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## PART I

### GENERAL

#### 18 VAC 10-20-10. Definitions.

~~As used in this chapter, unless the context requires a different meaning:~~

Section 54.1-400 of the Code of Virginia, as amended, provides definitions of the following terms and phrases

as used in this chapter:

Architect

Board

Certified interior designer

Certified landscape architect

Interior design by a certified interior designer

Land surveyor

Practice of architecture

Practice of engineering

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Practice of land surveying

Practice of landscape architecture

Professional engineer

The following words, terms, and phrases, when used in this chapter, shall have the meaning ascribed to them, except where the context clearly indicates or requires a different meaning:

“Application” means a completed application with the appropriate fee and any other required documentation, including, but not limited to, references, employment verification, degree verification, and verification of examination and licensure or certification.

~~“Board” means the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.~~

“Certified” means an individual holding a valid certification issued by the board, which has not been suspended, revoked, or surrendered, and is currently registered with the board to practice in the Commonwealth in accordance with § 54.1-405 or § 54.1-414 of the Code of Virginia, as amended.

“Comity” means the recognition of licenses or certificates issued by other states, the District of

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Columbia, or any territory or possession of the United States as permitted by § 54.1-103 C of the Code of Virginia, as amended.

"Department" means the Department of Professional and Occupational Regulation.

"Direct control and personal supervision," shall be that degree of supervision by a person overseeing the work of another whereby the supervisor has both control over and detailed professional knowledge of the work prepared under his supervision and words and phrases of similar import mean that the professional shall have control over the decisions on technical matters of policy and design, and exercises his professional judgment in all professional matters that are embodied in the work and the drawings, specifications, or other documents involved in the work; and the professional has exercised critical examination and evaluation of a(n) employee's, consultant's, subcontractor's, or project team members' work product, during and after preparation, for purposes of compliance with applicable laws, codes, ordinances, regulations and usual and customary standards of care pertaining to professional practice. Further, it is that degree of control a professional is required to maintain over decisions made personally or by others over which the professional exercises direct control and personal supervision.

"Direct control and personal supervision" also includes the following:

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1. The degree of control necessary for a professional to be in direct control and personal supervision shall be such that the professional:
  - a. Personally makes professional decisions or reviews and approves proposed decisions prior to their implementation, including the consideration of alternatives, whenever professional decisions that could affect the health, safety, and welfare of the public are made; and
  - b. Determines the validity and applicability of recommendations prior to their incorporation into the work, including the qualifications of those making the recommendations.
  
2. Professional decisions which must be made by and are the responsibility of the professional in direct control and personal supervision are those decisions concerning permanent or temporary work that could affect the health, safety, and welfare of the public, and may include, but are not limited to, the following:

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- a. The selection of alternatives to be investigated and the comparison of alternatives for designed work; and
  - b. The selection or development of design standards and materials to be used.
3. A professional shall be able to clearly define the scope and degree of direct control and personal supervision and how it was exercised and to demonstrate that the professional was answerable within said scope and degree of direct control and personal supervision necessary for the work for which the professional has signed and sealed; and
  4. No sole proprietorship, partnership, corporation, limited liability company, joint venture, professional corporation, professional limited liability corporation, or other entity shall practice, or offer to practice, any profession regulated under this chapter unless there is a resident professional for that service providing direct control and personal

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supervision of such service in each separate office in which such service is  
performed or offered to be performed.

"Good moral character" ~~shall include, but shall not be limited to, compliance with the standards of  
practice and conduct as set forth in this chapter.~~ may be established if the applicant or regulant:

1. Has not been convicted of a felony or misdemeanor that has a reasonable relationship to the  
functions of the employment or category for which the license or certification is sought;
2. Has not, within ten years of application for licensure, certification, or registration, committed  
any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, negligence, or  
incompetence reasonably related to the applicant's proposed area of practice;
3. Has not engaged in fraud or misrepresentation in connection with the application for licensure,  
certification, or registration, or related examination;
4. Has not had a license, certification or registration revoked or suspended for cause by this state  
or by any other jurisdiction, or surrendered a license, certificate, or registration in lieu of  
disciplinary action;

5. Has not practiced without the required license, registration, or certification in this state or in another jurisdiction within the five years immediately preceding the filing of the application for licensure, certification, or registration by this state; or
  
6. Has not, within ten years of application for licensure, certification, or registration, committed an act that would constitute unprofessional conduct, as set forth in Part XII of this chapter.

“Landscape architect” means an individual who has been certified as a landscape architect pursuant to the provisions of this chapter and is in good standing with the board to practice in the Commonwealth in accordance with § 54.1-409 of the Code of Virginia, as amended.

“Licensed” means an individual who holds a valid license issued by the board, which has not been suspended, ~~or~~ revoked, or surrendered and who is currently registered with the board to practice in the Commonwealth in accordance with § 54.1-405 of the Code of Virginia, as amended.

"Place of business" means any location which offers to practice or practices through licensed or certified professionals the services of architecture, engineering, land surveying, certified landscape architecture ~~and~~ or certified interior design, or any combination thereof. A temporary field office ~~set up~~

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established and utilized for project-specific services is the duration of a specific project shall not qualify as a place of business under this chapter.

“Profession” means the practice of architecture, engineering, land surveying, certified landscape architecture, or certified interior design.

"Professional" means an architect, professional engineer, land surveyor, landscape architect or ~~certified~~ interior designer who is licensed or certified, as appropriate, pursuant to the provisions of this chapter and is in good standing with the board to practice his profession in this Commonwealth.

“Registrant” means a business currently registered with the board to offer or provide one or more of the professions regulated by the board.

"Regulant" means a licensee, certificate holder or registrant.

“Resident” means a professional who is physically present in said place of business a majority of the operating hours of the place of business.



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~~"Responsible charge" means there shall be a professional in direct control and exercising personal supervision of each professional service offered or practiced. Direct control and personal supervision requires more than reviewing the work prepared by another person.~~

"Responsible person" means the individual named by the entity to be responsible and have control of the regulated services offered, or rendered, or both, by the entity.

#### **18 VAC 10-20-15. Board Organization.**

The board's organization shall be consistent with applicable provisions of the Code of Virginia. The board may have the following sections: Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects. Each section may meet as necessary.

#### **18 VAC 10-20-17. Replacement of wall certificate.**

Any licensee or certificate holder may obtain a replacement for a lost, destroyed, or damaged wall certificate upon submission of a \$[20 25] fee accompanied by a written request indicating that the certificate was lost, destroyed, or damaged.

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## PART II

### GENERAL ENTRY REQUIREMENTS

#### 18 VAC 10-20-20. General Application requirements.

- A. All applicants must be of good moral character.
  
- B. 1. Except as otherwise provided in subdivisions B.2 and B.3 of 18 VAC 10-20-20, a fully  
~~Fully~~ documented applications ~~with the noted exception in subdivision 2 of this subsection~~  
shall be submitted by applicants seeking consideration for licensure, certification or  
registration ~~with the appropriate fee(s) (check or money order only made payable to the~~  
~~Treasurer of Virginia)~~ to be received in the board's office no later than ~~120~~130 days prior to  
the scheduled examination. The date the ~~completely~~ fully documented application ~~and fee are~~  
is received in the board's office shall determine if an application has been received by the  
deadline set by the board. All applications ~~should~~ shall be completed ~~according to in~~  
accordance with the instructions contained herein and on the application. Applications ~~are~~  
will not be considered complete until all required documents, ~~including but not limited to~~  
~~references, employment verifications and verification of registration~~ are received by the board.

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All applications, accompanying materials and references ~~are~~ become the property of the board upon receipt by the board.

2. Applicants for the Fundamentals of Engineering examination ~~enrolled in an ABET accredited curriculum~~ who are applying pursuant to 18 VAC 10-20-190.1 within 12 months of completion of degree requirements may submit applications to be received in the board's office no later than 60 days prior to the scheduled examination.

3. Applicants for the Fundamentals of Land Surveying examination who are applying pursuant to 18 VAC 10-20-300.1 may submit applications to be received in the board's office no later than 60 days prior to the scheduled examination.

4. Applicants for the National Council of Interior Design Qualification (NCIDQ) examination shall apply directly to NCIDQ for the examination.

