

Oregon State Landscape Architect Board Administrative Rules Proposed For Change

PROPOSED AMENDMENTS: 804-001-0005, 804-001-0014, 804-001-0015, 804-003-0000, 804-010-0000, 804-010-0010, 804-010-0020, 804-020-0001, 804-020-0030, 804-022-0000, 804-022-0005, 804-022-0010, 804-022-0015, 804-022-0020, 804-022-0025, 804-022-0030, 804-022-0035, 804-025-0015, 804-025-0020, 804-025-0035, 804-035-0010, 804-035-0020, 804-035-0030, 804-035-0035, 804-040-0000, 804-050-0005

PROPOSED ADOPTION: 804-001-0025

PROPOSED REPEAL: 804-020-0003, 804-020-0005, 804-020-0010, 804-020-0015, 804-030-0040

For rules proposed for amendment and adoption, this document shows rule language as it would read if OSLAB adopts these rule changes as proposed. For rules proposed for repeal, this document shows rule language as it currently exists but that would be removed.

See also the Notice of Proposed Rulemaking Filed 08/15/2025 for the proposed rule changes shown in track changes mode, i.e., with additions and deletions marked. The notice also provides details on how to submit comments to OSLAB on these proposed changes. The last day and time to submit comments is 10/08/2025 at 5 PM PST.

AMEND: 804-001-0005

RULE TITLE: Model Rules of Procedure

RULE SUMMARY: This rule adopts model rules of the Oregon Attorney General addressing rulemaking and dispute resolution by reference.

PROPOSED RULE TEXT:

The Board adopts the Attorney General's Uniform and Model Rules for Rulemaking, Uniform and Model Rules for Alternative Dispute Resolution, in effect on August 1, 2025.

STATUTORY/OTHER AUTHORITY: ORS 183.341, ORS 670.415

STATUTES/OTHER IMPLEMENTED: ORS 671.415

AMEND: 804-001-0014

RULE TITLE: Selection of Board Members

RULE SUMMARY: This rule address Board member positions and the selection of new Board members.

PROPOSED RULE TEXT:

(1) Appointment of Board Members: A vacancy exists when a board member:

(a) completes the term for that position and ends service;

(b) during the term, resigns, becomes disqualified to serve, forfeits office, or is removed from the position by the Governor; or

(c) is not reappointed to the position by the Governor.

(2) Qualifications for Registrant Membership on the Board:

(a) A registrant is qualified to seek nomination for board membership if the registrant is actively registered by the Board and in good standing.

(b) A registrant is not qualified for nomination to board membership if the registrant, within the previous 5 years, has been disciplined by the Board for a violation of ORS Chapter 671 or the rules adopted by the Board.

(3) Recommendations for Board Membership

(a) The American Society of Landscape Architects or its local chapter may nominate Registered Landscape Architects or other individuals for consideration as board members. Any such nomination must be submitted no later than 60 days before the vacancy is to occur.

(b) Any other professional organization representing persons subject to registration and regulation by the Board may similarly nominate Registered Landscape Architects or other individuals for consideration as board members.

(4) Application for reappointment is made to the Governor, not the Board.

STATUTORY/OTHER AUTHORITY: ORS 671.415, ORS 670.310, ORS 671.459

STATUTES/OTHER IMPLEMENTED: ORS 671.459, ORS 670.345

AMEND: 804-001-0015

RULE TITLE: Election of Officers

RULE SUMMARY: This rule addresses appointment of officers from amongst the members of the Board.

PROPOSED RULE TEXT:

The Board may elect a Chair, Vice Chair and Treasurer once a year. The new Chair, Vice-Chair and Treasurer's terms will begin at the end of the meeting at which they are elected.

STATUTORY/OTHER AUTHORITY: ORS 670.310, ORS 671.415, ORS 671.459

STATUTES/OTHER IMPLEMENTED: ORS 670.300

ADOPT: 804-001-0025

RULE TITLE: Criminal Conviction Determination Process

RULE SUMMARY: This rule identifies how an individual can petition the Board for a determination related to criminal conviction history to inform that individual's decision about pursuing an education program in anticipation of seeking registration with the Board in the future.

NEW RULE PROPOSED:

(1) Prior to beginning an education program required for registration in landscape architecture, an individual who was convicted of a crime may petition the Board for a determination as to whether the criminal conviction will prevent the individual from receiving a registration to practice landscape architecture in Oregon issued by the Board. The individual is referred to as a petitioner in this rule.

(2) To be complete, a petition must include, at a minimum, the following:

(a) a complete and signed determination request form;

(b) the required fee specified in OAR 804-040-0000;

(c) the following records and information related to the final judgment of each criminal conviction:

(A) a certified copy of the judgment of criminal conviction;

(B) all charging documents;

(C) all arrest reports;

(D) all probation and parole records;

(E) a written statement from petitioner regarding the facts underlying the criminal conviction and any intervening circumstances since the conviction; and

(d) a written statement or other document listing all criminal convictions, including dates of conviction and a summary of the facts underlying each criminal conviction, if the petitioner has more than one criminal conviction.

(3) A separate completed petition and fee must be filed for each criminal conviction for which the petitioner is requesting a determination.

(4) If any of the records in (2)(c) no longer exist, have been sealed, or are otherwise unavailable to the petitioner, then the petitioner must provide evidence from the agency, court, or other public body that held the record that the record no longer exists.

(5) If any of the documents and information required under subsections (2) and (4) are not provided, petitioner will have 60 days to provide the required documents and information. Upon failure to comply, the petition will be deemed incomplete and closed without a determination.

(6) The petition, the records and information submitted with the petition, and the Board's determination, are public records and subject to disclosure under Oregon's Public Records Laws the same as for any completed application for registration.

(7) The Board will reconsider a determination that a criminal conviction prevents the person from obtaining a registration when the person submits a completed application for registration.

(8) Upon reconsideration, the Board may rescind a previous determination that a criminal conviction does not prevent the person from obtaining a registration if the applicant:

(a) Has allegations or charges pending in criminal court;

(b) Has failed to disclose a previous criminal conviction;

(c) Has been convicted of another crime during the period between the determination and the person's submission of a completed application for registration; or

(d) Has been convicted of a crime that, during the period between the determination and the person's submission of a completed application for registration, became subject to a change in state or federal law that prohibits registration because of a conviction of that crime.

(9) Failure to disclose a previous criminal conviction includes any misrepresentation of a prior criminal conviction, any concealment or failure to disclose a material fact about a prior criminal conviction, and any other misinformation regarding a prior criminal conviction.

(10) Nothing in this rule prohibits the Board from denying registration when the person submits a completed application for a reason other than conviction of a crime.

(11) A determination under this rule is not a final determination of the Board.

STATUTORY/OTHER AUTHORITY: ORS 670.280(4)(f), ORS 670.310(1)

STATUTES/OTHER IMPLEMENTED: ORS 670.280(4)(f)

AMEND: 804-003-0000

RULE TITLE: Definitions

RULE SUMMARY: This rule defines terms that are used in the Board's statutes and rules.

PROPOSED RULE TEXT:

The definitions of terms used in ORS 671.310 to 671.459, and the rules of this chapter are:

- (1) "Applicant" — An individual who intends to or has applied to the Board for a registration.
- (2) "Assumed or Fictitious Name" — A false name taken as one's own.
- (3) "Business" — A sole proprietorship, association of persons, corporation, limited liability company, partnership, or other entity that provides landscape architecture services in Oregon.
- (4) "Candidate" — An individual who intends to sit for or is in the process of sitting for sections of the Landscape Architecture Registration Examination (LARE).
- (5) "CLARB" — Council of Landscape Architectural Registration Boards, an organization which provides the national examination to determine minimum competency to practice landscape architecture.
- (6) "Construction Detail" — Any drawing or plan containing technical dimensions or technical information to build or modify site features.
- (7) "Construction Specification" — Written or printed description of technical requirements for materials, installation methods and equipment, or standards to build or modify site features.
- (8) "Deceit" — An attempt to portray as true or valid something that is untrue or invalid.
- (9) "Direct Supervision" — For purposes of chapter 804 divisions 10, 20, 22, 27 and 50, this is supervision provided by a licensed or registered Landscape Architect, or a Professional Engineer or Architect where allowed for under these rules, to an examination candidate or applicant for registration, including a Landscape Architect-in-Training.
 - (a) The supervising Landscape Architect, or Professional Engineer or Architect where allowed for under these rules, must provide oversight, inspection, control, and direction regarding the services and work being performed by the examination candidate or applicant for registration. This means the supervisor must:
 - (A) Be located in close proximity to or be readily accessible to the examination candidate or applicant for registration to allow for oversight of work;
 - (B) Provide supervision directly to the examination candidate or applicant for registration through in-person or virtual means;

(C) Be in frequent communication with the examination candidate or applicant for registration;

(D) Ensure communications with the examination candidate or applicant for registration are responsive and include face-to-face, e-mail, telephone, internet and other similar forms of direct communication; and

(E) Take responsibility for the services or work done by the examination candidate or applicant for registration including but not limited to sealing and signing documents when required. The primary goals of direct supervision are to assure that the examination candidate or applicant for registration understands and is performing services and work within the professional standard of practice and to ensure that public health, safety, and welfare are protected.

