



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 808

LANDSCAPE CONTRACTORS BOARD

FILED

12/26/2025 1:12 PM

ARCHIVES DIVISION

SECRETARY OF STATE

FILING CAPTION: Adoption of LCB Prep Course & Exam through Clackamas Community College Small Business Development Center.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/30/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT: Norma Huerta

503-967-6291, Ext. 220

norma.huerta@lcb.oregon.gov

2111 Front St. NE

Ste - 2-101

Salem ,OR 97301

Filed By:

Kim Gladwill-Rowley

Rules Coordinator

NEED FOR THE RULE(S)

Rule amendments to adopt LCB Prep Course & Exam through Clackamas Community College Small Business Development Center (SBDC). This rule will help meet a need that small businesses have been requesting.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS 671.570 and this is available on the Board's website at [www.oregon.gov.lcb](http://www.oregon.gov/lcb)

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The rule amendments do not affect racial equity.

FISCAL AND ECONOMIC IMPACT:

There is no fiscal and economic impact.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

1. There is no cost associated to other agencies or members of the public. 2a. It is unknown how many small businesses this will impact, but this will provide landscape companies more options for taking licensing exams and increase access.
- 2b. The record keeping will all be done by Clackamas Community College for the registration of the course and exam scores. 2c. The cost is optional for small businesses and will only apply to those who want to take advantage of this program. The estimated cost for the prep course and exam is \$400.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Several Board members are small business owners.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The Board acts as its own Rule Advisory Committee.

RULES PROPOSED:

808-003-0710, 808-003-0720, 808-003-0730, 808-003-0750, 808-003-0800, 808-003-0810, 808-003-0820, 808-003-0830, 808-003-0840

AMEND: 808-003-0710

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0710

Fees ¶

(1) Conventional exam fee: The fee amount is determined by PSI.¶

(2) The LCB Prep Course and Exam Fee: The fee amount is determined by the Small Business Development Center (SBDC).¶

(3) Practical skills exam fee: Exterior Technician Exam taken through the National Association of Landscape Professionals (NALP) is paid directly to NALP. The fee amount is determined by NALP.¶

(34) Practical skills business class fee: \$100.¶

(45) Retake fees. An applicant must pay the fees in subsection (1) (2) & (3) of this rule if an applicant wants to retake any sections of the test.¶

(56) Expiration of application. An applicant must pay the application fee in as stated in OAR 808-003-0130(5) if the application has expired as stated in OAR 808-003-0030.

Statutory/Other Authority: ORS 671.760

Statutes/Other Implemented: ORS 671.561, ORS 671.570

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0720

Change to Limited Licenses, Generally ¶

(1) Landscape construction professionals holding limited licenses may change that phase of license by passing additional sections of the exam. Licensees shall register through the National Association of Landscape Professionals (NALP) to take specific specialty sections of the practical skills exam as required in OAR 808-003-0910 or obtain their candidate identification number from the agency to register with PSI to take the conventional exam or the Small Business Development Center (SBDC) to take the LCB Prep Course and Exam.¶

(2) To change a license to a Standard license:¶

(a) Holders of a Sod & Seed License or Tree license must pass:¶

(A) The following conventional exam sections: Plants and Turf, Design, Grading and Drainage, and Hardscaping, or¶

(B) The following practical skills exam sections: Common Core, Softscape Installation, and Hardscape Installation; or¶

(C) A combination of conventional exam sections and practical skills as stated in OAR 808-003-0750; or¶

(D) The LCB Prep Course and Exam¶

(b) Holders of a Planting license must pass:¶

(A) The conventional Hardscaping exam section; or¶

(B) The Common Core and the Hardscape Installation section of the practical skills exam; or¶

(D) The LCB Prep Course and Exam¶

(3) To change to a Planting license holders of a Sod & Seed license or a Tree license must pass:¶

(a) The following conventional exam sections: Plants and Turf and Design, Grading and Drainage; or¶

(b) The following practical skills exam sections: Common Core and Softscape Installation; or¶

(c) A combination of conventional exam sections and practical skills exam sections as stated in OAR 808-003-0750.¶

(4) To change a license to an All Phase Plus Backflow license:¶

(a) Holders of a Sod & Seed license or Tree license must pass:¶

(A) The following conventional exam sections: Plants and Turf; Design, Grading and Drainage; Hardscaping; Irrigation; and Backflow; or¶

(B) The following practical skills exam sections: Common Core, Softscape Installation, Hardscape Installation, and Irrigation and the Backflow section of the conventional exam; or¶

(C) A combination of conventional exam sections and practical skills exam sections as stated in OAR 808-003-0750; or¶

(D) The LCP Prep Course & Exam; and the conventional Irrigation, and Backflow exam sections.¶

(b) Holders of a Planting license must pass:¶

(A) The following conventional exam sections: Hardscaping, Irrigation and Backflow exam; or¶

(B) The following practical skills exam sections: Common Core and Irrigation and the Backflow section of the conventional exam; or¶

(C) A combination of conventional exam sections and practical skills exam section as stated in OAR 808-003-0750; or¶