- C. Applicants shall meet applicable entry requirements at the time application is made.
- D. Applicants who have been found ineligible for any reason may request further consideration by submitting, in writing, evidence of additional qualifications, training or experience. No

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additional fee will be required provided the requirements for licensure, certification or registration are met within a period of three years from the date the original application is received by the board. After such period, a new application shall be required.

- E. The board may make further inquiries and investigations with respect to the qualifications of ~~the an~~ applicant and all ~~references, etc.,~~ documentation and information to confirm or amplify information supplied. The board may also require a personal interview with ~~the an~~ applicant.
  
- F. Failure of an applicant to comply with a written request from the board for additional evidence or information within 60 days of receiving such notice, except in such instances where the board has determined ineligibility for a clearly specified period of time, may be sufficient and just cause for disapproving the application.
  
- G. Applicants shall be held to the ~~same~~ standards of practice and conduct as set forth in this chapter.

**18 VAC 10-20-25. References.**

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In addition to the requirements found in 18 VAC 10-20-130 and 18 VAC 10-20-220, as applicable, references that are submitted as part of an application must comply with the following:

1. Written references shall be no more than one year old at the time the application is received by the board;
2. Individuals who provide references may not also verify experience; and
3. The individual providing the reference must have known the applicant for at least one year.

**18 VAC 10-20-30. ~~Determining qualifications of applicants. Repealed.~~**

~~In determining the qualifications of an applicant for a license or certificate, a majority vote of only the members of the profession involved shall be required.~~

**18 VAC 10-20-35. Experience.**

All experience or training requirements contained in this chapter are based on the applicant working at least a minimum of 35 hours per week. All applications will be evaluated against the experience or

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training requirements ~~based on~~ evaluated by this standard. Any experience gained at a rate of less than 35 hours per week may be pro-rated in the sole discretion of the board.

**18 VAC 10-20-40. Good standing of ~~comity~~ applicants.**

A. An applicant licensed, certified, or registered to practice architecture, engineering, land surveying, landscape architecture, or interior design in another jurisdiction shall be in good standing in every jurisdiction where licensed, certified, or registered, and shall not have had a license, certificate, or registration suspended, revoked, or surrendered in connection with a disciplinary action or who has been the subject of discipline in another jurisdiction prior to applying for licensure, certification or registration in Virginia. An applicant who was formerly licensed, certified, or registered to practice architecture, engineering, land surveying, landscape architecture, or interior design in another jurisdiction shall not have had a license, certificate, or registration suspended, revoked, or surrendered in connection with a disciplinary action or have been the subject of discipline in another jurisdiction.

B. Applicants who do not meet the requirements of subsection A of this section may be approved following consideration by the board in accordance with the provisions of Administrative Process Act of the Code of Virginia.

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**18 VAC 10-20-50. Transfer of scores to other boards.**

The board, in its discretion and upon proper application, may forward the grades achieved by an applicant in the various examinations given under the board's jurisdiction to any other duly constituted registration board for use in evaluating such applicant's eligibility for registration within such board's jurisdiction or evaluation of such applicant's national certification. ~~The~~ An applicant requesting transfer of his score to another registration board shall state his reason for requesting transfer ~~and such transfer shall terminate the applicant's application pending before the board~~ in writing.

**18 VAC 10-20-55. Language and comprehension.**

Every applicant applying for licensure or certification shall be able to speak and write English to the satisfaction of the board. Applicants ~~from a non-English speaking country or a country wherein the primary language is other than English, who have not graduated from a college or university in the United States,~~ whose primary language is not English or who have not graduated from a college or university in which English is the language of instruction, including, but not limited to, those born in a non-English speaking country, shall submit to the board a Test of English as a Foreign Language (TOEFL) ~~(Test of English as a Foreign Language)~~ score report ~~that reflects a score acceptable to the board,~~ and a ~~TSE (Test of Spoken English)~~ (TSE) score report ~~that reflects a score acceptable to the~~



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board. Score reports shall not be over two years old at the time of application and, to support the application, must reflect a score acceptable to the board.

**~~18 VAC 10-20-60. — Replacement of wall certificate.~~**

~~Any licensee or certificate holder may obtain a replacement for a lost, destroyed, or damaged wall certificate only upon submission of a \$20 fee accompanied by a written request indicating that the certificate was lost, destroyed, or damaged.~~

**18 VAC 10-20-70. Modifications to examination administration.**

The board and the department ~~Department of Professional and Occupational Regulation~~ support and ~~fully~~ comply with the provisions of the Americans with Disabilities Act (ADA), 42 USC § 12101 et seq. Contracts between the board, department, and the vendors for examinations contain ~~the~~ necessary provisions for compliance with the ADA. Requests for accommodations must be in writing and received by the board within a reasonable time before the examination. The board may require a report from a medical professionals along with supporting data confirming the nature and extent of the disability. It is the responsibility of the applicant to provide the required information in a timely

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manner and the costs for providing such information are the responsibility of the applicant. The board ~~shall~~ will determine, consistent with applicable law, what, if any, accommodations will be made.

**18 VAC 10-20-75. Conduct at examination.**

Examinees will be given specific instructions as to the conduct of each division of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in removal from the examination site, voided examination scores, or both.

**18 VAC 10-20-80. ~~Dishonored checks.~~ Repealed.**

~~In the event that a check, money draft or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus an additional processing charge specified in the regulations.~~

**18 VAC 10-20-85. Examination on Regulations**

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All applicants for licensure or certification must achieve a passing score on a board-supplied examination pertaining to the board's regulations and relevant statutes. The examination will be provided as part of the application.

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### PART III

#### QUALIFICATIONS FOR LICENSING OF ARCHITECTS

**18 VAC 10-20-90. Fee schedule.**

All fees are nonrefundable and shall not be prorated.

|                              |                  |
|------------------------------|------------------|
| Application                  | \$ 75            |
| Renewal                      | \$ 55            |
| <del>Dishonored checks</del> | <del>\$ 25</del> |

**18 VAC 10-20-100. Repealed.**

**18 VAC 10-20-110. Education.**

- A. All applicants for original licensure shall hold a professional degree in architecture ~~where the degree from a program has been~~ accredited by the National Architectural Accrediting Board (NAAB) not later than two years after applicant's graduation from said program.

- B. Foreign degrees must be evaluated for equivalency to a NAAB-accredited degree. The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and evaluation ~~will~~ shall be borne by the applicant.

**18 VAC 10-20-120. Experience.**

- A. The successful completion of the National Council of Architectural Registration Boards (NCARB) Intern Development Program (~~NCARB-IDP~~) shall be required of all applicants for original licensure. ~~An applicant shall be enrolled in NCARB-IDP for a period of one year or more prior to submitting an application for original licensure in Virginia.~~ IDP training requirements shall be in accordance with ~~the National Council of Architectural Registration Boards'~~ NCARB's Handbook for Interns and Architects, [2001-2002 2006-2007] Edition.
- B. All applicants must have a minimum of 36 months experience/training prior to submitting an application for examination. Any experience/training of less than ~~[10 8]~~ consecutive weeks will not be considered in satisfying this requirement.

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- C. All applicants must have a minimum of 12 months experience/training in architecture as an employee in the office of a licensed architect prior to submitting an application for examination. An organization will be considered to be an office of a licensed architect if:
1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and
  2. The practice of the organization encompasses the comprehensive practice of architecture, including the categories set forth in the NCARB IDP requirements.

**18 VAC 10-20-130. References.**

Eligibility for licensure is determined in part by the applicant's demonstrated competence and integrity to engage in the practice of architecture. Applicants shall submit three references with the application, all of whom are licensed architects in a jurisdiction or territory of the United States or a province of Canada. In addition to the requirements found in 18 VAC 10-20-25, these ~~These~~ professionals shall

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have personal knowledge of the applicant's architectural experience ~~and have known the applicant for~~  
~~at least one year. References shall be current for one year. Individuals who provide references may~~  
~~not also verify experience/training.~~

**18 VAC 10-20-140. Examination.**

- A. All applicants for original licensure in Virginia are required to pass an NCARB-prepared examination after meeting the education and experience/training requirements as provided in this chapter. Provided all other requirements are met, a license as an architect will be issued upon passing the NCARB examination.
- B. The Virginia board is a member board of ~~the National Council of Architectural Registration Boards (NCARB)~~ and as such is authorized to make available the NCARB-prepared examination.
- C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB. [Grades for each division of the examination passed on or after January 1, 2006, shall be valid in accordance with the procedure established by NCARB.]