(b) The Board may, in its sole discretion, reject work experience if there are questions about whether the supervision provided to the examination candidate or applicant for registration met the Board's requirements for direct supervision.

(10) "Emeritus" — A type of inactive registration where the registrant is retired from practice but retains an honorary title corresponding to that held immediately before retirement.

(11) "Employing" — Hiring a person, not an independent contractor, for compensation.

(12) "Final Draft" — For the purposes of ORS 671.379(2), a professional document, which means any map, plan, design, contract document, report, or other document issued by a Registered Landscape Architect that is provided for the purposes described herein, prepared by or under the direct supervision and responsible charge of a Registered Landscape Architect to provide construction details, construction specifications, or other final direction for either:

(a) Obtaining permits or other approvals by local, state, or federal agencies; or

(b) Fulfilling a Registered Landscape Architect's contractual obligations not otherwise addressed under (a).

(13) "Fraud" — Intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right.

(14) "Grossly Negligent" — Reckless and wanton disregard for exercising care and caution.

(15) "Impersonate" — To assume, without authority or with fraudulent intent, the identity of another person.

(16) "Inactive" — A non-practice registration status that a registrant in good standing may request by submitting a written request to the Board before or on the registration renewal

deadline.

(17) "In Good Standing" — For purposes of ORS 671.376(4) and OAR 804-022-0025(1), 'in good standing' means that the registrant when making the request for inactive status has a current active unrestricted registration; is in compliance with all requirements for registration including, but not limited to, payment of all required fees and compliance with all continuing education requirements; and is not the subject of a pending board investigation or action or the subject of a Board order.

(18) "Lapsed" — Status of registration when not renewed by or before the annual expiration date of registration.

(19) "Late Fee" — A fee assessed when a payment is received after the date due, except for a late renewal of registration which may be received within 30 days of the annual renewal date without payment of a late fee.

(20) "Material Misrepresentation" — An untrue statement that is significant under the circumstances.

(21) "OAR" — Oregon Administrative Rule

(22) "Registrant" — An individual or business holding an active or inactive registration with the Board. For an individual registrant on active status, also referred to as a Registered Landscape Architect (RLA) or Landscape Architect-in-Training (LAIT).

(23) "Renewal of Registration" — To annually maintain the current status of a valid (active) registration or to bring a lapsed certificate of registration to current, valid (active) status.

(24) "Responsible Charge" — Having control over or responsibility for landscape architecture services provided directly or by others under the direct supervision of the Registered Landscape Architect and being legally able to practice in responsible charge within the jurisdiction where a project is located. Responsible charge includes but is not limited to the Registered Landscape Architect being responsible for one or more of the following landscape architecture services performed or provided:

(a) The manner, method, or quality controls of practice;

(b) Ensuring minimum acceptable standards of practice are followed;

(c) Preparing or reviewing designs, calculations, plans, site assessments, maps or other documents with the authority to make final decisions in regards thereto;

(d) Identifying deficiencies found in, correcting errors contained in, or making other changes to designs, calculations, plans, site assessments, maps or other documents;

(e) When providing direct supervision, being readily accessible to the person(s) being

supervised either by being located in close proximity to the person(s) supervised or by being in frequent, immediate and responsive contact with the person(s);

(f) Providing construction observation where authorized or requested by the client; and

(g) Stamping and signing final work products where required under ORS 671.310 to ORS 671.459 and OAR Chapter 804.

(25) "Seal" — For purposes of Board rules, seal has the same meaning as stamp.

(26) "Stamp" — The professional stamp meeting Board design standards that is used by a Registered Landscape Architect to officially mark professional documents in accordance with ORS 671.379 and Board rules. The stamp may be a crimp-type stamp, rubber stamp applied using wet ink, or a computer-generated (digital) stamp.

(27) "Stamping" — The act of applying a professional stamp to a professional document to denote a Registered Landscape Architect's responsible charge for that work product. Sealing has the same meaning as stamping.

(28) "Year" — For purposes of qualifying work experience for examination or registration, a year is calculated as 1 calendar year for full-time work (i.e., 40 hours per week on average) with part-time work prorated (i.e., 1 year of experience takes 2 calendar years to acquire at 20 hours per week on average) or the equivalent of 2,000 total hours worked.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.415, 671.321

STATUTES/OTHER IMPLEMENTED: ORS 671.310–459

AMEND: 804-010-0000

RULE TITLE: Education Qualification

RULE SUMMARY: This rule defines the primary education standard for registration. Alternative education standards are addressed in separate rules.

PROPOSED RULE TEXT:

(1) To meet the Board's education requirement, an applicant for registration must have a degree from a program accredited by the Landscape Architectural Accreditation Board (LAAB), the Landscape Architectural Accreditation Council (LAAC), or the equivalent as specified in OAR 804-010-0010 or OAR 804-010-0020.

(2) The LAAB or LAAC degree equates to 5 years of education credit.

(3) For a LAAB or LAAC degree program, it must be listed in LAAB's or LAAC's Accreditation Report, whichever is applicable, current at the time of the applicant's graduation.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.335

AMEND: 804-010-0010

RULE TITLE: Equivalent Education and Experience

RULE SUMMARY: This rule defines alternatives to the primary education standard for registration. The rule sets forth education credit given to degrees other than an accredited landscape architecture degree.

PROPOSED RULE TEXT:

(1) In lieu of the Landscape Architectural Accreditation Board (LAAB) or Landscape Architectural Accreditation Council (LAAC) degree specified in OAR 804-010-0000, an applicant for registration may satisfy the Board's education requirement by accumulating the required 5 years of education credit through a combination of a qualified degree and supervised work experience as follows:

(a) Non-accredited Bachelor's of Landscape Architecture (B.L.A) or Master's of Landscape Architecture (M.L.A.), 4 years credit;

(b) University Certificate in Landscape Architecture, 2 years credit;

(c) National Architectural Accrediting Board (NAAB) accredited Bachelor's of Architecture (B.Arch.) or Master's of Architecture (M. Arch.), 4 years credit;

(d) Accreditation Board for Engineering and Technology (ABET) accredited Bachelor's or Master's degree in Civil Engineering, 4 years credit;

(e) Any Bachelor's degree, 2 years credit; or

(f) Any Associate's degree, 1 year credit; and

(g) Up to 4 years of diversified work experience in landscape architecture under the direct supervision of a licensed or Registered Landscape Architect to fulfill the balance of the 5 years of experience required under this rule.

(2) In allowing applicants for registration the opportunity to combine education and supervised work experience in fulfilling the minimum education requirement, the Board will apply the following evaluation criteria:

(a) Degrees listed in (1) above cannot be combined to satisfy the education credit requirement;

(b) Work experience applied as education credit may not also be used to satisfy work experience requirements for registration found in 804 Division 22;

(c) Any degree awarded less than 2 years prior to the accreditation of the program will be accepted as an accredited degree; and

(d) Any degree awarded after a program has ceased to be accredited will not be accepted as an accredited degree.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.335

AMEND: 804-010-0020

RULE TITLE: Experience in Lieu of Education

RULE SUMMARY: This rule defines how an individual without formal education can meet the education standard for registration through work experience in lieu of education.

PROPOSED RULE TEXT:

- (1) An applicant for registration may meet the Board education requirement by completing 5 years of diversified work experience under the direct supervision of a licensed or Registered Landscape Architect.
- (2) An applicant applying under the provisions of this section must submit a written request to the Board seeking consideration of work experience in lieu of education.
- (3) The Board shall advise on the format for submitting required work experience documentation.
- (4) Work experience applied as education credit may not also be used to satisfy work experience requirements for registration found in OAR 804 Division 22.

STATUTORY/OTHER AUTHORITY: ORS 670.310, ORS 671.415, ORS 671.335

STATUTES/OTHER IMPLEMENTED: ORS 671.335

AMEND: 804-020-0001

RULE TITLE: Landscape Architect Registration Examination (LARE)

RULE SUMMARY: This rule defines the Landscape Architect Registration Examination (LARE) as the examination required by the Board for all registrants.

PROPOSED RULE TEXT:

(1) The Board adopts the Landscape Architect Registration Examination (LARE) prepared by CLARB as the examination to test knowledge, skills, and abilities for the minimum competency in landscape architecture practice needed for protecting the health, safety, and welfare of the public.

(2) All sections of the LARE are administered by CLARB.

(3) Examination candidates are not required to obtain Board approval before registering for any sections of the LARE.

(4) Examination candidates are required to demonstrate that the Board's education requirements are met as part of any application for registration filed with the Board.

