

420-RICR-00-00-1

TITLE 420 – BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

CHAPTER 00 – LANDSCAPE ARCHITECTS

SUBCHAPTER 00 – N/A

PART 1 – RULES AND REGULATIONS FOR LANDSCAPE ARCHITECTS

1.1 Authority

- A. This regulation is promulgated in accordance with R.I. Gen. Laws §§ 5-51-2 and 5-51-9 by the Rhode Island Board of Examiners of Landscape Architects with the approval of the Director of the Department of Business Regulation.

1.2 Scope

- A. This regulation applies to the licensing and regulation of the practice of landscape architecture in Rhode Island.

1.3 Purpose

- A. The purpose of this regulation is to describe the practices and procedures of the Board and to set forth the rules promulgated to enforce R.I. Gen. Laws Chapter 5-51 for the regulation of the practice of landscape architecture within the state.

1.4 Definitions

- A. In addition to the terms defined in R.I. Gen. Laws § 5-51-1, for this Part, the following terms shall have the following meanings:
 - 1. “Allied professional” means an individual professional registered in any United States jurisdiction as an architect, professional engineer or professional land surveyor.
 - 2. “ASLA” means the American Society of Landscape Architects.
 - 3. “BLA” means a bachelor’s degree in landscape architecture.
 - 4. “Board” is defined in R.I. Gen. Laws § 5-51-1.
 - 5. “Certificate of Registration” or “License” means the landscape architecture license and/or registration issued by the Board.
 - 6. “CLARB” means the Council of Landscape Architectural Registration Boards.

7. "CLARB council record" or "CLARB record" means a verified history of your education, experience, examination, licensure history and professional references to be used to apply for examination, licensure and certification.
8. "CLARB certification" means the industry-recognized distinction that signifies that a landscape architect has met the professional standards established by CLARB and carries CLARB's recommendation that the individual be granted licensure without further review. CLARB Certification indicates that an applicant's qualifications are equivalent to one of the pathways in the CLARB Uniform Licensure Standard.
9. "COA" means the Certificate of Authorization for a Firm.
10. "College or school of landscape architecture approved by the board" means any landscape architecture degree program at the bachelor's or master's levels accredited by:
 - a. The Landscape Architectural Accreditation Board ("LAAB") for schools in the United States;
 - b. The Canadian Society of Landscape Architects' Landscape Architectural Accreditation Council ("LAAC"); or
 - c. Another landscape architecture degree program acceptable to the board and/or approved by another accrediting body or recognized as international equivalent degree.
11. "Department" means the Rhode Island Department of Business Regulation.
12. "Direct control and personal supervision" means the supervision of, knowledge of and acceptance of responsibility for another's landscape architecture work by a registered Landscape Architect, in which the supervisor is directly involved in all practice-related judgements affecting public health, safety and welfare.
13. "Director" means the Director of the Rhode Island Department of Business Regulation or their designee.
14. "Firm" means a sole proprietorship, partnership, limited liability partnership, corporation, or limited liability company that practices or offers to practice landscape architecture as described by R.I. Gen. Laws § 5-51-13.
15. "International Equivalent Degree" means a landscape architecture degree recognized by LAAB, CLARB, the International Federation of Landscape Architects (IFLA), or other accrediting body approved by the Board as

substantially equivalent to the LAAB's Standard 3 (Professional Curriculum).

16. "Jurisdiction" means any state, commonwealth, the District of Columbia or other insular territories of the United States, and Canadian provinces and territories.
17. "L.A.R.E." means the Landscape Architecture Registration Examination prepared and administered by CLARB.
18. "Landscape architect" is defined in R.I. Gen. Laws § 5-51-1(3).
19. "Landscape architecture" is defined in R.I. Gen. Laws § 5-51-1(4).
20. "MLA" means a master's degree in landscape architecture.
21. "Registrant" means any person holding a certificate of registration or license issued by the Board pursuant to R.I. Gen. Laws Chapter 5-51.
22. "Responsible charge" means a registered Landscape Architect who exerts direct control and personal supervision over all activities associated with and defined as landscape architecture. A landscape architect in responsible charge must exert and have authority to supervise all such regulated activities by any firm with whom he or she is employed.
23. "Seal" means an embossed circular seal or rubber stamp of a design and size approved by the Board. It shall contain the name of the landscape architect, the registration number, the word "Registered" above the State's emblem, and the words "Landscape Architect" below the registration number.
24. "UNE" means the Uniform National Examination previously prepared and distributed by CLARB.