(D) The LCB Prep Course & Exam; and the conventional Irrigation, and Backflow exam sections.¶

(5) To add Planting to holders of an Irrigation plus Backflow license the landscape construction professional must pass:¶

(a) The following conventional exam sections: Plants and Turf and Design, Grading and Drainage sections; or¶

(b) The following practical skills exam sections: Common Core and Softscape Installation; or¶

(c) A combination of conventional exam sections and practical skills exam sections as stated in OAR 808-003-0750.¶

(6) To add Irrigation plus Backflow to holders of a Planting license the landscape construction professional must pass:¶

(a) The following conventional exam sections: Irrigation and Backflow; or¶

(b) The following practical skills exam sections: Common Core and Irrigation and the Backflow section of the conventional exam; or¶

(c) A combination of conventional exam sections and practical skills exam section as stated in OAR 808-003-

0750.¶

(7) An Arborist phase of license may be added to any other phase of license, except a Modified phase of license. The landscape construction professional seeking to add an Arborist phase of license, must submit verification of a current certification with the International Society of Arboriculture (ISA) as a Certified Arborist.¶

(8) A Modified license phase may be only changed to another phase of license as stated in OAR 808-003-0503.¶

(9) Any limited license phase may only be changed to a Modified license phase by submitting a request to the Board. A change from a limited license phase to a Modified license phase requires the landscape construction professional and landscape contracting business to follow all the rules of a Modified license phase.

Statutory/Other Authority: ORS 671.670, ORS 670.310

Statutes/Other Implemented: ORS 671.560, ORS 671.561, ORS 671.570

REPEAL: 808-003-0730

RULE SUMMARY: This rule has been moved to OAR 808-003-750.

CHANGES TO RULE:

~~808-003-0730~~

~~Passing Scores, Probationary and Owner, Managing Employee~~

~~(1) A passing score for an applicant for a Probationary All Phase Plus Backflow license will expire upon expiration of the application as stated in OAR 808-003-0030(3). ¶~~

~~(2) A passing score of the Laws, Rules, and Business Practice section will remain valid for any applicant that passed this section and has been the managing employee or managing owner of a licensed landscape contracting business within two years; otherwise the scores will remain valid for up to one year from the date of the receipt of an application for licensing.~~

~~Statutory/Other Authority: ORS 671~~

~~Statutes/Other Implemented: ORS 571~~

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0750

Combination of Conventional Exam Sections, LCB Prep Course & Exam, and Practical Skills Exam Sections ¶

(1) An applicant may pass a combination of specific sections of the conventional exam, LCB Prep Course and Exam, and specific sections of the practical skills exam to obtain the landscape construction professional license or change the landscape construction professional license phase.¶

(2) If an applicant passes the Common Core, Softscape Installation, Hardscape Installation and Irrigation sections of the practical skills exam as stated in OAR 808-003-0920, the applicant must pass the Backflow section of the conventional exam in order to hold an Irrigation plus Backflow phase of license or an All Phase plus Backflow phase of license.¶

(3) An applicant passes the LCP Prep Course and Exam, the applicant must pass the Irrigation and Backflow sections of the conventional exam in order to hold an All Phase plus Backflow Phase of license. ¶

(4) An applicant taking the practical skills exam may take and pass the Laws, Rules & and Business Practices exam section in lieu of completing the business class required under ORS 671.561(6).¶

(45) Except as provided in subsection 5(6) of this rule an applicant taking only the conventional exam sections cannot take the business class in lieu of passing the Laws, Rules & and Business Practices exam.¶

(56) An applicant may take the business class in lieu of the Laws, Rules & and Business Practices conventional exam section if the practical skills Common Core section if at least the Softscape Installation, Hardscape Installation or Irrigation section of the practical skills exam are passed.¶

(67) Except as provided in subsection (9) and (10) of this rule, a passing score on any section of the conventional exam shall be valid until the third December 31st following passage of that exam section. An applicant who fails to pass all the sections required for a particular license phase and to obtain that license phase by the third December 31st following passage of any exam section shall retake that exam section. ¶

(7) Except as provided in subsection (9) and (10) of this rule, a passing score of, LCB Prep Course and Exam, or any practical skills section is, shall be valid until the third December 31st following passage of that exam section. An applicant who fails to pass all the sections required for a particular license phase and to obtain that license phase by the third December 31st following passage of that any exam section shall retake that exam section. ¶

(8) A combination of subsection (6) and (7) of this rule does not change the length of time scores are valid.¶

(9) A passing score for an applicant for a Probationary All Phase Plus Backflow license will expire as stated in OAR 808-003-0030(3).¶

(10) A passing score of the Laws, Rules and Business Practice section will remain valid for any applicant that passed this section and has been the managing employee or managing owner of a licensed landscape contracting business within two years; otherwise, the scores will remain valid for up to one year from the date of the receipt of an application for licensing.