(5) Applicants for registration whose examination scores are not on file with the Board must, upon request of the Board, have CLARB or the appropriate licensure board provide official verification of passing scores for completed sections of the LARE.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.415, ORS 671.335

STATUTES/OTHER IMPLEMENTED: ORS 671.335

REPEAL: 804-020-0003

RULE TITLE: Application for Board Approval

RULE SUMMARY: The Board proposes to no longer require any candidates for the Landscape Architect Registration Examination (LARE) to apply to the Board for approval to sit for examination. Therefore, the Board proposes to delete this rule.

EXISTING RULE PROPOSED FOR REPEAL:

- (1) Examination candidates without a degree from a program accredited by the Landscape Architectural Accreditation Board (LAAB) must apply for and obtain Board approval before registering for any sections of the Landscape Architect Registration Examination (LARE).
- (2)(a) The Board may delegate authority to the Board Administrator or a Board member to review and approve applications to sit for examination.
 - (b) Board approval may be granted after verification of receipt and review of an application submitted on a form provided by the Board to the Board office and the following information:
 - (A) Official university sealed transcript(s), where applicable;
 - (B) Work experience verification as specified in 804-010-0010 or 804-010-0020, whichever is applicable; and
 - (C) The examination application fee.
 - (3) When an examination application is approved, the examination candidate is authorized by the Board to register for all sections of the LARE, either at one time or at separate times. The Board's approval is valid for five years from the date of issuance.
 - (a) The Board Administrator may approve a one year extension of the Board's approval if the examination candidate has requested an extension in writing and provided an explanation of the need for the extension. Such written request must be submitted no later than forty-five days prior to the expiration of the Board's approval.
 - (b) If the Board's approval expires before the examination candiination date completes all sections of the LARE, the examination candidate may re-apply but must include with the application a written explanation of preparation undertaken to facilitate completion of the examination.
 - (A) The examination candidate will not have to re-take examination sections already passed.
 - (B) The examination candidate will need to include the official university transcript if no longer on file with the Board.
 - (C) The examination application fee applies.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.335

REPEAL: 804-020-0005

RULE TITLE: Reapply for Examination

RULE SUMMARY: The Board proposes to no longer require any candidates for the Landscape Architect Registration Examination (LARE) to apply to the Board for approval to sit for examination. Therefore, the Board proposes to delete this rule.

EXISTING RULE PROPOSED FOR REPEAL:

Examination candidates are not required to submit a new application to retake failed portions of the examination except when the Board approval has expired as addressed in 804-020-0003(3).

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.335

REPEAL: 804-020-0010

RULE TITLE: Date of Application and Prior Approval Request Receipt

RULE SUMMARY: The Board proposes to no longer require any candidates for the Landscape Architect Registration Examination (LARE) to apply to the Board for approval to sit for examination. Therefore, the Board proposes to delete this rule.

EXISTING RULE PROPOSED FOR REPEAL:

(1) Applications for Board approval to register for the Landscape Architect Registration Examination (LARE) must be received in the Board's office no less than thirty days prior to the close of the examination registration period as set by the Council of Landscape Architectural Boards (CLARB).

(2) The Board Administrator may waive the deadline in (1) on a case-by-case basis to accept an examination candidate's application closer to the CLARB registration deadline but only upon receipt of a written request from the examination candidate or CLARB and upon determination by the Board Administrator of extenuating circumstances outside the control of the examination candidate. Failure of an examination candidate to be knowledgeable about the need for Board approval or to begin the registration process in a timely manner considering the Board deadline are examples of situations that would not constitute extenuating circumstances.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.335

REPEAL: 804-020-0015

RULE TITLE: Refunds

RULE SUMMARY: The Board proposes to no longer require any candidates for the Landscape Architect Registration Examination (LARE) to apply to the Board for approval to sit for examination. Therefore, the Board proposes to delete this rule.

EXISTING RULE PROPOSED FOR REPEAL:

The Board's examination application fee is non-refundable.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.335, 671.365, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.335, 671.365

AMEND: 804-020-0030

RULE TITLE: Date and Administration of Examinations

RULE SUMMARY: This rule addresses the administration of the Landscape Architect Registration Examination (LARE).

PROPOSED RULE TEXT:

The Landscape Architect Registration Examination (LARE) shall be administered on the dates and times and using the administration protocols established by CLARB at test centers or other sites designated by CLARB.

STATUTORY/OTHER AUTHORITY: ORS 670.310, ORS 671.415, ORS 671.335

STATUTES/OTHER IMPLEMENTED: ORS 671.335

AMEND: 804-022-0000

RULE TITLE: Landscape Architect in Training (LAIT)

RULE SUMMARY: This rule sets forth requirements for application for the Landscape-Architect-in-Training and renewal of this registration.

PROPOSED RULE TEXT:

(1) A LAIT may only engage in the practice of landscape architecture under the direct supervision of a Registered Landscape Architect (RLA).

(2) An examination candidate who has successfully completed two or more sections of the Landscape Architect Registration Examination (LARE) and is working toward registration as a Landscape Architect is qualified to register with the Board as a LAIT.

(3) The initial LAIT registration application must include:

(a) A validation of direct supervision of the LAIT by the supervising RLA and

(b) Payment of the initial registration fee.

(4) The initial date of registration for an LAIT will be the date the application was approved.

(5) A LAIT registration must be renewed annually. An LAIT registration may only be renewed by the Board if the RLA supervising the LAIT verifies ongoing direct supervision of the LAIT.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.316(3), 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: 671.316(3), 671.335, 671.325, 671.376

AMEND: 804-022-0005

RULE TITLE: Initial Landscape Architect Registration

RULE SUMMARY: This rule sets forth requirements for application for an initial registration as a Landscape Architect and defines the education, examination, and work experience requirements for this registration type.

PROPOSED RULE TEXT:

- (1) An individual currently not licensed or registered in another U.S. state or territory may apply to the Board for an initial registration as a Landscape Architect.
- (2) Applicants for initial registration are required to complete an oral examination with the Board. The oral examination takes place at a public meeting of the Board and covers the Board statutes and rules that apply to landscape architecture practice in Oregon. The examination is given on a pass – fail basis.
- (3) The application for initial registration is also the application for oral examination and must be submitted no later than 15 business days prior to the Board meeting at which the applicant wants to complete the oral examination. For purposes of this rule, business day means any day in which the Board office is open and excludes weekends and state government holidays.
- (4) The application must include the following:
 - (a) Completed and signed application form;
 - (b) Application Fee; and
 - (c) Sufficient information to demonstrate that the applicant meets Board standards for examination, education, and work experience under subsections (6), (7), or (8) of this rule.
 - (A) The applicant may submit a CLARB Council Record to demonstrate the examination, education, and work experience qualifications. Information presented on the CLARB Council Record is subject to verification by the Board. The Board may request additional documentation or information from the applicant as the Board or its staff deem necessary for verification of the applicant's qualifications.
 - (B) Instead of using a CLARB Council Record, the applicant may have documentation of examination, education, and work experience provided to the Board by other qualifying, verified sources.
 - (C) An application is deemed incomplete until the applicant has provided all requested documentation and information and paid the application fee.
- (5) All pathways to registration require 8 years of qualifying experience.

(6) Standard Registration Path, LAAB/LAAC Degree: A minimum of 8 years of landscape architecture experience is required for registration, with 5 years of education experience granted for any LAAB or LAAC degree and 3 years of qualifying work experience required as defined in this rule.

(a) Examination: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national examination is required. The applicant must verify passage of all sections of the national examination through scores provided to the Board by CLARB or the appropriate licensure board.

(b) Education: A degree from a LAAB or LAAC accredited university program is required. The applicant must provide an official transcript to verify award of a LAAB or LAAC degree if not applying with a CLARB Council Record that contains a verified transcript.

(c) Work Experience: The applicant must demonstrate a minimum of 3 years of work experience under the direct supervision of a licensed or registered Landscape Architect.

(A) The applicant must provide a work history summary and documentation that verifies the work experience.

(B) Up to 2 years of the 3 years of this work experience may be under the direct supervision of a licensed or registered Professional Engineer qualified by education or experience in the specific technical field of Civil Engineering or Architect;

(7) Non LAAB/LAAC Degree Path: A minimum of 8 years of landscape architecture experience is required for registration, with 5 years of experience from the combination of a degree and work experience used to meet the Board's education standard under OAR 804-010-0010 and then with an additional 3 years of qualifying work experience required as defined in this rule.

(a) Examination: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national examination. The applicant must verify passage of all sections of the national examination through scores provided to the Board by CLARB or the appropriate licensure board.

(b) Education: In the absence of a degree from a LAAB or LAAC accredited university program, the applicant must demonstrate 5 years of credit for education and experience combined as specified in OAR 804-010-0010.

(A) The applicant must provide an official transcript to verify award of a degree if not applying with a CLARB Council Record that contains a verified transcript. The applicant must also provide a work history summary and documentation that verifies the work experience.

(B) Work experience used to satisfy the education requirement cannot be used towards the work experience requirement of (7)(c) of this rule.

(c) Work Experience: The applicant must demonstrate a minimum of 3 years of work experience under the direct supervision of a licensed or registered Landscape Architect.

(A) The applicant must provide a work history summary and documentation that verifies the work experience.

