Connecticut Secretary of the State
Authenticated Electronic Legal Material

Agency
Department of Consumer Protection
Subject
Examination and Licensure
Inclusive Sections
§§ 20-368-1—20-368-16a

CONTENTS

Sec. 20-368-1—20-368-11. Repealed

State Board of Landscape Architects

Sec. 20-368-1a. Definitions
Sec. 20-368-2a. Applications for licensure by examination
Sec. 20-368-3a. Duties of the board (Repealed)
Sec. 20-368-4a. Applications for licensure by examination (Repealed)
Sec. 20-368-5a. Presentation of candidate for examination (Repealed)
Sec. 20-368-6a. Repealed
Sec. 20-368-7a. Examination and licensure standards
Sec. 20-368-8a. Licensure standards (Repealed)
Sec. 20-368-9a—20-368-10a. Repealed
Sec. 20-368-11a. Reciprocal licensing and waiver of examination
Sec. 20-368-12a. Seal
Sec. 20-368-13a. Use of seal
Sec. 20-368-14a. Rules of professional conduct
Sec. 20-368-15a. Continuing education
Sec. 20-368-16a. Council of landscape architectural registration boards

Examination and Licensure

Sec. 20-368-1—20-368-11. Repealed

Repealed May 22, 1985.

State Board of Landscape Architects

Sec. 20-368-1a. Definitions

The following terms have, for the purposes of Sections 20-368-1a to 20-368-16a, inclusive, of the Regulations of Connecticut State Agencies, the following meanings:

(a) "Applicant" means an individual who has submitted an application for licensure to the board;

(b) "Board" has the same meaning set forth in section 20-367 of the Connecticut General Statutes;

(c) "CLARB" means the Council of Landscape Architectural Registration Boards;

(d) "Department" means the Department of Consumer Protection of the State of Connecticut;

(e) "Design or management of land" and "the arrangement of natural and artificial elements" includes: the protection of the public health, safety and welfare; investigation, selection, preservation, enhancement and allocation of land and water resources for appropriate uses; feasibility studies; formulation of graphic and written criteria to govern the planning and design of land construction programs; preparation, review and analysis of master plans for land use and development; production of overall site plans, grading plans, and incidental drainage plans, irrigation plans, planting plans, sediment and erosion control plans, and related construction details and specifications; cost estimates and reports for land development; collaboration in the design of public roads, bridges, and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; field observation and inspection of land area construction, restoration and maintenance; and

(f) "LARE" means the landscape architect registration examination prepared by CLARB, the content and name of which may, from time to time, be amended by CLARB.

(Effective May 22, 1985; Amended November 6, 1998; Amended October 21, 2019)

Sec. 20-368-2a. Applications for licensure by examination

(a) An applicant who has never been licensed in any jurisdiction by examination shall submit an application to the department, accompanied by the appropriate fee. Such application shall consist of a council record provided through CLARB including a college transcript, employment records, and evidence that all sections of the LARE have been passed. In lieu of a council record, the board may permit, for good cause, an applicant to submit on forms provided by the department information regarding such applicant's education and experience.

(b) An applicant seeking a license pursuant to Section 20-368-7a of the Regulations of

Connecticut State Agencies, shall present to the board evidence in the form of a college transcript that the curriculum requirements have been satisfied. The board shall then notify CLARB of the applicant's eligibility to take the LARE.

(Effective May 22, 1985; Amended November 6, 1998; Amended October 21, 2019)

Sec. 20-368-3a. Duties of the board (Repealed)

Repealed October 21, 2019.

(Effective May 22, 1985; Amended November 6, 1998; Repealed October 21, 2019)

Sec. 20-368-4a. Applications for licensure by examination (Repealed)

Repealed October 21, 2019.

(Effective May 22, 1985; Amended November 6, 1998; Repealed October 21, 2019)

Sec. 20-368-5a. Presentation of candidate for examination (Repealed)

Repealed October 21, 2019.

(Effective May 22, 1985; Repealed October 21, 2019)

Sec. 20-368-6a. Repealed

Repealed November 6, 1998.