1.5 Board Meetings

- A. The Board shall hold at least three (3) meetings per year.

1.6 Individual Registrations – Application, Renewal and Reinstatement

- A. Application for Individual Registration
 1. General Examination Procedures:
 - a. The examination shall be the L.A.R.E prepared and administered by CLARB.

- b. The Board may administer a supplemental state exam if approved by the Director of the Department of Business Regulation.

- (1) The Board shall, in its discretion, determine the content and grading standards for any supplemental state exam approved by the Director.

2. Application Procedures:

- a. Apply to CLARB to take the L.A.R.E.
- b. Upon passing the L.A.R.E. and completing the required years of experience for the applicant's education as set forth in § 1.6(A)(3)(a) of this Part, the applicant shall submit a complete application to the Board along with a CLARB Record (documenting L.A.R.E. scores, education and experience) as required by R.I. Gen. Laws §§ 5-51-4 & 5-51-6 and § 1.6(A)(3) of this Part, and any applicable fees.
- c. Incomplete applications received by the Board will remain valid for two (2) years from the date of receipt. Thereafter, the applicant must submit a new application and the required application fee.
- d. If a new application is approved after renewal notices have been issued, then that applicant's registration shall be valid through the next registration period.

3. Requirements for Registration as a Landscape Architect

- a. Rhode Island has adopted the CLARB Uniform Licensure Standard (approved by the CLARB member boards in 2022), which falls within the statutory requirements for licensure set forth in R.I. Gen. Laws § 5-51-4. An applicant shall meet all the Education, Experience and Exam requirements in one of the following categories to be eligible for Landscape Architecture registration in this state:

Category	Education	Experience	Exam
Category 1	LAAB or LAAC Accredited BLA or MLA degree or an International Equivalent Degree	2 years	Proof of passing the L.A.R.E.

Category 2	Non-accredited BLA degree	4 years	Proof of passing the L.A.R.E.
Category 3	2-year Non-Accredited MLA OR 2-year Certificate of LA OR Other Bachelors Degree (including allied professional degrees)	6 years	Proof of passing the L.A.R.E.
Category 4	2-year Associate Degree OR 2-year Certificate	7 years	Proof of passing the L.A.R.E.
Category 5	No degree or certificate	8 years	Proof of passing the L.A.R.E.

4. Education Requirements

- a. Any degree determined to be an International Equivalent Degree may be considered equivalent to an LAAB/LAAC accredited degree and shall be eligible for registration under Category 1 in § 1.6(A)(3)(a) of this Part.
- b. Applicants with multiple degrees may not combine degrees to reduce the amount of experience required.

5. Experience Requirements:

- a. An applicant must demonstrate a minimum of 50% of the experience under the direct supervision of a registered landscape architect and of a grade and character satisfactory to the board.
- b. The remaining work experience may be completed under the direct supervision of a registered landscape architect or maybe comprised of related work supervised by a registered “allied professional” as defined in R.I. Gen. Laws § 5-51-4(a)(2).

- c. Years of experience may be calculated based upon a full-time, (minimum 35 hours/week) work week. The maximum experience credit an applicant can earn in a calendar year is 2,080 hours (40 per week over 52 weeks). Experience gained from part-time work performed on a regular basis with a minimum of ten (10) hours per week shall be accepted if the total hours are equal to the full-time employment requirement, which is a minimum of 35 hours per week over 50 weeks totaling at least 1750 hours for each year of experience required for that licensing category. Experience should be documented based on the average hours worked per week.
- d. To show evidence of required landscape architectural experience, or experience under an allied professional, the applicant shall present documentation through a CLARB Record or on the form(s) provided by the Board. The supervising landscape architect in responsible charge or allied professional in responsible charge shall verify the documentation of experience.
 - (1) Landscape Architecture experience that occurred outside of the US and Canada may be considered if is verified by a landscape architect who is legally recognized to practice by a governmental agency or a credentialing body in the jurisdiction where the experience was gained or if the verifying landscape architect holds a credential from a credentialing body approved by CLARB.
- e. Experience in the practice of landscape architecture of a grade and character satisfactory to the Board should include, but not be limited to, work in the following domains to ensure the competency necessary to protect the public and the environment:
 - (1) Inventory analysis and Project Management: includes project management, inventory and data collection, stakeholder engagement process, physical analysis, and contextual analysis;
 - (2) Planning and Design: Stewardship and design principles, master planning, schematic design, design development;
 - (3) Construction Documentation and Administration: includes construction plans and details, construction specifications and bidding, and construction administration;
 - (4) Grading, Drainage, and Stormwater Management: includes stormwater management, grading and earthwork, and drainage systems.