(B) Up to 2 years of the 3 years of this work experience may be under the direct supervision of a licensed or registered Professional Engineer qualified by education or experience in the specific technical field of competency in Civil Engineering or Architect;

(8) No Degree Path: A minimum of 8 years of qualifying landscape architecture experience is required for registration.

(a) Examination: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national examination is required. The applicant must verify passage of all sections of the national examination through scores provided to the Board by CLARB or the appropriate licensure board.

(b) Experience In Lieu of Education: In the absence of any degree, the applicant must demonstrate 5 years of work experience under the direct supervision of a licensed or Registered Landscape Architect to satisfy the Board education requirements as per OAR 804-010-0020.

(A) The applicant must provide a work history summary and work experience verification forms.

(B) Experience used to satisfy this requirement cannot be used towards the work experience requirement of (8)(c) of this rule.

(c) Work Experience: The applicant must demonstrate a minimum of 3 years of work experience under the direct supervision of a licensed or Registered Landscape Architect.

(A) The applicant must provide a work history summary and documentation that verifies the work experience.

(B) Up to 2 years of the 3 years of this work experience may be under the direct supervision of a licensed or registered Professional Engineer qualified by education or experience in the specific technical field of Civil Engineering or Architect;

(9) The initial date of registration shall be the date of the meeting during which the applicant passes the oral examination and the Board approves the application for registration.

(10) Payment of the registration fee will be required before the Board will finalize and issue registration.

STATUTORY/OTHER AUTHORITY: ORS 183.335(5), 670.310, 671.325, 671.335, 671.415

STATUTES/OTHER IMPLEMENTED: 671.325, 671.335, ORS 671.316

AMEND: 804-022-0010

RULE TITLE: Landscape Architect Registration for Licensed or Registered Practitioner

RULE SUMMARY: This rule sets forth requirements for application for registration as a Landscape Architect for an individual holding a valid Landscape Architect license or registration in another U.S. state or territory. The rule also defines the education, examination, and work experience requirements for this registration type.

PROPOSED RULE TEXT:

(1) Any person not registered as a Landscape Architect in Oregon, but who currently holds an active license or registration in good standing to practice as a Landscape Architect in another U.S. state or territory, may file an application for registration under ORS 671.345 and the requirements of this rule. Applications are reviewed by the Board to determine if the applicant's credentials are substantially equivalent to the Board's requirements for registration. Registration is not granted solely upon the basis of holding a similar registration in another jurisdiction.

(2) An application must include the following:

(a) Completed and signed application form;

(b) Application Fee;

(c) Identification of U.S. states or territories in which licensure is currently held, and where examinations were passed; and

(d) Sufficient information to demonstrate that the applicant meets Board standards for examination, education, and work experience under subsections (3), (4), or (5) of this rule.

(A) The applicant may submit a CLARB Council Record that demonstrates the applicant meets the examination, education, and work experience qualifications. Information presented on the CLARB Council Record is subject to verification by the Board. The Board may request additional documentation or information from the applicant as the Board or its staff deem necessary for verification of the applicant's qualifications.

(B) Instead of using a CLARB Council Record, the applicant may have documentation of examination, education, and work experience provided to the Board by other qualifying, verified sources.

(C) An application is deemed incomplete until the applicant has provided all requested documentation and information and paid the application fee.

(3) All pathways to registration require 8 years of qualifying experience.

(4) Standard Registration Path, LAAB/LAAC Degree: A minimum of 8 years of landscape architecture experience is required for registration, with 5 years of education experience

granted for an LAAB or LAAC degree and 3 years of qualifying work experience required.

(a) Examination: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national examination is required. The applicant must verify passage of all sections of the national examination through scores provided to the Board by CLARB or the appropriate licensure board.

(b) Education: A degree from a LAAB or LAAC accredited university program is required. The applicant must provide an official transcript to verify award of a LAAB or LAAC degree if not applying with a CLARB Council Record that contains a verified transcript.

(c) Work Experience: The applicant must demonstrate a minimum of 3 years of work experience under the direct supervision of a licensed or Registered Landscape Architect. The applicant must provide a work history summary and documentation that verifies the work experience.

(A) Up to 2 years of the 3 years of this work experience may be under the direct supervision of a licensed or registered Professional Engineer qualified by education or experience in the specific technical field of Civil Engineering or Architect; or

(B) The applicant must demonstrate a minimum of 3 years of responsible charge work experience as a Landscape Architect with active license or registration in good standing in another U.S. state or territory verified as follows:

(i) A resume of the applicant detailing the 3 years of work experience as a licensed or registered Landscape Architect; and

(ii) Verification from the appropriate licensing board or CLARB of holding active licensure or registration in good standing for at least the 3 year period.

(5) Non LAAB/LAAC Degree Path: A minimum of 8 years of landscape architecture experience is required for registration, with 5 years of education experience from a combination of a degree and work experience used to meet the Board's education standards under OAR 804-010-0010 and an additional 3 years of work experience required.

(a) Examination: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national examination is required. The applicant must verify passage of all sections of the national examination through scores provided to the Board by CLARB or the appropriate licensure board.

(b) Education and Equivalent Experience: In the absence of a degree from a LAAB or LAAC accredited university program, the applicant must demonstrate 5 years of education credit as specified in OAR 804-010-0010.

(A) The applicant must provide an official transcript to verify award of a degree if not applying with a CLARB Council Record that contains a verified transcript.

(B) The applicant must also provide a work history summary and documentation that verifies the work experience used to meet the education credit.

(C) Experience used to satisfy the education requirement cannot be used towards the work experience requirement of (5)(c) of this rule.

(c) Work Experience: The applicant must demonstrate a minimum of 3 years of work experience under the direct supervision of a licensed or Registered Landscape Architect. The applicant must provide a work history summary and documentation that verifies the work experience.

(A) Up to 2 years of the 3 years of this work experience may be under the direct supervision of a licensed or registered Professional Engineer qualified by education or experience in the specific technical field of Civil Engineering or Architect; or

(B) A minimum of 3 years of responsible charge work experience as a Landscape Architect licensed or registered in another U.S. state or territory verified as follows:

(i) A resume of the applicant detailing the 3 years of work experience as a licensed or Registered Landscape Architect; and

(ii) Verification from the appropriate licensing board or CLARB of holding an active license or registration in good standing for at least the 3 year period.

(6) No Degree Path: A minimum of 8 years of landscape architecture experience is required for registration.

(a) Examination: Passage of the Landscape Architect Registration Examination (LARE) or the equivalent from previous versions of the national examination is required. The applicant must verify passage of all sections of the national examination through scores provided to the Board by CLARB or the appropriate licensure board.

(b) Experience in Lieu of Education: In the absence of any degree, the applicant must demonstrate 5 years of work experience under the direct supervision of a licensed or registered Landscape Architect to meet the education requirement of OAR 804-010-0020. The applicant must provide a work history summary and documentation that verifies the work experience. Experience used to satisfy the education requirement cannot be used towards the work experience requirement of (6)(c).

(c) Work Experience: The applicant must demonstrate a minimum of 3 years of work experience under the direct supervision of a licensed or Registered Landscape Architect. The applicant must provide a work history summary and documentation that verifies the work experience.

(A) Up to 2 years of the 3 years of this work experience may be under the direct supervision

of a licensed or registered Professional Engineer qualified by education or experience in the specific technical field of Civil Engineering or Architect; or

(B) A minimum of 3 years of responsible charge work experience as a Landscape Architect licensed or registered in another U.S. state or territory verified as follows:

(i) A resume of the applicant detailing the 3 years of work experience as a licensed or Registered Landscape Architect; and

(ii) Verification from the appropriate licensing board or CLARB of holding an active license or registration in good standing for at least the 3 year period..

(7) Registration may be granted without oral exam.

(8) Payment of the registration fee will be required before the Board will finalize and issue registration.

STATUTORY/OTHER AUTHORITY: ORS 183.335(5), 670.310, 671.325, 671.335, 671.415
STATUTES/OTHER IMPLEMENTED: ORS 671.345

AMEND: 804-022-0015

RULE TITLE: Initial Date of Registration and Renewal

RULE SUMMARY: This rule explains how registration and renewal dates are set and defines the basics of submitting a request for annual renewal.

PROPOSED RULE TEXT:

(1) The initial date of registration will be the date the application was approved, and the registration will be subject to renewal on an annual basis.

(2) The annual registration renewal date is the last calendar day of the month in which registration was first granted by the Board.

(a) A renewal must include the completed renewal signed by the registrant showing the registrant meets all the qualifications for renewal and the annual renewal fee.

(b) A renewal is considered timely if the Board has receipt of the items listed in (a) on or before the renewal date.

(3) The registration must be renewed annually on or before the renewal date to remain active. If the annual renewal is not made by the renewal date, the registration is lapsed.

(4) A lapsed registration may be renewed or reinstated in accordance with OAR 804-022-0020.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.325, 671.345, 671.365, 671.376

AMEND: 804-022-0020

RULE TITLE: Individual Registration Late Renewal and Reinstatement

RULE SUMMARY: This rule explains when and how a lapsed registration can be renewed late or reinstated as well as when a lapsed registration will expire for good.

