



## Landscape Architecture Licensure Laws

### ASLA Summary of Provisions

### PENNSYLVANIA

Landscape Architects Registration Law: 63 PS Sections 901-913  
Pennsylvania Laws (administrative regulations): Title 49, Chapter 15

**Type of Law:** Practice/title act.

#### Board of Landscape Architects

The board consists of the Commissioner of Professional and Occupational Affairs, the Director of the Bureau of Consumer Protection in the Office of the Attorney General, or his or her designee, and seven persons appointed by the Governor with the advice and consent of the Senate. Of the Governor's appointees, there are four landscape architects, one landscape nurseryman and two public members.

**Powers:** Administer and enforce the laws relating to the practice of landscape architecture.

#### Definitions

**Landscape architect:** A person who engages or offers to engage in the practice of landscape architecture in the Commonwealth under the authority of the law.

**Practice of landscape architecture:** The performance of professional services such as consultation, investigation, research, planning, design, preparation of drawings and specifications, or responsible observation of construction in connection with the development of land areas where, and to the extent that, the dominant purpose of such services is the preservation, enhancement or determination of proper land uses, natural land features, planting, naturalistic and aesthetic values, the settings and approaches to structures or other circulation improvements, the shaping and contouring of water forms, the setting of grades and determining drainage and providing for storm water management and determination of environmental impacts and problems of land including erosion and sedimentation, blight and other hazards. This practice includes the location and arrangement of such tangible objects and features as are incidental and necessary to the purposes outlined in the law and as may be prescribed by state or local authorities but does not include the design of structures or facilities as are ordinarily included in the practice of engineering or architecture and does not include the making of land surveys.

#### Exemptions

**Interprofessional practice:** The law exempts architects, engineers and land surveyors performing landscape architectural services which are incidental to their practice.

**Exempt persons:**

- Any person who acts under the supervision of a licensee or any 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.
- Any licensee in another jurisdiction with equivalent standards who is not a resident of Pennsylvania and who does not have a place of business in the state, who is practicing landscape architecture for no more than 30 days in one calendar year.
- Officers and employees of the United States government, so long as the services are rendered within the scope of government employment.
- Any person engaged in the practice of planning as customarily done by community and regional planners.

Note: Bracketed [ ] material is drawn from regulations.



- Agriculturists, horticulturists, foresters, garden or land caretakers, home builders and graders, or cultivators of land.
- Any nurseryman, landscape nurseryman, gardener or landscape gardener, general or landscape contractor engaged in planting design and its incidental items.
- Does not prohibit those engaged in nursery occupations or as gardeners or landscape contractors from preparing planting plans and items incidental thereto.

#### **Eligibility Requirements – Initial Licensure**

Successful passage of the CLARB written examination, or other such examination as may be approved by the board. Applicants must be of good moral character and must not have had an application, license or certificate to engage in the practice of landscape architecture refused, suspended or revoked by a state of the United States. To qualify for examination applicants must have graduated from a college or school of landscape architecture approved by the board and have at least two years practical experience in landscape architectural work of a grade and character satisfactory to the board. An approved year of [graduate] study in an approved college or school of landscape architecture may be accepted in lieu of one year of experience and the applicant must submit evidence of sufficient additional acceptable experience to total at least six years of combined education and experience. In lieu of these requirements, an applicant may be admitted to the examination upon presenting evidence of at least eight years of actual, practical experience in landscape architectural work of a grade and character satisfactory to the board.

[An individual may also qualify to take the exam if he/she has received a graduate degree in landscape architecture from an approved institution and has an undergraduate degree in another subject matter, and after graduation also has at least 2 years of practical experience in landscape architectural work of a grade and character satisfactory to the Board.]

[Professional experience means two years of experience under the supervision of a design professional. If the applicant is not supervised by a landscape architect, the applicant must have the professional work product reviewed by a licensed landscape architect every 6 months for 2 consecutive years.]

[**Fee:** Application, \$60 (\$350 for those applying without meeting education requirements). Initial license and biennial renewal, \$194.]

#### **Eligibility Requirements – Reciprocal Licensure**

Licensure in another jurisdiction with equivalent standards. [Out-of-state landscape architects may obtain approval to practice for up to 30 days in one year if the standards of licensure in the applicant's state of licensure are equivalent to Pennsylvania.]

[Fee: Initial license with proof of licensure, \$45. Biennial renewal, \$194.]

#### **Eligibility Requirements – Temporary Permit**

Allows out-of-state landscape architects to practice for not more than 30 days in the state if (1) the principal place of business is outside Pennsylvania; (2) the landscape architect is licensed in that place; and (3) the standards in that jurisdiction are at least equal to Pennsylvania's standards for licensure.

[Fee: Application, \$40.]