B. Application for Individual Registration by Reciprocity

1. Any applicant for reciprocal registration that has a CLARB Certification shall be eligible for registration in Rhode Island pursuant to R.I. Gen. Laws § 5-51-7.
2. Applicants who do not have a CLARB Certification, shall meet the requirements of R.I. Gen. Laws § 5-51-4 and be eligible for registration under one of the categories set forth above in § 1.6(A)(3)(a) of this Part.
3. All applicants for reciprocal registration shall submit a complete application as instructed by the Board, along with a CLARB Record (documenting L.A.R.E. scores, education and experience), pay the applicable fees, provide evidence that they have passed the L.A.R.E (including the year of passage) and that their licenses/registrations are in good standing in the jurisdictions in which they are licensed.
4. The Board, with the approval of the Director, may require all applicants applying for reciprocity to pass such supplemental examination to the L.A.R.E. or to provide such additional documentation as is deemed appropriate to the practice of landscape architecture in Rhode Island.
5. Self-verification of experience for reciprocity registration.
 - a. If an applicant for reciprocity registration is unable to verify experience under the direct supervision of a registered landscape architect or allied professional, the applicant may self-verify experience, at the Board's discretion, if they meet all the following requirements:
 - (1) The applicant has been registered as a landscape architect in a US or Canadian jurisdiction and has at least eight (8) years of diversified experience;
 - (2) The applicant is in good standing in all jurisdictions in which they are licensed/registered; and
 - (3) The Applicant submits a signed statement, as directed by the Board, which includes:
 - (AA) The name and license number (if known) of the supervisor;
 - (BB) A detailed description of the work experience that they are unable to have the supervisor verify;
 - (CC) A detailed explanation of why the supervisor is unable or unwilling to verify their experience, including but not limited to: the death or incapacity of the prior supervisor, closure of prior business, refusal of former

supervisor to complete the verification form, or other such cause; and

(DD) If requested by the Board, reference letters and work samples.

C. Renewal of Individual Registration

1. One renewal notice shall be sent to each registered landscape architect no less than 30 days before June 30 of the expiration year.
2. A penalty fee shall be charged for renewal fees received after June 30 of the expiration year. All fees are listed in § 1.13 of this Part.
3. It is the responsibility of each registered landscape architect to notify the Board in writing of any change in name, mailing address, email address or phone number.
4. Each registered landscape architect shall disclose to the Board the name of all firms for which they served as the Rhode Island registered landscape architect in responsible charge since the last renewal period.

D. Reinstatement of Expired Individual Registration

1. A prior registrant whose registration has expired may be reinstated at the discretion of the Board.
2. The Board may request a brief outline of professional activities performed for Rhode Island projects during the lapsed period.
3. A reinstated registrant shall pay the penalty fee, the annual renewal fee for each year the registration was expired, and the renewal fee for the current year.
4. A prior registrant whose registration has expired for five (5) years or more shall reapply for registration.

E. Use of Title "Landscape Architect"

1. In addition, to the requirements set forth in R.I. Gen. Laws § 5-51-3, the Board authorizes the use of the acronyms LA, RLA (Registered LA) or PLA (Professional LA) after an individual's name to indicate that a person is registered to practice in Rhode Island, recognizing that the terminology varies from state to state.

1.7 Firm Registrations - Certificates of Authorization (COA)

- A. Any firm that intends to practice or offer to practice landscape architecture within the State of Rhode Island shall obtain a COA prior to practicing or offering to practice landscape architecture in this State.
- B. COA Initial Application Procedures:
 - 1. Every firm applying for a COA shall file a written application with the Board. This application must include:
 - a. A designation of one or more landscape architect(s) registered in the State of Rhode Island as being in responsible charge of all landscape architecture work. The failure to so designate a landscape architect shall result in denial of the application; and
 - b. The COA application fee. This fee shall be waived for firms consisting of one person.
 - 2. COAs are not automatically granted to all registered Landscape Architects. To get a COA, a firm must submit a separate and distinct COA application to the Board.
 - 3. The Board shall not approve any application for a COA where the landscape architect in responsible charge is hired by the applicant as a subcontractor or independent contractor.
 - 4. Once issued, a COA shall remain valid for the period specified unless otherwise suspended or revoked. It is the responsibility of the firm to notify the Board when a landscape architect designated as being in responsible charge is no longer serving in that capacity. A COA for a firm without a designated landscape architect in responsible charge is no longer valid.
- C. Renewal of COA
 - 1. One renewal notice shall be sent to each registered firm no less than 30 days before June 30 of the expiration year.
 - 2. A penalty fee shall be charged for renewal fees received after June 30 of the expiration year. All fees are listed in § 1.13 of this Part.
 - 3. It is the responsibility of each firm to notify the Board in writing of any change in name, mailing address, email address, phone number, or person in responsible charge.
- D. Reinstatement of Expired COA