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- D. The NCARB-prepared examination will be offered at least once a year at a time designated by the board.
- E. The board may approve transfer credits for parts of the NCARB-prepared examination taken [and passed] in accordance with national standards.
- F. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee. Applicants not properly registered ~~shall~~ will not be allowed into the examination site.
- G. Applicants approved to sit for the examination shall follow NCARB procedures.
- H. Examinees will be ~~advised only~~ notified by the board of passing or failing the examination. ~~Only the board and its staff shall have access to documentation.~~
- I. Should an applicant ~~not~~ fail to pass the NCARB-prepared examination within three years after being approved to sit for the examination, the applicant must reapply. If the applicant has not been taking the examination on a continuous basis during the three-year eligibility period, ~~and~~



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~~the applicant does not~~ or fails to reapply within 6 months ~~of~~ after the end of ~~his~~ the three-year eligibility period, or both, then the applicant shall meet the entry requirements current at the time of reapplication.

**18 VAC 10-20-150. Licensure ~~License~~ by comity.**

- A. Any person who is or has been licensed in another state, jurisdiction, possession or territory of the United States, or a province of Canada, may be granted a license provided that:
1. The applicant meets all the requirements for licensing in Virginia that were in effect at the time of original licensure or the applicant possesses an NCARB certificate; and
  2. The applicant holds ~~a currently~~ an active valid license in good standing in another state, jurisdiction, possession or territory of the United States, or a province of Canada.

If the applicant does not possess an NCARB certificate, or does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.

- B. Applicants licensed in foreign countries other than Canada may be granted a license in Virginia based on an NCARB certificate.

## PART IV

### QUALIFICATIONS FOR LICENSING OF PROFESSIONAL ENGINEERS

#### 18 VAC 10-20-160. Definitions.

~~The following definitions shall apply in the regulations relating to the licensing of professional engineers.~~ The following words, terms, and phrases, when used in this Part IV, shall have the meaning ascribed to them, except where the context clearly indicates or requires a different meaning:

"ABET" means the Accreditation Board for Engineering and Technology.

"Approved engineering curriculum" means an undergraduate engineering curriculum of four years or more, or a graduate engineering curriculum, approved by the board. ABET-approved engineering curricula are approved by the board. Curricula that are accredited by ABET not later than two years after an applicant's graduation shall be deemed as ABET-approved.

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~~"Approved engineering experience" means a specific record of acceptable professional experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering.~~

"Approved engineering technology curriculum" means an undergraduate engineering technology curriculum of four years or more approved by the board. ABET-approved engineering technology curricula of four years or more are approved by the board. Curricula that are accredited by ABET not later than two years after an applicant's graduation shall be deemed as ABET-approved.

~~"Engineering examination" means an NCEES examination in the Fundamentals of Engineering and an NCEES examination in the Principles and Practice of Engineering where required.~~

"Engineer-in-training (EIT)" means an applicant who has completed any one of several combinations of education, or education and experience, and has passed the Fundamentals of Engineering examination.

"Related science curriculum" includes, but is not limited to, a four-year curriculum in biology, chemistry, geology, geophysics, mathematics, physics, or other curriculum approved by the board.

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"Qualifying engineering experience" means a ~~specific record of engineering experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering.~~ progressive experience on engineering work during which the applicant has made a practical utilization of acquired knowledge and has demonstrated progressive improvement, growth, and development through the utilization of that knowledge as revealed in the complexity and technical detail of the applicant's work product or work record. The applicant must show progressive assumption of greater individual responsibility for the work product over the relevant period. The progressive experience on engineering work shall be of a grade and character that indicates to the board that the applicant is minimally competent to practice engineering. Qualifying engineering experience shall be progressive in complexity and based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design.

**18 VAC 10-20-170. Fee schedule.**

All fees are nonrefundable and shall not be prorated.

|   |       |
|---|-------|
| Fundamentals of Engineering Application | \$ 30 |
| Principles of Engineering Application   | \$ 60 |

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|                             |                  |
|-----------------------------|------------------|
| Renewal                     | \$ 80            |
| Comity                      | \$ 60            |
| FE/PE out of state proctor  | \$ 100           |
| <del>Dishonored check</del> | <del>\$ 25</del> |

**18 VAC 10-20-180. Repealed.**

**18 VAC 10-20-190. Requirements for the Fundamentals of Engineering (FE) exam.**

In order to be approved to sit for the FE examination, an applicant must satisfy one of the following:

|  |                          |  |
|--|--------------------------|--|
|  | EDUCATIONAL REQUIREMENTS | NUMBER OF REQUIRED<br>YEARS OF <del>PROGRESSIVE,</del><br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|--|--------------------------|--|

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|    | EDUCATIONAL REQUIREMENTS   | NUMBER OF REQUIRED<br>YEARS OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|--|---|
| 1. | <p>(A) Enrolled in an ABET-accredited undergraduate curriculum and within 12 months of completion of degree requirements; or (B) Enrolled in an ABET-accredited <del>graduate</del> <u>master's or doctorate</u> curriculum, or enrolled in a graduate curriculum that is ABET accredited at the undergraduate level at the institution at which the graduate degree is being sought, and within six months of completion of graduate degree requirements. <del>Applications</del> <u>In order to be considered pursuant to A or B of this subsection, all applications</u> must be accompanied by a certificate of good standing from the dean of the engineering school.</p> | 0   |

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|    | EDUCATIONAL REQUIREMENTS  | NUMBER OF REQUIRED<br>YEARS OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|---|---|
| 2. | Graduated from an approved engineering or an approved engineering technology curriculum.  | 0   |
| 3. | Obtained an undergraduate engineering degree of four years or more from an institution in a curriculum without ABET accreditation and <u>obtained a graduate-level master's or doctorate</u> engineering degree from an institution in a curriculum that is ABET accredited at the undergraduate level. | 0   |
| 4. | Graduated from a non-approved engineering curriculum or <u>from</u> a related science curriculum of four years or more.   | 2   |



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|    | EDUCATIONAL REQUIREMENTS   | NUMBER OF REQUIRED<br>YEARS OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|--|---|
| 5. | <p><del>Graduated from a nonapproved engineering technology curriculum or not graduated from an engineering or related science curriculum of four years or more</del> <u>Not meeting any of the above requirements</u>, but who, in the judgment of the board, has obtained the equivalent of such <u>education graduation</u> by documented academic course work that meets the requirements of ABET accreditation for the <u>baccalaureate</u> engineering technology curricula.</p> | 6   |

**18 VAC 10-20-200. Requirements for engineer-in-training (EIT) designation.**

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An applicant who is qualified to sit for the FE examination under subdivision 1 of 18 VAC 10-20-190 must provide verification of his degree prior to receiving the EIT designation. All other applicants who qualify to sit for the FE examination under subdivisions 2 through 5 of 18 VAC 10-20-190 will receive the EIT designation upon achieving a passing examination score as established by the National Council of Examiners for Engineering and Surveying (NCEES). The EIT designation will remain valid indefinitely.