#### **Practice Entities**

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Corporate practice is allowed if entities file with the board and meet the board's requirements. If the entity's name does not include the names of all the licensed professionals with ownership interest in the practice, the board must be provided with a list of those persons. Practice under a fictitious name is allowed contingent on approval of the fictitious name by the board. A landscape architect must sign documents which arise out of the rendering of professional services. If the landscape architect practices in association with others, his or her name shall appear with the name of the association on documents not signed by him or her.

[When landscape architecture is practiced through a corporation, a copy of the articles of incorporation and registry statement of the proposed corporation shall be filed with the Board at the time of filing with the Corporation Bureau of the Department of State. If a name is chosen which does not contain the names of all the licensed professionals with an ownership interest in the practice, the Board shall be supplied with the list of these persons. A landscape architect incorporating under the terms of this section shall notify the Board of any changes in the name or ownership of the corporation.]

### **Seal Requirements**

Licensees must stamp with the official seal all plans, specifications, [drawings, preliminary documents, contract documents,] plats and reports which they issue.

### **Enforcement**

Board powers: Instruct and require its agents to bring prosecutions for unauthorized and unlawful practices; suspend or revoke licenses; levy civil penalties of up to \$1,000.

Prohibitions/penalties: The board may take disciplinary action if a licensee is found guilty of gross negligence, incompetence or misconduct in the practice of landscape architecture. [Misconduct in the practice of landscape architecture includes the following:

- Failing to exercise good faith in the performance of landscape architecture as an agent or employee of another.
- Knowingly making or issuing a misleading, deceptive or fraudulent statement in regard to an aspect of his or another landscape architect's practice.
- Performing landscape architectural work which the landscape architect knows or has reason to know that he is not competent to perform.
- Delegating a professional responsibility to a person when the landscape architect knows or has reason to know that the person is not qualified by training, experience, license or certification to assume the responsibility.
- Knowingly aiding or abetting a person who is not licensed and registered, or exempt from licensure and registration requirements in performing a landscape architectural work.
- Knowingly aiding or abetting a person who is not qualified by training or experience in seeking licensure to practice landscape architecture.
- Misrepresenting or concealing a material fact in obtaining a license to practice landscape architecture or its reinstatement.
- Using or permitting the use of the professional seal on a document when the landscape architect did not actually prepare the document or supervise its preparation.
- Violating the act or regulations.
- Failure to furnish evidence of completion of continuing education as requested by the Board or the furnishing of false or fraudulent information pertaining to the completion of continuing education.]

Prohibitions/penalties for unlicensed practice: It is unlawful for an unlicensed person to: practice landscape architecture; use the term or title landscape architect; present or attempt to use as his or her own the license or certificate of registration of another; give any false or forged evidence of any kind to the board in order to obtain a license as a landscape architect; use any expired, suspended or revoked license; use the term

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architect instead of the term landscape architect; or otherwise violate the provisions of the law. Violations are a summary offense punishable by a fine of up to \$300 or imprisonment for up to 90 days, or both. Violation for unlicensed practice is punishable by a civil penalty of up to \$1,000.

### **Mandatory Continuing Education**

Pennsylvania requires landscape architects to complete 24 clock hours of continuing education for each biennial renewal cycle.

- The increase from 10 to 24 clock hours/biennium is effective for the period of June 1, 2013-May 31, 2015 period (due upon renewal June 1, 2015).
- Clock hour = 50 minutes of instruction
- Only board-approved courses will be accepted for CE credit. The licensee is responsible for ascertaining the approved status of the course before undertaking a CE activity.
- Maximum of 5 hours may be used for courses that are satellite seminars, electronic presentations or correspondence courses

### Administration:

- Requires the board to approve all courses, materials, locations and instructors
- Establishes application process (with fee) for the provider approval process (to be initiated by CE provider)
- Specifies that the board will utilize a random audit of renewals to determine compliance

### Activities:

- Acceptable subject matter for CE courses is limited to courses pertaining to the enhancement of the landscape architect's professional skills
- No credit will be given for office management courses
- According to rule, the board finds the courses provided, approved, sponsored, or co-sponsored by ASLA and its chapters meet the board's standards. The following entities also have been accepted: AIA, NSPE, APA, NRPA, ULI, ANLA, CLARB, Pennsylvania Society of Land Surveyors, accredited landscape architect college programs or college programs in fields related to landscape architecture, and agencies of the Commonwealth and Federal government offering training programs in landscape architecture and its related fields.

**Recordkeeping:** The licensee is responsible for ascertaining the approval status of a program. The licensee is responsible for maintaining a six-year CE record, as specified. Licensees may apply for approval of a course not approved by the board on a one-time basis per biennium. The licensee must submit an application for approval and the required fee (\$40/clock hour) at least 60 days prior to the date the course begins.

### Exemptions:

- Licensees that prove to the board that he/she was unable to complete the requirements due to illness, emergency, or hardship
- New licensees who received a license within the two years preceding the licensee's first application for renewal

**Last updated March 24, 2015**

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