Sec. 20-368-7a. Examination and licensure standards

(a) The examination used to determine eligibility for licensure shall be the LARE. No information pertaining to the subject matter of the examination shall be given to an applicant in advance except as specifically authorized by CLARB.

(b) The department, upon proper application, shall accept passing scores achieved by an applicant on sections of the LARE administered in another jurisdiction and attested to by CLARB.

(c) In order to be granted a license, the applicant shall:

(1) Hold a professional degree in landscape architecture from a college or university accredited by CLARB;

(2) Have at least two years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect; and

(3) Have successfully completed the LARE where the examination, administration, and grading were conducted in accordance with CLARB standards in effect at the time.

(d) For the purposes of subdivision (2) of subsection (c) of this section, the board or the department may consider diversified experience related to landscape architecture under the direct supervision of a licensed civil engineer or architect when the applicant demonstrates that such experience includes sufficient elements of landscape architecture included in the LARE.

(Effective May 22, 1985; Amended November 6, 1998; Amended October 21, 2019)

Sec. 20-368-8a. Licensure standards (Repealed)

Repealed October 21, 2019.

Sec. 20-368-9a—20-368-10a. Repealed

Repealed November 6, 1998.

Sec. 20-368-11a. Reciprocal licensing and waiver of examination

(a) The board may, by discretionary powers granted pursuant to Section 20-371 of the Connecticut General Statutes, grant licensure by reciprocity subject to subsections (b) through (d) of this section. If there is inadequate evidence upon which to judge the competency of the applicant, the board may require the applicant to take the LARE.

(b) The board or the department, in considering whether to grant licensure by reciprocity, shall consider the applicable statutes and regulations from the state in which the applicant is currently licensed, and shall make a determination of whether the licensure standards are substantially similar to or higher than those of this state.

(c) In order to be granted a license by reciprocity, the applicant's experience, education, or satisfactory combination thereof shall be either equal to or greater than that required pursuant to Section 20-370 of the Connecticut General Statutes.

(d) An applicant seeking reciprocal licensing or a waiver of the examination requirement pursuant to Section 20-371 of the Connecticut General Statutes shall provide the department with a council certificate furnished by CLARB. For good cause shown, the board or the department may permit an applicant, in lieu of a council certificate, to submit information regarding experience, education and examination in the form of a CLARB council record.

(Effective May 22, 1985; Amended November 6, 1998; Amended October 21, 2019)

Sec. 20-368-12a. Seal

(a) Each person granted a license shall purchase and use a seal, the design, arrangement, size, and wording of which shall conform to that indicated in the figure below, including the name and license number of the licensee. The seal impression may be made on hardcopy documents by a stamping or embossing device, provided the impression shall be clear and legible, or on electronic documents by use of a computer-generated representation of the seal.

(b) Facsimile of seal:



(c) Seals may be purchased and used by a person granted a license only after receipt of the license number from the board.

(Effective May 22, 1985; Amended October 2, 2008; Amended October 21, 2019)

Sec. 20-368-13a. Use of seal

(a) The seal of each licensed landscape architect shall be applied to plans, drawings, specifications or other documents pertaining to any project submitted to the licensee's client.

(b) The use of a licensed landscape architect's seal on any plan, drawing, specification or other document submitted for public review shall be required for all works involving the practice of landscape architecture as defined in Section 20-367 of the Connecticut General Statutes and Section 20-368-1a of the Regulations of Connecticut State Agencies.

(c) A landscape architect shall not sign or seal drawings, specifications, reports, or other professional work for which the landscape architect does not have direct professional knowledge and direct supervisory control; provided, however, that in the case of the portions of such professional work prepared by the landscape architect's consultants, the landscape architect may sign or seal that portion of the professional work if the landscape architect has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

(d) An electronic seal shall be permitted on electronic documents if all the following criteria are met:

(1) It is unique to the landscape architect;

(2) It is verifiable;

(3) It is under the landscape architect's direct and exclusive control;

(4) It is linked to the electronic document in such a manner that causes changes to be easily determined and visually displayed if any data in the electronic document file is changed subsequent to the electronic seal having been affixed to the electronic document;

(5) An attempt to change the electronic document after the electronic seal is affixed shall cause the electronic seal to be removed or altered significantly enough to invalidate the electronic seal; and

(6) If the electronic document is to be electronically transmitted, the electronic document is converted to a read-only format.