PROPOSED RULE TEXT:

- (1) A registration is lapsed if the registrant has not completed the requirements for renewal by or before the renewal due date.
- (2) A registrant with a lapsed registration is not authorized to practice landscape architecture or use the title Registered Landscape Architect or variations thereof in Oregon.
- (3) A registrant with lapsed registration has the following options for obtaining an active registration with the Board:
 - (a) If registration is not renewed or reinstated within 5 years of the last renewal due date, then the registration expires. The individual cannot renew an expired registration but can apply for a new registration subject to current Board registration requirements.
 - (b) If the registrant takes action to renew within 5 years of the last renewal due date, then the renewal is subject to the requirements of (4) or (5) of this rule based on the date the renewal requirements are fulfilled.
- (4) If a registrant fails to renew a registration by the renewal date but completes the renewal requirements within 60 days of the renewal due date, the following apply:
 - (a) No late fee is required if the renewal is completed not later than 30 days after the renewal date; or
 - (b) A late fee is required if the renewal is completed more than 30 days but not later than 60 days after the renewal date.
- (5) Reinstatement is required if the renewal is completed more than 60 days after the renewal date but within 5 years of the last renewal due date (i.e., the reinstatement period). A registrant seeking renewal of registration within the reinstatement period must complete the requirements for renewal and the following additional reinstatement requirements:
 - (a) Submit a written request for reinstatement to the Board explaining why the registration renewal was late;
 - (b) For a Registered Landscape Architect registration, submit documentation of continuing education completion as required in OAR 804-025-0015(3) and pass a continuing education audit; and
 - (c) Pay all fees required by the Board, i.e. renewal fee and late fee for each year registration

was lapsed.

(6) The Board delegates to the Board Administrator the authority to renew lapsed registrations per (4) of this rule.

(7) The Board delegates to the Continuing Education Coordinator the authority to approve continuing education audits for purposes of reinstatement of lapsed registrations under (5) of this rule. Documentation of audit completion will be filed in the Board office.

(8) The Board delegates to the Administrator the authority to grant reinstatement of registration under (5) of this rule upon confirmation that all necessary requirements have been met.

STATUTORY/OTHER AUTHORITY: ORS 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.376

AMEND: 804-022-0025

RULE TITLE: Inactive and Inactive Emeritus Status

RULE SUMMARY: This rule describes two type of inactive status offered by the Board and how a registrant of the Board can request a change to inactive status or a reinstatement back to active status.

PROPOSED RULE TEXT:

- (1) The Board has two types of inactive status as described in this rule.
- (2) The Board shall grant inactive status to any Registered Landscape Architect who while in good standing as defined in 804-003-0000(15) submits a written request to the Board by or before the registration renewal date.
- (3) The Board shall grant inactive emeritus status to any Registered Landscape Architect who while in good standing as defined in OAR 804-003-0000(15) submits a written request to the Board by or before the registration renewal date and validation of 25 consecutive years of registration as a Landscape Architect, where the years can include time registered outside of Oregon.
- (4) A registrant on inactive or inactive emeritus status cannot practice landscape architecture in Oregon. A registrant on inactive status may not use the Registered Landscape Architect title or any similar title in Oregon. A registrant on inactive emeritus status may use the title Registered Landscape Architect, Emeritus or any similar title indicating the Emeritus or Retired status in Oregon.
- (5) A registrant on inactive or inactive emeritus status must submit an annual fee to cover the Board's administrative cost of maintaining a registration record.
- (6) Per ORS 671.376(4), a registrant can remain on inactive or inactive emeritus status for a period of 5 years. The 5 year period is counted forward from the last renewal due date. At the end of the 5 year period, the registration expires and cannot be renewed, but the individual can apply for a new registration subject to current Board registration requirements.
- (7) If a registrant on inactive or inactive emeritus status wishes to resume practicing within the 5 year period described in (6) of this rule, the registrant can request a reinstatement to Active status as follows:
 - (a) Submit a written request asking to return to active status;
 - (b) Submit the current year's renewal fee; and
 - (c) Complete the continuing education requirements for reinstatement of registration found at OAR 804-025-0015 as verified by an audit, except:
- (8) The Board delegates to the Administrator the authority to grant inactive and inactive

emeritus status upon verification that the requirements of (2) or (3), whichever is applicable, have been met.

(9) The Board delegates to the Continuing Education Coordinator the authority to approve continuing education audits for purposes of reinstatement to active status under (7) of this rule. Documentation of audit completion will be filed in the Board office.

(10) The Board delegates to the Administrator the authority to grant reinstatement to active status upon confirmation that the audit and all other requirements for return to active practice have been met.

STATUTORY/OTHER AUTHORITY: ORS 671.376(4), 671.415, 671.310

STATUTES/OTHER IMPLEMENTED: 671.415, 671.325, 671.335, 671.365

AMEND: 804-022-0030

RULE TITLE: Required Application Information

RULE SUMMARY: This rule explains why the Board is required to obtain social security number from applicants for registration or renewal. It also provides a process for when an individual does not have a social security number but requests a registration or renewal from the Board.

PROPOSED RULE TEXT:

(1) The Oregon State Landscape Architect Board (Board) will not issue or renew any individual registration unless an applicant or registrant provides a Social Security Number on the application or renewal form.

(a) A registrant need not provide the Social Security Number on the renewal form if the Social Security Number has been previously provided to the Board and is in the record.

(b) An applicant need not provide the Social Security number on a subsequent application if the Social Security Number has been previously provided to the Board and remains in the record.

(2) If an individual has not been issued a Social Security Number by the United States Social Security Administration, the Board will accept a written statement from the applicant to fulfill the requirements of OAR 804-022-0030(1) and this rule. The individual may, but is not required to, submit the written statement on a form provided by the Board. Any written statement submitted must:

(a) Be signed by the individual;

(b) Attest to the fact that no Social Security Number has been issued to the individual by the United States Social Security Administration;

(c) Assert that the information provided about the Social Security Number is true and correct; and

(d) Acknowledge that knowingly supplying false information under this section is a crime.

(3) Individuals must provide Social Security Numbers as required by ORS 25.785, 305.385, 42 USC § 666(a)(13), and 42 USC § 405(c)(2)(C)(i) for child support enforcement purposes and Department of Revenue purposes. The Board will not release a Social Security Number for any other purpose without express written consent of the individual.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 25.785, 305.385, 42 USC §666, 42 USC §405

STATUTES/OTHER IMPLEMENTED: 25.785, 305.385, ORS 671.335, 671.345, 671.376, 671.415

AMEND: 804-022-0035

RULE TITLE: Military Portability and Temporary Military Spouse Registration

RULE SUMMARY: This rule implements federal law addressing registration for military members and spouses of military members. It also addresses Oregon requirements to offer a temporary military spouse registration and defines the requirements for that registration type.

PROPOSED RULE TEXT:

(1) For purposes of this rule, “Armed Forces of the United States” means the Army, Navy, Air Force, Coast Guard, or Marine Corps of the United States or a reserve unit of one of those branches of the armed forces.

(2) Any Landscape Architect who holds an active license or registration in good standing to practice landscape architecture in another U.S. state or territory and who is either a member of the Armed Forces of the United States stationed in Oregon or the spouse of a military member stationed in Oregon is not required to obtain registration from the Board. However pursuant to federal law, the following conditions apply to military members and military spouses practicing landscape architecture in Oregon on the basis of reciprocal registration or licensure. Before practicing in Oregon, the Landscape Architect must:

(a) provide a copy of such military orders to the Board;

(b) remain in good standing with the licensing authority that issued the registration or license to practice landscape architecture; and

(c) submit to the authority of the Board for purposes of standards of practice, discipline, and continuing education requirements.

(3) Nothing in this rule prevents a Landscape Architect who is a military member or military spouse from applying for registration under OAR 804 Division 22 either for a Landscape Architect registration or a temporary military spouse registration.

(4) Pursuant to state law, the Board offers a temporary military spouse registration to any Landscape Architect who is the spouse or legal domestic partner of a member of the Armed Forces of the United States stationed in Oregon.

(5) Application for temporary military spouse registration must include the following:

(a) Completed and signed application form;

(b) Application Fee;

(c) Temporary Military Spouse Registration Fee;

(d) Signed Statement of Understanding;

(e) A copy of a marriage certificate, domestic partnership registration, or other official evidence of legal union and an attestation that said union is valid and in effect;

(f) A copy of the spouse or domestic partner's assignment to an Oregon duty station by official active duty military order;

(g) Official verification of the applicant's current active landscape architecture registration or license from another state licensure board to practice landscape architecture in that state; and

(h) Information required by the Board under (3) – (4) of this rule.

