simplify and modernize some phrases in the regulation and add some headings to make it easier to read and understand, and so it is more user-friendly.

In addition, the proposed amendments bring the requirements into conformance with CLARB requirements which no longer include “general references” as part of the CLARB Record. The CLARB Record contains the applicant’s verified test scores, transcripts, and employment history. It serves as the substance of the Department’s application, providing the substantive information and documentation required to determine whether the applicant is eligible for licensure. While the CLARB Record previously included general references, that practice ended in 2021. Currently, after receipt of an application, Department staff must monitor the mail and email for any reference forms that trickle in and match them to the application, scan them into the file and save the records. This has become a slow and tedious process.

The Department and the Board agree that removing the general references requirement will streamline, shorten and simplify the application process for applicants who will no longer be required to separately submit the general reference forms to the Department outside of their CLARB record. This change in procedure will shorten the timeline for an application to be deemed complete because staff will no longer have to wait to review the application after collecting the separate reference forms. With this change, upon submission of the Department’s online application, the applicant will be directed to send their CLARB Record to the Department and the application will be complete and ready for review by staff and the Board.

Costs: No costs are expected to occur because of these amendments.

Any small business impacts made by these amendments will be positive.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.