1. A reinstated COA shall pay the penalty fee, the annual renewal fee for each year the registration was expired, and the renewal fee for the current year.
2. A prior registrant whose COA has expired for five (5) years or more shall reapply for registration.

1.8 Reporting Disciplinary Actions and Criminal Records

- A. All registrants, individuals and firms, disciplined by any governmental agency in connection with any occupational license, or who is convicted of or pleads guilty or nolo contendere to any felony or misdemeanor, shall file with the Department a written report of such disciplinary action or conviction within sixty (60) days of the final judgment or final order in the matter. Failure to do so shall be considered grounds for revocation of the registration or COA.

1.9 Use of Seal or Stamp

- A. For the purpose of signing drawings, plans, specifications, reports and other contract documents, each registered landscape architect shall have an individual seal or stamp as described in definitions.
- B. The seal/stamp shall be applied to the document and signed and dated by the registered landscape architect. The stamp or seal may be electronic. The stamp shall bear an original or an electronic signature.
- C. No landscape designs, specifications or other landscape documents submitted to a federal, state or municipal agency for permit or authorization shall be submitted without the seal or stamp of the R.I. registered landscape architect in responsible charge of the work.

1.10 Hearings, Administrative Procedures, and Access to Public Records

- A. All disciplinary matters and hearings shall be conducted pursuant to R.I. Gen. Laws § 5-51-17.1, the Department's Rules of Procedure for Administrative Hearings, [230-RICR-10-00-2](#), and in accordance with the Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35. Complaints shall be handled pursuant to [230-RICR-10-00-2.4](#). Where necessary, the Director of the Department shall appoint a Hearing Officer pursuant to R.I. Gen. Laws § 42-6-8.
- B. Requests for declaratory rulings and petitions for rulemaking shall be handled pursuant to the Department's regulation for Declaratory Rulings and Petitions, [230-RICR-10-00-3](#), and in accordance with the Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

- C. Requests for records pursuant to the Access to Public Records Act shall be handled pursuant to the Department's regulation for Access to Public Records, [230-RICR-10-00-1](#) and the Access to Public Records Act, R.I. Gen. Laws Chapter 38-2.

1.11 Unlawful Practice

- A. As set forth in R.I. Gen. Laws Chapter 5-51, no person or firm shall represent himself/herself/itself as a practitioner of landscape architecture, or engage in the practice of landscape architecture, or offer to practice landscape architecture or use or employ any title, sign, card, or device implying that such person or firm is practicing or is authorized to practice landscape architecture in this State, without holding a certificate of registration issued by the Board.
- B. Any person who violates the provisions of R.I. Gen. Laws Chapter 5-51 shall, upon finding of a violation be subject to penalty as set forth in R.I. Gen. Laws §§ 5-51-16 and 5-84-5.
- C. The Board shall investigate any alleged violation of R.I. Gen. Laws Chapter 5-51.

1.12 Standards of Professional Practice

- A. Competence:
 - 1. In practicing landscape architecture, a landscape architect shall act with reasonable care and competence and shall apply the technical knowledge and skill which is ordinarily applied by landscape architects of good standing, practicing in the same locality.
 - 2. In designing a project, a landscape architect shall consider all applicable state and municipal laws and regulations. While a landscape architect may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the meaning and intent of such regulations, once having obtained such advice, a landscape architect shall not knowingly design a project in violation of such laws and regulations.
 - 3. A landscape architect shall undertake to perform professional services only when he or she, together with those whom the landscape architect may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.
- B. Conflict of Interest:
 - 1. A landscape architect or firm shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to and agreed by all interested parties.

2. If a landscape architect or firm has any business association or direct or indirect financial interest which is substantial enough to influence their judgment in connection with their performance of professional services, the landscape architect shall fully disclose their client or employer the nature of the business association or financial interest, and if the client or employer objects to such association or financial interest, the landscape architect shall either terminate such association or interest or offer to give up the commission or employment.
3. A landscape architect or firm shall not solicit or accept compensation from any material supplier, equipment supplier or contractor in return for specifying or endorsing their products or services unless the circumstances are fully disclosed to and agreed to by all interested parties.
4. When acting as the interpreter of construction or service contract documents and the judge of contract performance, a landscape architect or firm shall render decisions impartially, favoring neither party to the contract.