(6) The applicant shall provide documentation of education, experience, and examination credentials that show the applicant meets the requirements in OAR 804-022-0010 (3), (4), or (5). This documentation is required to support review of whether, in the opinion of the Board, Board Administrator, or other Board designee, the applicant has demonstrated competency to practice landscape architecture in Oregon and met registration or licensure standards substantially similar to those of the Board.

(7) The applicant must hold a landscape architecture registration or license in good standing with another state. For purposes of this rule, sufficient proof of good standing means the applicant has attested in writing to:

(a) Holding a current active unrestricted landscape architecture registration or license from another state licensure board;

(b) Being in compliance with all requirements of the other state licensure board, including, but not limited to, payment of all required fees and compliance with all continuing education requirements;

(c) Not being the subject of a pending investigation, action or order by another state licensure board for a matter related to landscape architecture practice; and

(d) Not having an action or order against the applicant by another state licensure board for violation or laws or rules, including a code of professional conduct, related to landscape architecture practice.

(8) A temporary military spouse registration issued under this section is valid until the earliest of the following, at which time the registration expires:

(a) Two years after the date of issuance;

(b) The date the spouse of the person to whom the temporary military spouse registration was issued completes military service in this state;

(c) The date the person's registration or license from another state used to qualify for

temporary military spouse registration expires; or

(d) The date of issuance of a final order of the Board that imposes disciplinary action that revokes, suspends, or otherwise restricts the registration.

(9) A temporary military spouse registration is not renewable.

(10) A registrant issued a temporary military spouse registration must notify the Board within 30 days of:

(a) Any change in contact information as defined in OAR 804-050-0005(8), with updates provided to the Board in the manner described in that rule;

(b) Any change in the status of the state license that was used a basis for obtaining the temporary military spouse registration;

(c) Any complaint, investigation, or action by another state against the person holding the temporary military spouse registration; and

(d) The date the spouse of the registrant to whom the temporary military spouse registration was issued completes military service in this state unless this occurs more than two years after issuance of the temporary military spouse registration.

(11) A temporary military spouse registrant must comply with all applicable requirements for practicing landscape architecture in Oregon including, but not limited to, the professional practice requirements and code of professional conduct in Divisions 27, 30, 35, and 50 of OAR Chapter 804.

(12) A temporary military spouse registrant does not have to comply with the continuing education requirements in Division 25 of OAR Chapter 804.

STATUTORY/OTHER AUTHORITY: ORS 670.310(1), 1(4), Chapter 142, Oregon Laws 2019 (HB 3030), 2(2), Chapter 142, Oregon Laws 2019 (HB 3030), 2, Chapter 626, Oregon Laws 2019 (SB 688), 50 U.S.C. 4025a

STATUTES/OTHER IMPLEMENTED: 1(4), Chapter 142, Oregon Laws 2019 (HB 3030), 2(2), Chapter 142, Oregon Laws 2019 (HB 3030), 2, Chapter 626, Oregon Laws 2019 (SB 688), 50 U.S.C. 4025a

AMEND: 804-025-0015

RULE TITLE: Continuing Education Requirements for Reinstatement of Registration

RULE SUMMARY: This rule defines requirements for continuing education as part of a request for a return to active status.

PROPOSED RULE TEXT:

(1) An inactive or inactive emeritus registrant must provide proof of completion of the continuing education requirements of OAR 804-025-0020(2) for the equivalent of 1 renewal period as part of a request for reinstatement of registration.

(2) PDH activities must have been completed within the 1 year period immediately preceding the request for reinstatement of registration.

(3) Lapsed registrants seeking reinstatement must provide proof of compliance with the requirements of OAR 804 Division 025 for the equivalent of each year the registration has been lapsed up to a maximum of the PDH required over 3 renewal periods. Activities must have been completed within the 1 year period immediately preceding the request.

STATUTORY/OTHER AUTHORITY: ORS 671.395, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.395, ORS 671.376

AMEND: 804-025-0020

RULE TITLE: Uniform Continuing Education Standards

RULE SUMMARY: This rule defines continuing education standards for Landscape Architects registered with the Board.

PROPOSED RULE TEXT:

(1) Definitions: The following are definitions of terms used in this Division.

(a) "Activity" — any course or educational endeavor that has a clear purpose and objective and maintains, improves or expands the professional knowledge or skill of the registrant in relation to the practice of landscape architecture.

(b) "Audit period" — the renewal period for which the registrant's continuing education activities are subject to audit with the exception of in the first year of registration granted by the Board, the audit period is from the date of registration issuance until the first renewal date.

(c) "Health, safety, and welfare (HSW)" — any issue related to the practice of landscape architecture exemplified by the examination required for registration or that is otherwise related to safeguarding of public HSW as related to proper evaluation, planning, design, construction and utilization of the natural and built environment. HSW issues include but are not necessarily limited to the following list related to the practice of landscape architecture:

(A) Codes, acts, ordinances, laws, and regulations governing the practice of landscape architecture;

(B) Construction administration, including the administration of construction contracts;

(C) Construction documentation;

(D) Design of environmental systems and use of site materials and methods of site construction;

(E) Environmental process and analysis;

(F) Erosion control methods, including storm water management;

(G) Grading and drainage;

(H) Horticulture, planting design, and vegetation management;

(I) Irrigation methods;

(J) Land planning and land use analysis;

(K) Landscape preservation, landscape restoration and adaptive reuse;

(L) Natural hazards impacts related to site design;

(M) Pedestrian and vehicular circulation;

(N) Preparedness and resiliency design and related construction details;

(O) Resource conservation and management;

(P) Risk management in practice and design;

(Q) Site accessibility, including American with Disabilities Act standards for accessible site design;

(R) Site and soils analysis;

(S) Site design;

(T) Specifications writing; and

(U) Sustainable design.

(d) “Outside the normal performance of occupation” — refers to continuing education activities that are completed separate from professional services provided and that are not customarily associated with or part of the registrant’s normal employment duties. Required workplace orientations or training activities are generally considered part of normal employment duties. Training received on a voluntary basis at the workplace may qualify as PDH.

(e) “Pro-bono service” — refers to professional services provided without fee or anticipation of other compensation to the public or an organization where such services are provided outside the normal performance of occupation. Services must draw upon the knowledge and skills of the registrant while also helping to maintain, improve, or enhance the registrant’s practice. Unbilled hours from a project done for compensation do not qualify as pro-bono service.

(f) “Professional development hour (PDH)” — one hour (with no less than 50 minutes of direct involvement, commonly referred to as a contact hour) of an activity that meets the requirements of these regulations.

(g) “Renewal period” — the one-year period immediately preceding each annual renewal date. For example, the renewal period for a registrant with a renewal date of May 31 runs from June 1 to the next renewal date of May 31.

(h) “Self-directed activity” — Any continuing education activity that:

- (A) Does not have a third-party sponsor;
- (B) Is completed outside the normal performance of occupation; and
- (C) Is accounted for in terms of time spent completing the activity by the registrant.
- (i) "Structured educational activity" — any continuing education activity that:
 - (A) Has a third-party sponsor, i.e. sponsor other than the registrant;
 - (B) Is characterized by pre-planning including a written objective and format;
 - (C) Is documented and verifiable; and
 - (D) For academic coursework, the following credit conversions apply:
 - (i) One university or college quarter credit hour = 30 PDHs; and
 - (ii) One university or college semester credit hour = 45 PDHs.
 - (E) One International Association For Continuing Education And Training (IACET) Continuing Education Unit (CEU) = 10 PDHs.
- (2) Basic Requirements for Renewal: An active Registered Landscape Architect shall complete 12 PDH of acceptable continuing education activities during the renewal period. However, an active Registered Landscape Architect with 25 consecutive years of registration with the Board or other landscape architecture regulatory boards shall only need to complete 4 PDH during the renewal period.
 - (a) At least 75% of the PDH must be earned by completing activities that directly address the HSW issues of the public as related to the practice of landscape architecture; and
 - (b) If a registrant exceeds the PDH requirement in a renewal period, the registrant may carry forward PDH only as follows:
 - (A) PDH carried forward cannot exceed the amount required in the next renewal period;
 - (B) PDH carried forward can only be used in the next renewal period; and
 - (C) In an audit review, the Board will only consider the PDH completed in the audit period and the 2 prior renewal years.
- (3) Conditions For Acceptance:
 - (a) To be accepted as a PDH, an activity must be related to the practice of landscape

architecture, performed outside of the normal performance of one's occupation, and contemporaneously documented.

(b) The Board encourages registrants to seek diversified continuing education activities. In addition to structured educational activities, the following types of self-directed activities related to the practice of landscape architecture may be accepted as PDH by the Board:

(A) Professional or Technical Presentations: Making professional or technical presentations at recognized professional meetings, conventions or conferences may qualify the registrant for up to 4 PDH per renewal period for each presentation given on a distinct topic. PDH cannot be claimed for repeating the same presentation or for substantially similar presentations made during the renewal period. A maximum of 8 PDH (i.e., 2 presentations) of this type may be accepted per renewal period.