**18 VAC 10-20-210. Requirements for the Principles of Engineering (PE) examination.**

In order to be approved to sit for the PE examination, an applicant must satisfy one of the following:

|  | EDUCATIONAL<br>REQUIREMENTS | EIT<br>REQUIRED? | NUMBER OF REQUIRED YEARS<br>OF <del>PROGRESSIVE,</del><br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|--|-----------------------------|------------------|--|
|--|-----------------------------|------------------|--|

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|    | EDUCATIONAL<br>REQUIREMENTS  | EIT<br>REQUIRED? | NUMBER OF REQUIRED YEARS<br>OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|--|------------------|---|
| 1. | Graduated from an approved engineering curriculum <del>of four years or more.</del>  | YES              | 4   |
| 2. | <del>Awarded both</del> <u>Graduated from</u> an ABET-accredited undergraduate engineering <u>degree curriculum</u> and <u>awarded</u> a doctorate degree in engineering from an engineering curriculum which is ABET-accredited at the undergraduate level. | NO               | 4   |

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|    | EDUCATIONAL<br>REQUIREMENTS  | EIT<br>REQUIRED? | NUMBER OF REQUIRED YEARS<br>OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|--|------------------|---|
| 3. | Graduated from a non-approved<br>engineering curriculum of <u>four</u><br><del>years or more</del> , a related science<br>curriculum, or an approved<br>engineering technology<br>curriculum, <del>all of which shall be</del><br><del>four years or more.</del> | YES              | 6   |

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|    | EDUCATIONAL<br>REQUIREMENTS  | EIT<br>REQUIRED? | NUMBER OF REQUIRED YEARS<br>OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|--|------------------|---|
| 4. | <p>Graduated from a non-approved engineering technology curriculum of four years or more; <del>or without graduation from an engineering or related science curriculum of four years or more but who, in the</del> judgment of the board, has obtained the equivalent of such graduation by documented academic course work that meets the requirements of <del>ABET accreditation for the</del> engineering technology curricula.</p> | YES              | 10  |

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|    | EDUCATIONAL<br>REQUIREMENTS   | EIT<br>REQUIRED?  | NUMBER OF REQUIRED YEARS<br>OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|----|---|-------------------|---|
| 5. | <p><u>Not meeting any of the above requirements, but who, in the judgment of the board, has obtained the equivalent of such education by documented academic course work that meets that requirements of ABET accreditation for the baccalaureate engineering technology curricula.</u></p> | <p><u>YES</u></p> | <p><u>10</u></p>  |

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|     | EDUCATIONAL<br>REQUIREMENTS  | EIT<br>REQUIRED? | NUMBER OF REQUIRED YEARS<br>OF PROGRESSIVE,<br>QUALIFYING ENGINEERING<br>EXPERIENCE |
|-----|--|------------------|---|
| 56. | Graduated from an engineering,<br>engineering technology, or<br>related science curriculum of<br>four years or more. | NO               | 20  |

**18 VAC 10-20-215. Requirements for the PE license.**

In order to obtain the Professional Engineer license, an applicant must satisfy the requirements of at least one subsection of 18 VAC 10-20-210 and pass the PE examination. An applicant will receive his license to practice engineering upon achieving a passing examination score as established by NCEES.

**18 VAC 10-20-220. References.**

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In addition to the requirements found in 18 VAC 10-20-25:

A. References for Fundamentals of Engineering examination.

Applicants for the Fundamentals of Engineering examination only shall provide one reference from a professional engineer, or from the dean of the engineering school or a departmental professor in the school attended by the applicant, or an immediate work supervisor. ~~Any reference provided shall be from a person who has known the applicant for at least one year. Individuals who provide references may not also verify qualifying experience. References shall be no more than one year old at the time the application is received.~~

B. References for Principles and Practice of Engineering examination.

Applicants for the Principles and Practice of Engineering examination must indicate competence and integrity to engage in the engineering profession by submitting three references from professional engineers licensed in a state, ~~or territory,~~ or possession of the United States[, or the District of Columbia,] each having personal knowledge of the applicant's engineering experience ~~and having known the applicant for at least one year. References shall~~



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~~be no more than one year old at the time the application is received. Individuals who provide references may not also verify qualifying experience.~~

C. References for comity applicants.

~~Applicants for comity must indicate competence and integrity to engage in the engineering profession by submitting shall submit three references with the application, all of whom are licensed from professional engineers licensed in a jurisdiction state, or territory, or possession of the United States, each having. These professionals shall have personal knowledge of the applicant's engineering experience and have known the applicant for at least one year. Individuals who provide references may not also verify qualifying experience. References shall be no more than one year old at the time the application is received.~~

**18 VAC 10-20-230. Education.**

Any applicant who has earned a degree from an institution outside the United States shall have the degree authenticated and evaluated by an educational credential evaluation service or by ABET if credit for such education is sought, unless the applicant has also earned an equivalent or higher-level

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engineering degree from a United States institution where the program has been accredited by ABET.

The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.

**18 VAC 10-20-240. Experience.**

~~Qualifying engineering experience shall be progressive in complexity and based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design, provided:~~ Applicants shall submit a written narrative or narratives, on the board provided application form, documenting all of the applicant's engineering experience. Such narrative or narratives shall: clearly describe the engineering work that the applicant personally performed; delineate the role of the applicant in any group engineering activity; provide an overall description of the nature and scope of work; and include detailed description of the engineering work personally performed by the applicant. Experience in claims consulting, drafting, estimating, and field surveying are considered nonqualifying.

- ~~1. In general, experience in sales, drafting, estimating, field surveying, nonengineering military service, and inspection are considered nonqualifying;~~

In general, the required experience shall be applied as follows:

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1. Construction experience, in order to be qualifying, must include a demonstrated use of engineering computation and problem-solving skills. The mere execution as a contractor of work designed by others, the supervision of construction, and similar non-engineering tasks will not be considered qualifying experience.
  
2. Military experience, in order to be qualifying must have been spent in engineering work and must be of a character substantially equivalent to that required in the civilian sector for like work. Non-engineering military training and supervision will not be considered qualifying experience.
  
3. Sales experience, in order to be qualifying, must include a demonstrated use of engineering computational and problem-solving skills. The mere selection of data or equipment from a company catalogue or similar publication or database will not be considered qualifying experience.
  
4. Industrial experience, in order to be qualifying, should be directed toward the identification and solution of practice problems in the applicant's area of engineering specialization. This experience should include engineering analysis of existing systems or the design of new ones.

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25. Engineering experience gained by successfully completing a graduate engineering study degree or by engineering teaching ~~as an instructor or higher professor~~ in an institution approved by the board may be deemed qualifying engineering experience.
- a. Successful completion of a master's or doctorate degree in an engineering curriculum may be accepted as one year of equivalent engineering experience credit.
- b. For teaching experience to be considered by the board, the applicant must have taught in an engineering curriculum approved by the board and must have been employed in the grade of instructor or higher.;
36. Engineering experience gained during a board-approved co-op program may be deemed qualifying engineering experience to a maximum of one year of credit;
47. The board, in its sole discretion, may permit partial credit, not to exceed 1/2 of that required, for approved qualifying engineering experience obtained prior to graduation from an engineering curriculum.

**18 VAC 10-20-250. Repealed.**

**18 VAC 10-20-260. Examinations.**

- A. The Virginia board is a member board of ~~the National Council of Examiners for Engineering and Surveying (NCEES)~~ NCEES and as such is authorized to administer the NCEES examinations.
- B. The Fundamentals of Engineering examination consists of ~~a~~ an NCEES exam on the fundamentals of engineering ~~and is given at times designated by the board.~~
- C. The Principles and Practice of Engineering examination consists of ~~a~~ an NCEES exam on applied engineering ~~and is given at times designated by the board.~~
- D. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office, or by the board's designee, at a time designated by the board. Applicants not properly registered ~~shall~~ will not be allowed into the examination site.

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E. A candidate eligible for admission to both parts of the examination must first successfully complete the Fundamentals of Engineering examination before being admitted to the Principles and Practice of Engineering examination.

~~F. Grading of the examinations shall be in accordance with national grading procedures established by NCEES.~~

~~Each part of the written examination will have a value of 100. A passing score shall be 70 and above. Candidates will be notified of passing or failing and their actual scores.~~

~~GF.~~ Should an applicant ~~not~~ fail to pass an examination within three years after being approved to sit for an examination, the applicant must reapply and meet all current entry requirements at the time of reapplication.

~~HG.~~ The examination may not be reviewed by the candidates. Examination scores are final and are not subject to change.

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A person in good standing and holding a valid license to engage in the practice of engineering, issued to the applicant by other states in another state, the District of Columbia, or any territory or possession of the United States based on requirements that do not conflict with and are at least as rigorous as these regulations and supporting statutes of this board that were in effect at the time of original licensure, may be licensed ~~without further examination,~~ provided the applicant submits verifiable documentation to the board that the education, experience, and examination requirements by which the applicant was first licensed in the original jurisdiction were substantially equivalent to those existing in Virginia at the time of the applicant's original licensure. No person shall be so licensed, however, who has not passed an examination in another jurisdiction ~~which~~ that was substantially equivalent to that approved by the board at ~~that~~ the time of the applicant's original licensure. If the applicant does not meet the requirements for licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.