(e) A landscape architect may electronically transmit an electronic document without

affixing an electronic seal, provided there is inserted the following language in lieu of the seal: "This shall not be considered a sealed document."

(Effective May 22, 1985; Amended November 6, 1998; Amended October 2, 2008; Amended October 21, 2019)

Sec. 20-368-14a. Rules of professional conduct

(a) **Competence**

(1) In engaging in the practice of landscape architecture, a landscape architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which are ordinarily applied by landscape architects of good standing, practicing in the same locality.

(2) In designing a project, a landscape architect shall take into account applicable federal, state and municipal laws and regulations. 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 the landscape architect, together with those whom the landscape architect may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.

(4) No individual shall be permitted to engage in the practice of landscape architecture if, in the board's or the department's judgment, such individual's professional competence is substantially impaired by physical or mental disabilities. The board or the department shall not, in taking action against a license holder on the basis of such a condition, violate the provisions of Section 46a-73 of the Connecticut General Statutes or the Federal Americans With Disabilities Act.

(b) **Conflict of interest**

(1) A landscape architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to, and agreed to, by all interested parties. Such disclosure and agreement shall be in writing.

(2) If a landscape architect has any business association or direct or indirect financial interest which is substantial enough to influence the landscape architect's judgment in connection with the landscape architect's performance of professional services, the landscape architect shall fully disclose in writing to the 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 shall not solicit or accept compensation from material or equipment suppliers in return for specifying any of such suppliers' products.

(4) A landscape architect shall not solicit or accept compensation from a contractor in return for selecting such contractor for work on a project.

(5) When acting as the interpreter of contract documents and the judge of contract performance, a landscape architect shall render decisions impartially, favoring neither party

to the contract.

(c) **Full disclosure**

(1) A landscape architect, making public statements on landscape architectural questions, shall disclose when the landscape architect is being compensated for making such statements.

(2) A landscape architect shall accurately represent to a prospective or existing client or employer his or her qualifications and the scope of his or her responsibility in connection with work for which the landscape architect is claiming credit.

(3) If, in the course of the landscape architect's work on a project, a landscape architect becomes aware of a decision taken by the landscape architect's employer or client, against such landscape architect's advice, which violates applicable state or municipal building or land use codes or laws, and which will, in the landscape architect's judgment, materially and adversely affect the health, safety and welfare of the public, the landscape architect shall:

(A) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations;

(B) Refuse to consent to the decision; and

(C) In circumstances where the landscape architect reasonably believes that other such decisions will be taken, notwithstanding his or her objections, terminate his or her services with respect to the project. If a landscape architect terminates services in accordance with this subparagraph, the landscape architect shall not be considered to be in violation of this section for such termination of services.

(4) A landscape architect shall not make a materially false statement or fail to disclose a material fact requested in connection with his or her application for a license or renewal thereof.

(5) A landscape architect shall not assist the application for a license of an individual known by the landscape architect to be unqualified in respect to education, training, experience, or character.

(6) A landscape architect possessing knowledge of a violation of the provisions set forth in Sections 20-368-1a to 20-368-16a, inclusive, of the Regulations of Connecticut State Agencies by another landscape architect shall report such knowledge to the department.

(d) **Compliance with laws**

(1) A landscape architect shall not, while engaging in the practice of landscape architecture, violate any state or federal statute or regulation.

(2) A landscape architect shall comply with the registration laws and regulations governing the landscape architect's professional practice in any jurisdiction in which the landscape architect is practicing.