(B) Teaching or Instructing: Teaching or instructing a qualified presentation to a group may qualify the registrant for up to 2 PDH for each contact hour spent in the classroom. Teaching PDH may be available only for teaching a course or seminar in its initial presentation. Teaching PDH are not available to faculty of any college or university where teaching or instructing was part of the normal performance of the registrant's occupation. A maximum of 4 PDH of this type may be accepted per renewal period.

(C) Authoring: Authoring (publishing) or presenting an original paper, article or book may qualify the registrant for up to 20 PDH per publication in the renewal period. PDH value will be commensurate with the type, length, and complexity of the publication. The Board may also consider whether the publication was peer reviewed in determining PDH value. PDH may be available for either authorship or presentation of the publication but not for both. PDH cannot be requested until the paper, article, or book is actually published or presented and is limited to authorship or presentation in its initial version.

(D) Professional societies, organizations, boards or commissions: Service during the renewal period as an elected officer, appointed member, or appointed committee member of a professional society, organization, board or commission with a mission related to the practice of landscape architecture may qualify the registrant for PDH. The registrant is responsible for documenting how the service improved or expanded professional knowledge or skills. 4 PDH of this type per society, organization, board or commission may be accepted per renewal period if at least 4 hr. of service was completed. Maximum PDH of this type per renewal period is 8 PDH.

(E) Professional examination writing: Serving on a committee writing examination materials for a professional registration examination may be eligible for up to 1 PDH per 4 hours of examination writing efforts. A maximum of 4 PDH of this type may be accepted per renewal period.

(F) Specialty Certifications: Attaining specialty certifications through examination from a qualified professional society or organization may qualify the registrant for PDH equal to two times the allotted examination time (i.e., 4 PDH may be granted for a certification

examination of 2 hours in length). A maximum of 4 PDH of this type may be accepted per renewal period.

(G) Pro-bono Service: Pro-bono service that has a clear purpose and objective and meets the requirements of 804-025-0020(1)(e) may qualify the registrant for up to 1 PDH for every 4 hours of service. A maximum of 4 PDH of this type may be accepted per renewal period.

(H) Travel: Extended travel outside the registrant's state, territory, or province of residency may be eligible for up to 2 PDH per week (7 calendar days) of travel. The registrant is responsible for documenting how the travel experience improved or expanded professional knowledge or skills. A maximum of 4 PDH of this type may be accepted per renewal period.

(I) Industry-Related Exhibitions: Attendance at industry-related exhibitions such as home and garden shows, may qualify the registrant for up to 1 PDH per exhibition. A maximum of 2 PDH of this type may be accepted per renewal period.

(J) University-Based Mentoring: Mentoring one or more students enrolled at a university that has an accredited landscape architectural degree program as part of a Landscape Architecture Shadow Mentor Day or another similar academic-based mentoring event may qualify the registrant for up to 1 PDH per mentor day. A maximum of 2 PDH of this type may be accepted per renewal period.

(K) Design Critiques and Juries: Serving on a jury of student or professional work may qualify the registrant for up to 1 PDH per 4 hours of advanced preparation, project review, and critique time. A maximum of 4 PDH of this type may be accepted per renewal period.

(L) Landscape Architecture Regulatory Board: Membership on a regulatory board for the practice of landscape architecture may qualify the registrant for up to 8 PDH per year of service as an appointed member.

(4) The Board has final authority with respect to acceptance of PDH as meeting the requirements of OAR 804 Division 25. Board decisions to accept or reject specific PDH will be based on these rules and the documentation submitted by the registrant.

STATUTORY/OTHER AUTHORITY: ORS 671.395, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.395

AMEND: 804-025-0035

RULE TITLE: Auditing of PDH

RULE SUMMARY: This rule defines the audit requirement and audit procedures as related to Landscape Architects registered with the Board.

PROPOSED RULE TEXT:

- (1) Each active registrant is subject to being audited annually.
- (2) The Board randomly selects registrants for audit on a quarterly basis during each year.
- (3) Registrants receiving an audit notification shall provide documentation of satisfying the continuing education requirements for the audit period within 21 days or by the deadline set by the Board in writing. Documentation shall at a minimum include:
 - (a) The Board-approved PDH log identifying all PDH activities for the audit period; and
 - (b) Supporting documentation validating all PDH for the audit period for which the registrant is seeking credit, except that the registrant is not required to submit PDH documentation for PDH activities identified on the log beyond the annual PDH requirement unless the registrant is requesting Board confirmation of carryover hours that can be applied to the subsequent renewal period; and
 - (c) Proof of exemption from the continuing education requirements per OAR 804-025-0010(1), where applicable.
- (4) If the documentation provided by the registrant in response to audit is incomplete or requires clarification, the registrant may be provided with an opportunity to provide additional written clarification or additional documentation. The registrant will be notified in writing of the information needed to complete the audit review and the deadline for submittal of the requested information.
- (5) PDH documentation received from the registrant is reviewed by the Board's Continuing Education Coordinator (CEC).
- (6) The CEC recommendation will be presented for approval to the Board, except for audits completed for reinstatement of registration purposes as per OAR 804-022-0020(7). The CEC may include in the recommendation, when applicable, any information gathered during the audit process that may inform the Board's consideration under either (7) or (8) of this rule.
- (7) If the Board finds through audit that the registrant completed some acceptable PDH but less than the required PDH during the audit period or has unacceptable documentation of PDH completed during the audit period, the Board may, at its discretion, allow the registrant up to 90 days after notification to substantiate the original PDH claim or to document other continuing education activities completed during or after the audit period sufficient to meet the minimum PDH requirements for the audit period. The Board shall not reduce the PDH

required absent an exemption granted under 804-025-0010.

(8) If the Board finds through audit that the registrant failed to complete any acceptable PDH during the audit period, the Board may, at its discretion only if there are extenuating circumstances that the Board finds justify the failure to complete PDH, allow the registrant up to 90 days after notification to complete the minimum PDH required for the audit period. The Board shall not reduce the PDH required absent an exemption granted under 804-025-0010.

(9) If the registrant fails to furnish the PDH documentation and information required by the Board or if the documentation and information provided is not sufficient to meet Board PDH requirements, the registration may not be renewed. Alternatively, or in addition to non-renewal of registration, the Board may pursue other disciplinary actions, including the imposition of civil penalties, for non-compliance per ORS 671.404, 671.408, and 671.995.

(10) Written notification of the Board's decision on the audit will be issued to the registrant.

(11) It is the responsibility of the registrant to identify all PDH completed on the PDH log. Any carryover PDH may be used only in the renewal period immediately following the audit period. A letter informing the registrant of approved carryover hours may be submitted without additional documentation for those PDH if the registrant is selected for audit in the next year.

STATUTORY/OTHER AUTHORITY: ORS 671.395, 671.404, 671.408, 671.415, 671.995

STATUTES/OTHER IMPLEMENTED: ORS 671.395

REPEAL: 804-030-0040

RULE TITLE: Roster

RULE SUMMARY: The Board now makes registration information available to the public via an online public register. The Board finds there is no need to keep this rule.

EXISTING RULE PROPOSED FOR REPEAL:

The Board may publish a biennial roster containing the names of all registrants.

STATUTORY/OTHER AUTHORITY: ORS 671

STATUTES/OTHER IMPLEMENTED:

AMEND: 804-035-0010

RULE TITLE: Business Registration for Business Providing Landscape Architecture Services

RULE SUMMARY: This rule sets forth requirements for application for business registration.

PROPOSED RULE TEXT:

(1) A business as defined at OAR 804-003-0000(2) is required to obtain and maintain an active business registration from the Board. A business must hold a separate business registration for each office of the business from which landscape architecture services are provided in Oregon.

(2) A business that intends to provide landscape architecture services in Oregon may apply for a business registration.

(3) Each business or business office providing landscape architectural services in Oregon must meet the following requirements:

(a) For purposes of ORS 671.318 and Division 35, an "owner or officer" of the business means an individual owning, operating, or employed by the business and having full authority, accountability, and responsibility on behalf of the business to enter into contracts for provision of landscape architectural services in Oregon, to directly provide such services, and to otherwise make decisions regarding the execution and outcome of such services. At least one "owner or officer" must be a Registered Landscape Architect holding an active registration in good standing with the Board and be in responsible charge of the landscape architecture services of the business.

(b) Each business must designate at least one Registered Landscape Architect holding an active registration and in good standing with the Board as being in responsible charge of the landscape architectural services provided in Oregon by the business. In the case of a business with multiple office locations, each office that, regardless of its physical location, is providing landscape architectural services in Oregon must have a designated Registered Landscape Architect in responsible charge of the services provided from that office.

(A) All professional documents issued by the business that are required to be stamped under ORS 671.310 to 671.459 or OAR chapter 804 shall bear the stamp and signature of a Registered Landscape Architect designated as in responsible charge under the business registration on file with the Board. Such professional documents shall also bear the name of the business.