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**PART V**

**QUALIFICATIONS FOR LICENSING AND STANDARDS OF PROCEDURE  
FOR LAND SURVEYORS**

**18 VAC 10-20-280. Fee schedule.**

All fees are nonrefundable and shall not be prorated.

|   |                  |
|---|------------------|
| Application for Fundamentals of <u>Land</u> Surveying                   | \$ 60            |
| Application for Principles <u>and Practice</u> of <u>Land</u> Surveying | \$ 90            |
| Application for Land Surveyor B   | \$ 90            |
| Renewal   | \$ 90            |
| Comity  | \$ 90            |
| Out-of-state proctor  | \$ 100           |
| <del>Dishonored check</del>   | <del>\$ 25</del> |

**18 VAC 10-20-290. Repealed.**



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**18 VAC 10-20-295. Definitions.**

~~“Approved land surveying experience” means diversified training in land surveying under the supervision and direction of a licensed land surveyor or under the supervision and direction of an individual authorized by statute to practice land surveying. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative and professional skill in the office and field and written verification of such work experience shall be on forms provided by the board. Experience may be gained either prior to or after education is obtained~~ a record of progressive experience under the direct control and personal supervision of a licensed land surveyor, or an individual authorized by statute to practice land surveying, on land surveying work during which the applicant has made practical utilization of acquired knowledge and has demonstrated continuous improvement, growth, and development through the utilization of that knowledge as revealed in the complexity and technical detail of the applicant’s work product or work record. The applicant must show continuous assumption of greater individual responsibility for the work product over the relevant period. The progressive experience on land surveying work shall be of a grade and character that indicates to the board that the applicant is minimally competent to practice land surveying.

Notwithstanding the definition of “approved land surveying experience,” the requirements set forth in 18 VAC 10-20-310 shall not be waived.

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**18 VAC 10-20-300. Requirements for ~~land-surveyor-in-training (LSIT-SIT)~~ designation.**

~~The education or experience, or both, and examination requirements for the LSIT designation are as follows:~~ In order to be approved to sit for the Fundamentals of Land Surveying examination (FLS), an applicant must satisfy the following:

1. An applicant who has graduated from, or is enrolled in, a ~~board-approved~~ surveying or surveying technology curriculum of four years or more approved by the board and is within 12 months of completion of degree requirements ~~is eligible for~~ shall be admitted to an examination in the Fundamentals of Land Surveying, examination provided the applicant is otherwise qualified. Upon passing such examination, and providing evidence of graduation, the applicant ~~will~~ shall receive the ~~LSIT-SIT~~ designation, provided the applicant is otherwise qualified. For those applicants who are within 12 months of completion of degree requirements, their application must be accompanied by a certificate of good standing from the dean of the school;
2. An applicant who has graduated from a curriculum ~~of four years or more~~ related to surveying of four years or more as approved by the board and with a ~~specific record~~ minimum of one year of approved land surveying experience shall be admitted to an examination in the

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Fundamentals of Land Surveying, provided the applicant is otherwise qualified. Upon passing such examination, the applicant shall receive the ~~LSIF~~ SIT designation, provided the applicant is otherwise qualified;

3. An applicant who has earned at least a four-year bachelor's degree in a field unrelated to surveying approved by the board and with a ~~specific record~~ minimum of three years of approved land surveying experience ~~that is progressive in complexity.~~ The applicant shall be admitted to an examination in the Fundamentals of Land Surveying, provided the applicant is otherwise qualified. Upon passing such examination, the applicant shall receive the ~~LSIF~~ SIT designation, provided the applicant is otherwise qualified;
  
4. An applicant who has graduated from a surveying curriculum of two years or more approved by the board with a ~~specific record~~ minimum of four years of approved land surveying experience ~~that is progressive in complexity~~ shall be admitted to an examination in the Fundamentals of Land Surveying, provided the applicant is otherwise qualified. Upon passing such examination, the applicant shall receive the ~~LSIF~~ SIT designation, provided the applicant is otherwise qualified;

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5. An applicant who has successfully completed a survey apprenticeship program approved by the board with ~~at least~~ a minimum of 480 hours of surveying-related classroom instruction with a ~~specific record~~ minimum of six years of approved land surveying experience ~~that is progressive in complexity~~ shall be admitted to an examination in the Fundamentals of Land Surveying, provided the applicant is otherwise qualified. Upon passing such examination, the applicant shall receive the ~~LSIT~~ SIT designation, provided the applicant is otherwise qualified;  
or
6. An applicant who has graduated from high school and who has evidence of successful completion of courses in algebra, geometry and trigonometry with a ~~specific record~~ minimum of eight years of approved land surveying experience ~~that is progressive in complexity~~ shall be admitted to an examination in the Fundamentals of Land Surveying, provided the applicant is otherwise qualified. Upon passing such examination, the applicant shall receive the ~~LSIT~~ SIT designation, provided the applicant is otherwise qualified.
7. Applicants who have accumulated college credits may apply credit hours approved by the board to help meet the experience requirement. ~~One~~ A maximum of one year of experience credit will be given for each 40 semester hours of approved college credit.

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**18 VAC 10-20-310. Requirements for a licensed land surveyor.**

An ~~LSIF~~ SIT who, after meeting the requirements of 18 VAC 10-20-300, has a ~~specific record~~ minimum of four years of approved land surveying experience ~~of which a minimum of three years~~ experience has been progressive in complexity, and has been ~~on~~ land surveying ~~projects~~ under the direct control and personal supervision of a licensed land surveyor, shall be admitted to an examination in the Principles and Practice of Land Surveying and the Virginia state-specific examination, provided the applicant is otherwise qualified. Upon passing such examination, the applicant shall be granted a license to practice land surveying, provided the applicant is otherwise qualified.

**18 VAC 10-20-320. Requirements for a licensed land surveyor B.**

- A. An applicant shall hold a valid license as a land surveyor and present satisfactory evidence of a minimum of two years of land surveying experience that is progressive in complexity in land surveyor B land surveying, as defined in § 54.1-408 of the Code of Virginia, as amended, under the direct control and personal supervision ~~and direction~~ of a licensed land surveyor B or professional engineer.

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- B. An applicant shall also present satisfactory evidence of having passed college-level courses in hydraulics; acceptable to the board.
  
- C. An applicant shall pass an examination as developed by the board. Upon passing such examination, the applicant shall be granted a license as a Land Surveyor B, if he is provided the applicant is otherwise qualified.

**18 VAC 10-20-330. Education.**

Any applicant who has attended an institution ~~not located in~~ outside of the United States shall have his degree authenticated and evaluated by an education evaluation service approved by the board if credit for such education is sought. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant. Any cost of evaluation shall be borne by the applicant.

**18 VAC 10-20-340. Experience standards.**

An applicant shall submit written verification from each employment engagement which has been gained under the direct control and personal supervision of a licensed land surveyor or an individual authorized by statute to practice land surveying ~~of work experience from each employment~~

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~~engagement utilized as land surveying experience~~ on forms provided by the board to be considered by  
the board as approved land surveying experience.

**18 VAC 10-20-350. Examinations; ~~grading; reexamination.~~**

- A. ~~The examination for land surveying under § 54.1-400 of the Code of Virginia shall consist of two parts. Part I shall consist of the Fundamentals of Land Surveying. Part II shall consist of an examination in the Principles and Practice of Land Surveying and a Virginia state specific examination. These examinations shall be given semiannually at times designated by the board. The Fundamentals of Land Surveying examination consists of the National Council of Examiners for Engineering and Surveying (NCEES) examination on the fundamentals of land surveying.~~
- B. The Principles and Practice of Land Surveying examination consists of an NCEES examination on applied land surveying and a Virginia state-specific examination.
- ~~B~~C. The examination for land surveying under § 54.1-408 of the Code of Virginia (Land Surveyor B) shall be given at times designated by the board.

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- ~~CD.~~ Unless otherwise stated, applicants approved to sit for an examination must register and submit the required examination fee to be received in the board office, or by the board's designee, at a time designated by the board. Applicants not properly registered ~~shall~~ will not be allowed into the examination site.
- ~~DE.~~ Applicants ~~Candidates~~ shall be notified by the board of passing or failing the examination but shall not be notified of actual scores. Only the board and its staff shall have access to examination papers, scores, and answer sheets. Examinations may not be reviewed.
- ~~EF.~~ Should the applicant ~~not~~ fail to pass an examination within three years after being authorized to take the examination, the applicant must reapply and meet all current entry requirements at the time of reapplication.