C. Full Disclosure:

1. A landscape architect or firm shall fully and accurately represent to a prospective or existing client or employer all qualifications and the scope of responsibility in connection with work for which credit is claimed.

D. Professional Conduct

1. No firm shall practice or offer to practice the profession of landscape architecture in Rhode Island unless there is a Rhode Island Registered Landscape Architect in responsible charge of such services in each office or each separate office in which such services are performed or offered to be performed and said Rhode Island Registered Landscape Architect is listed on that firms' Certificate of Authorization, in accordance with R.I. Gen. Laws § 5-51-13.
2. The Landscape Architect in responsible charge shall be able to clearly define the scope and degree of their direct control and personal supervision, explain how it was exercised, and demonstrate responsibility for the work for which the landscape architect has signed and sealed. The Landscape Architect in responsible charge shall exercise the necessary degree of direct control over work, including:
 - a. Having control over the decisions on technical matters of policy and design;

- b. Exercising professional judgment in all professional matters that are embodied in the work, and the drawings, specifications, or other documents involved in the work;
 - c. Exercising critical examination and evaluation of the firm's work product, during and after preparation, for purposes of compliance with applicable laws, codes, ordinances, regulations and usual and customary standards of care pertaining to the practice of landscape architecture;
 - d. Making professional decisions (made personally or by others over which he/she exercises direct control and personal supervision), or reviewing and approving proposed decisions prior to their implementation, including consideration of alternatives, whenever professional decisions are made that could affect the health, safety and welfare of the public; and
 - e. Determining the validity and applicability of recommendations prior to their incorporation into the work, including the qualifications of those making the recommendations.
- 3. The professional decisions that must be made by and are the responsibility of the Landscape Architect in responsible charge are those decisions concerning permanent or temporary work that could affect the health, safety and welfare of the public, and may include, but are not limited to, the following:
 - a. The selection of alternatives to be investigated and the comparison of alternatives for designed work; and
 - b. The selection or development of design standards and materials to be used.
- 4. The Landscape Architect in responsible charge shall be required to stamp all drawings, reports, documents, specifications, or other submissions which are required to be so signed or identified. The Landscape Architect in responsible charge shall also be held professionally accountable for the accuracy and correctness of any such documents submitted, as well as for the quality and professionalism of the work performed.
- 5. The Landscape Architect in responsible charge shall have the authority to approve or disapprove on behalf of the firm all activities associated with the practice of Landscape Architecture, and such decisions and/or determinations by that individual may not be overturned or altered by any other person or persons associated with that firm except with the approval of the Landscape Architect in responsible charge. No registered person or persons may be designated as being in responsible charge of landscape architecture work by any firm unless and until such designation is made in

writing, is signed by the Landscape Architect in Direct Control and Personal Supervision and is submitted to the Department.

6. Upon termination of the designation of in responsible charge, the landscape architect whose designation has been terminated must notify the Board in writing within ten (10) days of their termination from the position of being in responsible charge. Until said notice is received, the designated individual shall remain in responsible charge and may be held accountable for the landscape architecture work performed by that firm.

1.13 Fees

- A. Fees apply equally to residents and non-residents and shall be paid in full before any action is taken by the Board. To any extent these fees vary from those imposed by statute, R.I. Gen. Laws § 5-51-14, the statute controls. All fees are nonrefundable.

Examination and re-examination	To be determined based on the CLARB cost plus administrative costs
State supplemental examination section	\$25.00 (per section)
Reciprocity Application	\$150.00
Certificate of Registration – Initial Registration Fee	\$36.00
Biennial Registration renewal fee	\$80.00
Reinstatement of expired Certificate of Registration	\$25.00 plus \$40.00 for every year or portion of a year
COA initial Application	\$60.00. This fee shall be waived if the firm consists of only one person who is the person in responsible charge.
Biennial COA renewal fee	\$120.00. This fee shall be waived if the firm consists of only one person who is the person in responsible charge.
Reinstatement of COA	\$25.00 plus \$60.00 for every year or portion of a year.

1.14 Severability

- A. If any section, term, or provision of this regulation is adjudged invalid for any reason, that judgment will not affect, impair, or invalidate any remaining section, term, or provision, which shall remain in full force and effect.

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