(B) More than one Registered Landscape Architect may be designated as in responsible charge of landscape architecture services provided through a business or business office;

(C) An individual Registered Landscape Architect may be designated as in responsible charge of more than one office of a business provided that the Registered Landscape Architect is able to adequately supervise the landscape architecture services provided in Oregon;

(D) An individual Registered Landscape Architect stamping and signing documents must maintain, and make available to the Board upon request, adequate records to demonstrate the nature and extent of the direct supervision and control over, and detailed knowledge of, the work stamped and signed;

(E) Each Registered Landscape Architect designated as being in responsible charge of landscape architectural services provided by a business must have a Statement of Responsibility with current and accurate information on file with the Board; and

(4) Each business holding a business registration must notify the Board in writing within 30 days of any change in:

(a) Business name, including any assumed, fictitious, trading as or doing business as names the business uses.

(b) Business contact information such as physical and mailing addresses, preferred email address and phone number.

(c) Business status, including closure, opening or other change in business office locations and changes in business owners or officers.

(d) Registered Landscape Architect designated as being in responsible charge of the landscape architectural services provided in Oregon by the business or business office.

(5) When a business holding an active business registration changes its name during a renewal period, a new business registration is not required. However, the Board will assign a new business registration number to the business under the new name.

STATUTORY/OTHER AUTHORITY: ORS 671.318, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.318

AMEND: 804-035-0020

RULE TITLE: Application for Business Registration

RULE SUMMARY: This rule explains the requirements for an application for business registration.

PROPOSED RULE TEXT:

- (1) A business must submit an application for a business registration to the Board, accompanied by the appropriate fees as set in OAR 804-040-0000.
- (2) The application must be on forms prescribed by the Board and will contain the following information:
 - (a) Business name, including any assumed, fictitious, trading as or doing business as names the business uses;
 - (b) Contact information for the business or office of the business:
 - (A) Physical address;
 - (B) Mailing address;
 - (C) Preferred email address; and
 - (D) Phone number.
 - (c) Listing of other business offices in Oregon and whether landscape architectural services are provided from those offices, and where applicable, Board business registration numbers for those offices;
 - (d) Contact information for each Registered Landscape Architect designated as being in responsible charge of the landscape architectural services provided in Oregon by the business or business office.
 - (e) Statement of Responsibility from each Registered Landscape Architect designated as being in responsible charge.

STATUTORY/OTHER AUTHORITY: ORS 671.318, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.318

AMEND: 804-035-0030

RULE TITLE: Issuance, Renewal and Expiration of Business Registration

RULE SUMMARY: This rule addresses issuance and renewal of business registration.

PROPOSED RULE TEXT:

(1) Upon satisfactory completion of requirements, the Board may issue a new business registration for a business. The registration is subject to annual renewal unless earlier revoked, suspended, or surrendered.

(a) The initial date of registration will be the date the application was approved; and

(b) The annual registration renewal date is the last calendar day of the month of the initial date of registration.

(2) A business may renew a registration by submitting a complete renewal including applicable fees:

(a) On or before the registration renewal date;

(b) Within 30 days of the registration renewal date without payment of a late fee; or

(c) More than 30 days after the registration renewal date with payment of a late fee and upon meeting the requirements of OAR 804-035-0035.

(3) A business registration that is not renewed timely expires and cannot be reinstated 1 year from when the registration became lapsed.

STATUTORY/OTHER AUTHORITY: ORS 671.318, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.318

AMEND: 804-035-0035

RULE TITLE: Reinstatement of Expired Business Registration

RULE SUMMARY: This rule addresses requirements for reinstatement of a business registration.

PROPOSED RULE TEXT:

(1) A business registration that was not renewed within 30 days of the annual registration renewal date may be reinstated under the following conditions:

(a) The business submits a written request to the Board for reinstatement explaining the reason for failing to renew within 30 days of the annual registration renewal date; and

(b) The reinstatement request is submitted within 1 year of when the registration first became lapsed. A business registration cannot be reinstated after 1 year in lapsed status.

(2) The business must also submit the following for reinstatement:

(a) Any additional information the Board may request for purposes of considering the request for reinstatement;

(b) Payment of the current annual renewal fee;

(c) Payment of any prior unpaid annual renewal fee; and

(d) Payment of late fees.

STATUTORY/OTHER AUTHORITY: ORS 671.318, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.318

AMEND: 804-040-0000

RULE TITLE: Fees

RULE SUMMARY: This rule sets the Board's fee schedule. The fee schedule is set to align with the Board's operating budget for the 2025-2027 budget biennium. The fee changes proposed would remove an obsolete fee and add a new fee for a new service offered. No budgetary impact is anticipated.

PROPOSED RULE TEXT:

The following are fees established by the board:

(1) Examination Fees: Landscape Architect Registration Examination (LARE): the cost for each section of the LARE is set by the Council of Landscape Architectural Boards (CLARB) and must be paid directly to CLARB.

(2) Registration Fees:

(a) Initial Landscape Architect in Training registration: \$50.00.

(b) Annual renewal for Landscape Architect in Training: \$50.00.

(c) Application fee for initial Landscape Architect registration: \$150.00.

(d) Application fee for Landscape Architect registration by reciprocity: \$150.00.

(e) Initial Landscape Architect registration: \$375.00.

(f) Annual renewal for Landscape Architect: \$375.00.

(g) Inactive and Inactive Emeritus Annual fee: \$60.00.

(3) Business Fees:

(a) Application fee for business registration: \$150.00.

(b) Initial business registration fee: \$300.00.

(c) Annual business registration renewal fee: \$300.00.

(d) Initial or revised statement of responsibility filing for an individual Registered Landscape Architect designated as in responsible charge of landscape architectural services: \$50.00.

(4) Miscellaneous Fees:

(a) Late fee: \$100.00 for each lapsed year.

(b) Duplicate certificate: \$50.00.

(c) Fee for registrant list: \$50.00.

(d) Application fee for temporary military spouse registration: \$150.00.

(e) Temporary military spouse registration fee: \$375.00.

(f) Application fee for petition to consider criminal conviction history; \$150.00

STATUTORY/OTHER AUTHORITY: ORS 182.466(4), 670.310, 671.365, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.325, 671.345, 671.365, 671.376

AMEND: 804-050-0005

RULE TITLE: Responsibility to the Board

RULE SUMMARY: This rule defines the responsibilities to the Board that apply to an individual Board registrant.

PROPOSED RULE TEXT:

(1) A Registered Landscape Architect or a Landscape Architect in Training must respond to written requests from the Board within 21 days after the request is mailed, emailed, or otherwise delivered to the Registered Landscape Architect or Landscape Architect in Training.

(a) Mailed means sent via United States mail with proper postage and addressed to the registrant's preferred address of record on file with the Board.

(b) Emailed means sent to the preferred email address on file with the Board as last provided by the registrant.

(c) The Board may give a registrant less than 21 days to respond to subsequent requests that are intended to:

(A) clarify a registrant's initial response to the Board;

(B) solicit information that was requested but not included in the registrant's response;

(C) address a lack of response to the initial request; or

(D) when the Board determines that a shorter time period is necessary based on the circumstances.

(2) If a Registered Landscape Architect or a Landscape Architect in Training has information which leads to a reasonable belief that another Registered Landscape Architect or Landscape Architect in Training has committed a violation of this Code of Professional Conduct, or that an individual or business is in violation of the statutes or rules governing the practice of landscape architecture (ORS 671.310 to 671.459 and OAR chapter 804), such information must be promptly reported to the Board.

(3) A Registered Landscape Architect must not dismiss from employment, or take any other action punitive in nature against another Registered Landscape Architect because of the other Registered Landscape Architect's compliance with any part or subsection of this Code of Professional Conduct, or any other provision of OAR chapter 804, or any provisions of ORS 671.310 to 671.459.

(4) A Registered Landscape Architect must not knowingly prepare or stamp construction documents which are in violation of any codes, laws, or regulations.

(5) A Registered Landscape Architect must only verify landscape architecture experience of those examination candidates or applicants for registration that have been under the direct supervision of the Registered Landscape Architect.

(6) A Registered Landscape Architect must only sign the renewal form verifying completion of Professional Development Hours (PDH) if the Registered Landscape Architect has the proper documentation to validate completion of the PDH.

(7) A Registered Landscape Architect in responsible charge of landscape architectural services provided by a business must:

(a) Ensure that the business holds an active business registration with the Board; and

(b) Have a statement of responsibility with current and accurate information on file with the Board as part of that business registration.

(8) A Registered Landscape Architect shall at all times maintain the following contact information with the Board:

(a) Home (personal) mailing address and phone number;

(b) Work mailing address and phone number, if applicable;

(c) One preferred mailing address, i.e. home (personal) or work; and

(d) One preferred email address.

(9) A Registered Landscape Architect shall notify the Board within 30 days of any change in the contact information listed in Section (8) of this rule. Updates must be provided by written letter or email to the Board office or through an online portal where made available by the Board.

(10) A Landscape Architect in Training must only engage in the practice of landscape architecture under the direct supervision of a Registered Landscape Architect.

STATUTORY/OTHER AUTHORITY: ORS 671.393, 671.415

STATUTES/OTHER IMPLEMENTED: ORS 671.393