**18 VAC 10-20-360. Licensure by comity.**

A person in good standing and holding a current valid license to engage in the practice of land surveying, ~~issued to the applicant by other states~~ in another state, the District of Columbia, or any territory or possession of the United States ~~based on requirements that do not conflict with and are at least as rigorous as these regulations and supporting statutes of this board that were in effect at the~~



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~~time of original licensure,~~ may be licensed ~~without further examination except for the Virginia state~~  
~~specific examination,~~ provided the applicant submits verifiable documentation to the board that the  
education, experience, and examination requirements by which the applicant was first licensed in the  
original jurisdiction were substantially equivalent to those existing in Virginia at the time of the  
applicant's original licensure. No person shall be so licensed, however, who has not passed an  
examination in another jurisdiction that was substantially equivalent to that approved by the board at  
~~that~~ the time of the applicant's original licensure. If the applicant does not meet the requirements for  
licensure in Virginia that were in effect at the time of original licensure, the applicant shall be required  
to meet the entry requirements current at the time the completed application for comity is received in  
the board's office. All applicants shall be required to pass a written Virginia state-specific  
examination. The examination shall include questions on law, procedures and practices pertaining to  
land surveying in Virginia.

**18 VAC 10-20-370. Minimum standards and procedures for land boundary surveying practice.**

- A. The minimum standards and procedures set forth in this section are to be used for land boundary surveys performed in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that

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the land boundary survey is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this chapter.

B. Research procedure.

The professional shall search the land records for the proper description of the land to be surveyed and obtain the description of adjoining land(s) as it pertains to the common boundaries. The professional shall have the additional responsibility to utilize ~~any~~ such other available data pertinent to the survey being performed from any other known source(s) ~~that is known~~. Evidence found, from all known sources, including evidence found in the field, shall be carefully compared ~~with that located and found in the field survey~~ in order to aid in the establishment of the correct boundaries of the land being surveyed. The professional shall clearly ~~note~~ identify on the plats, maps, and reports inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s). It is not the intent of this regulation to require the professional to research the question of title or encumbrances on the land involved.

C. Minimum field procedures.

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1. Angular measurement. Angle measurements made for traverse or land boundary survey lines will be made by using a properly adjusted transit-type instrument which allows a direct reading to a minimum accuracy of 30 seconds of arc or metric equivalent. The number of angles turned at a given station or corner will be the number which, in the judgment of the professional, can be used to substantiate the average true angle considering the condition of the instrument being used and the existing field conditions.
2. Linear measurement. Distance measurement for the lines of traverse or lines of the land boundary survey shall be made with metal tapes which have been checked and are properly calibrated as to incremental distances, or with properly calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane, and other necessary corrections shall be performed before using such linear measurements for computing purposes.
3. Field traverse and land boundary closure and accuracy standards.

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- a. ~~The~~ For a land boundary survey located in a rural area, the maximum permissible error of closure for a field traverse ~~in connection with a land boundary survey located in a rural area~~ shall be one part in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. ~~The~~ For a land boundary survey located in an urban area, the maximum permissible error of closure for a traverse ~~in connection with a land boundary survey located in an urban area~~ shall be one part in 20,000 (1/20,000). The attendant angular closure shall be that which will sustain the one part in 20,000 (1/20,000) maximum error of closure.
- b. The maximum permissible positional uncertainty based on the 95% confidence level of any independent boundary corner or independent point located on a boundary that has been established by utilizing global positioning systems ~~will~~ shall not exceed the positional tolerance of 0.07 feet (or 20 mm + 50 ppm).
4. Monumentation. As a requisite for completion of the work product, each land boundary survey of a tract or parcel of land shall be monumented with objects made of permanent material at all corners and changes of direction on the land boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps

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and prescriptive ~~road~~ rights-of-way<sup>2</sup>; and each such monument, other than a natural monument, shall, when feasible, be identified by a temporary witness ~~stake (which may be wooden)~~ marker. Where it is not feasible to set actual corners, appropriate reference monuments shall be set, preferably on line, and the location of each shall be shown on the plat or map of the land boundary.

All boundaries, both exterior and interior, of the original survey for any division or partition of land shall be monumented in accordance with the provisions of this subdivision, when such monumentation is not otherwise regulated by the provisions of a local subdivision ordinance.

5. For land boundary surveys providing for a division when only the division, in lieu of the entire parcel, is being surveyed, any new corners established along existing property lines shall require that those existing property lines be established through their entire length. This shall include the recovery or re-establishment of the existing corners for each end of the existing property lines.

- D. Office procedures.

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1. Computations. The computation of field work data shall be accomplished by using the mathematical routines that produce closures and mathematical results that can be compared with descriptions and data of record. Such computations shall be used to determine the final land boundary of the land involved.
2. Plats and maps. The following information shall be shown on all plats or maps, or both, used to depict the results of the land boundary survey:
  - a. The title of the land boundary plat identifying the land surveyed and showing the district, town, and county or city in which the land is located and scale of drawing.
  - b. The name of the owner of record and deed book reference where the acquisition was recorded.
  - c. Names of all adjoining owners of record with deed book references, or subdivision lot designations.

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- d. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).
- e. Names of highways and roads with route number, and widths of right-of-way, and/or distance to the center of the physical pavement and pavement width, name of railroads, streams adjoining, crossing, or in close proximity to the boundary and ~~or running through the land, and~~ other prominent or well-known objects ~~or areas~~ which are informative as to the location of the land boundary, ~~survey including but not limited to a distance to the nearest road intersection, or prominent or well-known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.~~
- f. A distance to the nearest road intersection, or prominent or well-known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.

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- g. Items crossing any property lines such as, but not limited to, physical encroachments, and evidence of easements such as utilities and other physical features pertinent to the boundary of the property.
- eh. Bearings of all property lines and meanders to nearest 10 seconds of arc; or metric equivalent.
- fi. Adequate curve data to accomplish mathematical closures.
- gj. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or metric equivalent.
- k. Pursuant to 18 VAC 10-20-370.C.5, the bearing and distances from the new corners to the existing corners on each end of the existing property lines.
- hl. Area For property located in rural areas, area to the nearest hundredth (.01) of an acre or metric equivalent ~~for rural located surveys.~~



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- ~~im.~~ im. ~~Area~~ For property located in urban areas, area to the nearest square foot or thousandth (0.001) of an acre or metric equivalent ~~for urban located surveys.~~
- ~~jn.~~ jn. North arrow and source of meridian used for the survey.
- ~~ko.~~ ko. ~~On~~ For interior surveys, a reference bearing and distance to a property corner of an adjoining owner or other prominent object, including, but not limited to, intersecting streets or roads.
- ~~lp.~~ lp. Tax map designation or geographic parcel identification number if available.
- ~~mq.~~ mq. Description of each monument found and each monument set by the professional.
- ~~nr.~~ nr. A statement that the land boundary survey shown is based on a current field survey. The application of the land surveyor's seal, signature and date shall constitute compliance with all the current standards of a land boundary survey as of the date of the application of signature unless otherwise clearly stated in the title of the plat that the plat is to be construed otherwise.

s. A statement as to whether or not a current title report has been furnished to the professional.

et. If the land boundaries shown on the plat are the result of a compilation from deed or plats, or both, or based on a survey by others, that fact will be clearly stated and the title of the plat shall clearly depict that the plat does not represent a current land boundary survey.

u. A statement as to whether any or all easements are shown on the plat.

pv. Name and address of the land surveyor or the registered business.

w. The professional's seal, signature and date.

3. Metes and bounds description. The professional shall prepare a metes and bounds description in narrative form, if requested by the client or ~~their~~ his agent, for completion of any newly performed land boundary survey. The description shall reflect all metes and bounds, the area of the property described, all pertinent

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monumentation, names of record owners or other appropriate identification of all adjoining owners, and any other data or information deemed as warranted to properly describe the property. Customarily, the metes and bounds shall be recited in a clockwise direction around the property. The professional shall clearly identify in the metes and bounds description any inconsistencies found in the research of common boundaries between land being surveyed and the adjoining land(s). For subdivisions, the professional shall prepare a metes and bounds description in narrative form for only the exterior boundaries of the property.

No metes and bounds description shall be required for the verification or resetting of the corners of a lot or other parcel of land in accordance with a previously performed land boundary survey, such as a lot in a subdivision where it is unnecessary to revise the record boundaries of the lot.