Statutory/Other Authority: ORS 671.670

Statutes/Other Implemented: ORS 671.561, ORS 671.570

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0800

Conventional Examination Sections and LCB Prep Course & Exam Modules¶

(1) The conventional Exam will consist of the following sections:¶

- (a) Laws, Rules and Business Practice¶
- (b) Plants and Turf;¶
- (c) Design, Grading and Drainage;¶
- (d) Hardscaping;¶
- (e) Irrigation Systems; and¶
- (f) Backflow installation of irrigation and ornamental water feature backflow assemblies.¶

(2) The LCB Prep Course and Exam will consist of the following modules:¶

- (a) Laws, Rules and Business Practice¶
- (b) Plants and Turf¶
- (c) Design, Grading and Drainage; and¶
- (d) Hardscaping.¶

(3) To obtain an All Phase plus Backflow License, the applicant must successfully pass the Laws, Rules and Business Practice, Plants and Turf, Design, Grading and Drainage, Hardscaping, Irrigation and Backflow sections, including a combination of conventional exam sections and LCB Prep Course and Exam modules.¶

(34) To obtain a Standard license, the applicant must successfully pass the Laws, Rules and Business Practice, Plants and Turf, Design, Grading and Drainage, and Hardscaping sections.¶

(45) To obtain an Irrigation license, the applicant must successfully pass the Laws, Rules and Business Practice, Irrigation and Backflow sections.¶

(56) To obtain a Planting license the applicant must successfully pass the Laws, Rules and Business Practice, Plants and Turf, and Design, Grading and Drainage sections.¶

(67) To obtain a Probationary All Phase plus Backflow License, the applicant must successfully pass the Laws, Rules and Business Practice, Plants and Turf, Design, Grading and Drainage, Hardscaping, Irrigation and Backflow Prevention sections within 12 months after the first sitting of any section of the examination, including a combination of conventional exam sections and LCB Prep Course and Exam modules.¶

(78) To obtain a Modified License the applicant must successfully pass the Laws, Rules and Business Practices section.

Statutory/Other Authority: ORS 671.670

Statutes/Other Implemented: ORS 671.570

AMEND: 808-003-0810

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0810

Conventional Examination Testing Requirements ¶

(1) As used in OAR Chapter 808, Division 003 the conventional exam as required in ORS 671.571 shall be the landscape construction professional license exam that is offered by PSI. ~~An application approved for testing may schedule testing at an approved testing center.~~ ¶

(2) An applicant must pay the exam fee directly to the ~~approved~~ and the LCB Prep Course and eExam provider as stated in OAR 808-003-0710(2). ¶

(3) Applicants may bring: ¶

(a) A non-programmable calculator that is silent, battery operated, does not have paper tape printing capabilities, and does not have a keyboard containing the alphabet. ¶

(b) One language translation dictionary or electronic translating device if English is not the first language of the applicant. No notes or writing on or in these translation aids is allowed. ¶

(4) Applicants will be offered by the Small Business Development Center. An application approved for testing may schedule testing at an ~~provided~~ all other exam material by the testing center in Oregon. If at testing center. ¶

(2) An applicant ~~takes~~ must pay the exam in another state, that testing center may not have the exam materials. In those cases, the applicant must complete the exam without the exam materials. Except as provided in subsection (3) of this rule the applicant's own exam materials are not allowed in a testing center ~~fee directly to the approved exam provider as stated in OAR 808-003-0710(2).~~

Statutory/Other Authority: ORS 671.670

Statutes/Other Implemented: ORS 671.570

AMEND: 808-003-0820

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0820

Scoring of Conventional Examinations and LCB Prep Course & Exam ¶

- (1) Each conventional exam section shall be scored separately. ¶
- (2) Based on 100 percent, the passing score for a conventional exam and the LCB Prep Course and Exam shall be 75 percent or higher for each section/module. ¶
- (3) Except as provided in OAR 808-003-0730 a passing score for a conventional exam section shall be valid until the third December 31st following passage of that exam section. An applicant who fails to pass all the sections required for a particular license phase and obtain that license phase by the third December 31st following passage of any exam section shall retake that section. ¶
- (4) A passing score for a conventional exam section and the LCB Prep Course and Exam shall be valid until the third December 31st following passage of that exam section. An applicant who fails to pass all the sections required for a particular license phase and obtain that license phase by the third December 31st following passage of any exam section shall retake that section.

Statutory/Other Authority: ORS 671.670

Statutes/Other Implemented: ORS 671.570

AMEND: 808-003-0830

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0830

Conventional Examination and LCB Prep Course & Exam Retakes ¶

(1) An applicant wanting to retake any conventional exam section or LCB Prep Course and Exam module must schedule testing at an approved testing center in Oregon or in another jurisdiction as stated in OAR 808-003-0810.¶

(2) An applicant must pay the exam fee directly to the approved testing center.

Statutory/Other Authority: ORS 671.670

Statutes/Other Implemented: ORS 671.570

AMEND: 808-003-0840

RULE SUMMARY: The Clackamas Community College Small Business Development Center (SBDC) will be offering the LCB exam through a pilot project. This rule amendment allows this exam.

CHANGES TO RULE:

808-003-0840

Appeal of ~~Conventional~~Any Exam Results ¶

An applicant who fails any section of ~~the conventional~~any exam may not appeal those results to the agency.

Statutory/Other Authority: ORS 671.670

Statutes/Other Implemented: ORS 671.570