(e) **Professional conduct**

(1) Each office in Connecticut maintained for the preparation of drawings, specifications, reports or other professional landscape architectural work shall have a licensed landscape architect resident and regularly employed in that office having direct supervision of such

work.

(2) A landscape architect shall neither offer nor make any payment or gift to any elected or appointed government official with the intent of influencing the official's judgment in connection with a prospective or existing project in which the landscape architect has an interest.

(3) A landscape architect shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the landscape architect is interested.

(4) A landscape architect shall not engage in conduct involving fraud.

(Effective May 22, 1985; Amended November 6, 1998; Amended October 21, 2019)

Sec. 20-368-15a. Continuing education

(a) Each landscape architect shall meet the continuing education requirements set forth in this section as a condition of license renewal. Continuing education obtained by a landscape architect shall maintain, improve, or expand the knowledge and skills obtained prior to initial licensure, and shall develop additional knowledge and skills relevant to the practice of landscape architecture in the promotion of the health, safety, and welfare of the general public.

(b) On or before July 31 of every even numbered year, each landscape architect shall attach to the license renewal application a certificate signed under penalty of false statement stating that the landscape architect has participated in not less than twenty-four (24) contact hours of continuing education activity. The certificate shall list the course name, the course provider and the date the course was taken. At least six (6) contact hours of the biennial continuing education requirement shall be earned by attendance at a live presentation of a continuing education program. A contact hour is defined as not less than fifty (50) minutes of instruction or its equivalent. A collegiate semester credit shall be the equivalent of forty-five (45) contact hours.

(c) Continuing education activities which satisfy the professional development intent of this section shall include, but not be limited to, college or university courses; activities conducted by professional programs or organizations which award continuing education credits; portions of technical meetings or seminars related to the technical element of the practice of landscape architecture; preparation and/or presentation of technical research papers at technical meetings; participation in the study and examination in technical subjects sponsored by CLARB; and participation in the preparation of the LARE sponsored by CLARB. Self-directed study or research may be acceptable with the prior approval of the board. Continuing education credits obtained for the continuing education requirements of other states shall be accepted if the credits meet the standards of this subsection.

(d) A landscape architect shall maintain a record of continuing education activities, including dates, subjects, and other appropriate documentation for a period of five years. A record maintained by CLARB or the Landscape Architecture Continuing Education System

of the American Society of Landscape Architects ("LA CES") shall be acceptable as proof of participation when such record is submitted to the department by CLARB or LA CES on the landscape architect's behalf. In lieu of maintaining a record of activity through CLARB, a landscape architect may provide evidence of having fulfilled the continuing education requirements on forms provided by the department. A landscape architect shall, upon the request of the department, make available documentation to prove compliance with all continuing education requirements.

(e) Failure by a landscape architect to fulfill continuing education requirements shall result in the suspension of the license to practice landscape architecture or other action authorized by law. The board or department may reinstate the license or rescind any other penalty when the continuing education requirement has been fulfilled.

(f) A landscape architect shall not be required to meet the provisions of this section for the first biennium in which the landscape architect is initially licensed in this state.

(g) Continuing education credits earned in any biennial continuing education period may not be carried forward into a later period for continuing education credit.

(h) A landscape architect who is unable to comply with the requirements of this section due to extenuating circumstances may apply for a waiver or an extension of time to fulfill such requirements.

(i) A landscape architect submitting a renewal application who has not held a license for more than two years shall provide proof that the landscape architect has completed the requirements for continuing education for each biennial period prior to the year of the renewal application. If the landscape architect cannot provide such proof, the board may authorize the department to issue a renewal license subject to the landscape architect completing such continuing education activities as required by the board within a certain time period.

(Adopted effective November 6, 1998; Amended October 21, 2019)

Sec. 20-368-16a. Council of landscape architectural registration boards

The department shall maintain membership in CLARB in order for the board to be eligible to receive the international examination and record keeping services of CLARB. The board and the department shall cooperate with CLARB in establishing uniform standards regarding the licensure of landscape architects.

(Adopted effective November 6, 1998; Amended October 21, 2019)