**18 VAC 10-20-380. Minimum standards and procedures for surveys determining the location of physical improvements; field procedures; office procedures.**

- A. The following minimum standards and procedures are to be used for surveys determining the location of physical improvements on any parcel of land or lot containing less than two (2)

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acres or metric equivalent (sometimes also known as "building location surveys," "house location surveys," "physical surveys," ~~ete.~~ and the like) in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the survey determining the location of physical improvements is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this ~~section~~ chapter.

- B. The professional shall determine the position of the lot or parcel of land in accordance with the intent of the original survey and shall set or verify permanent monumentation at each corner of the property, consistent with the monumentation provisions of subdivision C 4 of 18 VAC 10-20-370; ~~all.~~ All such monumentation, other than natural monumentation, shall, when feasible, be identified by temporary witness markers (~~which may be wooden~~).

When the professional finds discrepancies of sufficient magnitude to warrant, in his opinion, the performance of a land boundary survey (pursuant to the provisions of 18 VAC 10-20-370), he shall so inform the client or the client's agent that such land boundary survey is deemed warranted as a requisite to completion of the physical improvements survey.

The location of the following shall be determined in the field:

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1. Fences in ~~the~~ near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.
  2. Other physical improvements on the property and all man-made or installed structures, including buildings, stoops, porches, chimneys, visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc), ~~power~~ utility lines and poles, ~~and telephones lines and poles.~~
  3. Cemeteries, if known or disclosed in the process of performing the survey; roads or travelways crossing the property which serve other properties; and streams, creeks, and other defined drainage ways.
  4. Other visible evidence of physical encroachment on the property.
- C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:

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1. The bearings and distances for the boundaries and the area of the lot or parcel of land shall be shown in accordance with record data, unless a current, new land boundary survey has been performed in conjunction with the physical improvements survey. If needed to produce a closed polygon, the meander lines necessary to verify locations of streams, tidelands, lakes and swamps shall be shown. All bearings shall be shown in a clockwise direction, unless otherwise indicated.
2. North arrow, in accordance with record data.
3. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.
4. Improvements and other pertinent features on the property as located in the field pursuant to subsection B of this section.
5. Physical encroachments, including fences, across a property line shall be identified and dimensioned with respect to the property line.

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6. On parcels where compliance with restriction is in question, provide the closest dimension (to the nearest 0.1 foot) or metric equivalent) from the front property line, side property line, and if pertinent, rear property line to the principal walls of each building. Also, all principal building dimensions (to the nearest 0.1 foot) or metric equivalent).
7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed.
8. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features.
9. Street name(s), as posted or currently identified, and as per record data, if different from posted name.
10. Distance to nearest intersection, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified.

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11. Building restriction or setback line(s) per restrictive covenants, if shown or noted on the record subdivision plat.
12. The caption or title of the plat shall include: the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) of the record owner; town or county, or city; date of survey; and scale of drawing.
13. Adjoining property identification.
14. Easements and other encumbrances set forth on the record subdivision plat, and those otherwise known to the professional.
15. A statement as to whether or not a current title report has been furnished to the professional.
16. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).



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~~16~~17. Professional's seal, signature and date.

~~17~~18. Name and address of the land surveyor or registered business.

- D. Notwithstanding the monumentation provisions of subsection B of this section, or any other provision of these regulations, a professional, in performing a physical improvements survey, shall not be required to set corner monumentation on any property when corner monumentation is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.2-2240 of the Code of Virginia, as amended, or by subdivision A 7 of § 15.2-2241 of the Code of Virginia, as amended, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty. When monumentation is not required, the surveyor shall clearly note on the plat "no corner markers set" and the reason, to include name of guarantors.
- E. Notwithstanding anything to the contrary in this chapter, this chapter shall be construed as to comply in all respects with § 54.1-407 of the Code of Virginia, as amended.

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- F. In no event may this chapter be interpreted or construed to require the professional to perform work of a lesser quality or quantity than that which is prudent or warranted under the existing field conditions and circumstances.

**18 VAC 10-20-390. Geodetic Surveys.**

All geodetic surveys, including the determination and publication of horizontal and vertical values utilizing Global Positioning Systems (GPS), which relate to the practice of land surveying as defined in § 54.1-400 of the Code of Virginia, as amended, shall be performed under the direct control and personal supervision of a licensed land surveyor as defined in Part I of these regulations.

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## PART VI

### QUALIFICATIONS FOR CERTIFICATION OF LANDSCAPE ARCHITECTS

#### 18 VAC 10-20-400. Fee schedule.

All fees are nonrefundable and shall not be prorated.

|                              |                  |
|------------------------------|------------------|
| Application                  | \$ 125           |
| Renewal                      | \$ 110           |
| Out of state proctor         | \$ 100           |
| <del>Dishonored checks</del> | <del>\$ 25</del> |

#### 18 VAC 10-20-410. Repealed.

#### 18 VAC 10-20-420. Requirements for certification.

The ~~education or experience, or both, and examination~~ requirements for certification as a landscape architect are as follows:

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1. An applicant who has graduated from an accredited landscape architecture curriculum approved by the Landscape Architectural Accreditation Board shall be admitted to a CLARB prepared examination ~~or equivalent approved by the board~~. Upon passing such examination, the applicant shall be certified as a landscape architect, if otherwise qualified; or
2. An applicant who has obtained eight years of combined education and experience, evaluated in accordance with the Landscape Architect Equivalency Table, shall be admitted to a CLARB-prepared examination ~~or equivalent approved by the board~~. Upon passing such examination, the applicant shall be certified as a landscape architect, if otherwise qualified.

**18 VAC 10-20-430. Experience standard.**

Qualifying landscape architectural training and experience shall be progressive in complexity and based on a knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture.

**18 VAC 10-20-440. Examination.**

- A. All applicants for original certification in Virginia are required to pass the CLARB- prepared examination ~~or equivalent after meeting the education and experience requirements as provided in these regulations.~~
- B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards (CLARB) and as such is authorized to administer the CLARB examinations.
- C. The CLARB-prepared examination will be offered at least once per year at a time designated by the board.
- D. Grading of the examination shall be in accordance with the national grading procedures established by CLARB. The board shall adopt the scoring procedures recommended by CLARB.
- E. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office ~~no later than 75 days before the next administration of the examination,~~ or by the board's designee, at a time

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designated by the board. Applicants not properly registered ~~shall~~ will not be allowed into the examination site.

- F. Examinees will be advised only of their passing or failing score and the CLARB minimum passing or failing score. Only the board and its staff shall have access to examination papers, scores, and answer sheets.
- G. Upon written request to the board within 30 days of receiving examination results, examinees will be permitted to view ~~individually their own~~ the performance problems for failed sections ~~only~~ contained within the section that they failed. Examination appeals are permitted in accordance with the CLARB score verification process.
- H. Should an applicant ~~not~~ fail to pass an examination within three years after being approved to sit for an examination, the applicant must reapply and meet all current entry requirements at the time of reapplication.

**18 VAC 10-20-450. Certification by comity.**

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A person in good standing and holding a current valid license or certification to engage in the practice of landscape architecture, ~~issued to the applicant by other states~~ in another state, the District of Columbia, or any territory or possession of the United States ~~based on requirements that do not conflict with and are at least as rigorous as these regulations and supporting statutes of this board that were in effect at the time of original licensure~~, may be ~~licensed~~ certified ~~without further examination~~, provided the applicant submits verifiable documentation to the board that the education, experience, and examination requirements by which the applicant was first licensed or certified in the original jurisdiction were substantially equivalent to those existing in Virginia at the time of the applicant's original licensure or certification. No person shall be so ~~licensed~~ certified, however, who has not passed an examination in another jurisdiction that was substantially equivalent to that approved by the board at ~~that~~ the time of the applicant's original licensure or certification. If the applicant does not meet the requirements for ~~licensure~~ certification in Virginia that were in effect at the time of original licensure or certification, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office or shall hold a CLARB certificate.

LANDSCAPE ARCHITECT EQUIVALENCY TABLE.

TABLE OF EQUIVALENTS FOR EDUCATION AND EXPERIENCE.

| DESCRIPTIONS   | EDUCATION CREDITS  |                     |                       | EXPERIENCE CREDITS |                       |
|--|--------------------|---------------------|-----------------------|--------------------|-----------------------|
|  | First Two<br>Years | Succeeding<br>Years | Max Credit<br>Allowed | Credit<br>Allowed  | Max Credit<br>Allowed |
| A-1<br>Credits toward a degree in landscape architecture from an accredited school of landscape architecture   | 100%               | 100%                | 4 years               |                    |                       |
| A-2<br>Degree in landscape architecture or credits toward that degree from a <u>non-accredited</u> school of landscape architecture.   | 100%               | 100%                | 4 years               |                    |                       |
| A-3<br>Degree or credits toward that degree in an allied professional discipline, <del>ie such as</del> , architecture, civil engineering, <u>or</u> environmental science, approved by the board. | 75%                | 100%                | 3 years               |                    |                       |
| A-4<br>Any other bachelor degree or credits toward that degree.  | 50%                | 75%                 | 2 years               |                    |                       |
| A-5<br>Qualifying experience in landscape architecture   |                    |                     |                       | 100%               | No limit              |



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|  |  |  |  |     |         |
|--|--|--|--|-----|---------|
| under the direct <u>control and personal</u> supervision of<br>a landscape architect.  |  |  |  |     |         |
| A-6<br>Qualifying experience directly related to landscape<br>architecture when under the direct <u>control and</u><br><u>personal</u> supervision of an architect, professional<br>engineer, or land surveyor.  |  |  |  | 50% | 4 years |
| EXPLANATION OF REQUIREMENTS  |  |  |  |     |         |
| <p>B-1 Education Credits. Education credits shall be subject to the following conditions:</p> <p style="padding-left: 40px;">B-1.1. Applicants with a degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program.</p> <p style="padding-left: 40px;">.2. With a passing grade, 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions greater than one-half year will be counted one-half year and smaller fractions will not be counted.</p> |  |  |  |     |         |
| <p>B-2 Experience Credits. Experience credits shall be subject to the following conditions:</p> <p style="padding-left: 40px;">B-2.1. Every applicant must earn at least two years of experience credit under category A-5.</p>  |  |  |  |     |         |

## PART VII

### QUALIFICATIONS FOR CERTIFICATION OF INTERIOR DESIGNERS

#### 18 VAC 10-20-460. Definitions.

The following ~~definitions shall apply in the regulations relating to the certification of interior designers~~ words, terms, and phrases, when used in this Part VII, shall have the meaning ascribed to them, except where the context clearly indicates or requires a different meaning.

"Diversified experience" includes the identification, research and creative solution of problems pertaining to the function and quality of the interior environment.

"Monitored experience" shall mean diversified experience in interior design under the direct control and personal supervision of a certified or licensed interior designer, an architect, or a professional engineer.

"Professional program approved by the board" means: (a) a minimum of a four-year degree in an interior design program which has been evaluated and is deemed by the board to be substantially equivalent, at the time of the applicant's graduation, to a four-year interior design degree program from an institution

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accredited by [the Council for Interior Design Accreditation (CIDA), formerly known as the] Foundation of Interior Design Education Research (FIDER); or (b) a master's degree in interior design plus a four-year degree, the combination of which has been evaluated and is deemed by the board to be substantially equivalent, at the time of the applicant's graduation, to a four-year degree program from an institution accredited by [CIDA, formerly known as] FIDER. Any cost of evaluation shall be borne by the applicant. The board reserves the right to reject, for good cause, any evaluation submitted.

**18 VAC 10-20-470. Fee schedule.**

All fees are nonrefundable and shall not be prorated.

|                             |                  |
|-----------------------------|------------------|
| Application                 | \$ 45            |
| Renewal                     | \$ 45            |
| <del>Dishonored check</del> | <del>\$ 25</del> |

**18 VAC 10-20-480. Repealed.**

**18 VAC 10-20-490. Requirements for Certification.**

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The education, experience and examination requirements for certification as an interior designer are as follows:

1. The applicant shall ~~hold~~ be a graduate of a four-year professional degree program from an institution accredited by the Foundation for Interior Design Education Research ~~([CIDA, formerly known as] FIDER)[,]~~ not later than one year after applicant's graduation from said program, or an equivalent accrediting organization, or a professional program approved by the board; have a minimum of two years of monitored experience; and have passed the board-approved examination for certification as an interior designer.
2. Monitored experience gained under the direct control and personal supervision of a professional engineer shall be reduced by 50% ~~with a maximum credit of six months.~~ The total experience credit for such experience shall not exceed six months.

**18 VAC 10-20-500. Repealed.**

**18 VAC 10-20-505. Certification by Comity.**

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~~The board may accept satisfactory evidence of licensing or certification in another state or country or the District of Columbia where the qualifications required are equal, in the opinion of the board, to those required by the provisions of this chapter as of the date of application, and in which the applicant is the holder of a license or certificate in good standing. A person in good standing and holding a valid license or certificate to engage in the practice of interior design in another state, the District of Columbia, or any territory or possession of the United States may be certified provided the applicant submits verifiable documentation to the board that the education, experience, and examination requirements by which the applicant was first licensed or certified in the original jurisdiction were equal to those existing in Virginia at the time of the applicant's original licensure or certification. No person shall be so certified, however, who has not passed an examination in another jurisdiction that was equivalent to that approved by the board at the time of the applicant's original licensure or certification. If the applicant does not meet the requirements for certification in this state that were in effect at the time of original licensure or certification, the applicant shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office. Upon receipt of such satisfactory evidence and provided all other requirements of this chapter are complied with, a certificate shall be issued to the applicant.~~

## PART VIII

### QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL CORPORATION

#### 18 VAC 10-20-510. Definitions.

§ 13.1-543 of the Code of Virginia, as amended, provides definitions of the following terms:

#### Professional Corporation ("P.C.")

The following words, terms, and phrases, when used in this Part VIII, shall have the meaning ascribed to them, except where the context clearly indicates or requires a different meaning:

"Employee" of a corporation, for purposes of stock ownership, is a person regularly employed by the corporation who devotes 60% or more of his gainfully employed time to that of the corporation.

#### 18 VAC 10-20-520. Fee schedule.

All fees are nonrefundable and shall not be prorated.

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|                                |                  |
|--------------------------------|------------------|
| Application                    | \$ 30            |
| Designation for branch office  | \$ 30            |
| Renewal                        | \$ 25            |
| Renewal of branch office       | \$ 25            |
| Reinstatement of branch office | \$ 30            |
| <del>Dishonored check</del>    | <del>\$ 25</del> |

**18 VAC 10-20-530. Application requirements.**

- A. All applicants shall have been incorporated in the Commonwealth of Virginia, or, if a foreign professional corporation, shall have obtained a certificate of authority to ~~do~~ conduct business in Virginia from the State Corporation Commission in accordance with § 13.1-544.2 of the Code of Virginia, as amended. The corporation shall be in good standing with the State Corporation Commission at the time of application to the board office and at all times when the registration is in effect.
- B. Each application shall include certified true copies of the certificate of incorporation issued by the state of incorporation (in Virginia, such certificate issued by the State Corporation

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Commission), articles of incorporation, bylaws and charter, and, if a foreign professional corporation, the certificate of authority issued by the State Corporation Commission.

C. Articles of incorporation and bylaws. The following statements are required:

1. The articles of incorporation or bylaws shall specifically state that cumulative voting is prohibited.
2. ~~The bylaws shall state that at least 2/3 of the capital stock must be held by persons duly licensed to render the services of an architect, professional engineer or land surveyor, or duly certified to render the services of a landscape architect or certified interior designer. For those corporations using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, the capital stock of the corporation shall be held by individuals in accordance with § 13.1-549 of the Code of Virginia. The remainder of the stock may be issued only to and held by individuals who are employees of the corporation. Pursuant to § 13.1-549 of the Code of Virginia, as amended, the bylaws of a corporation rendering the services of architects,~~



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professional engineers, or land surveyors, or using the title of certified landscape architects or certified interior designers, or any combination thereof, shall provide that not less than two-thirds of its capital stock shall be issued to individuals duly licensed to render the services of architect, professional engineer, or land surveyor, or to individuals legally authorized to use the title of certified landscape architect or certified interior designer. Similarly, for those corporations using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, the bylaws shall provide that not less than two-thirds of the capital stock of the corporation shall be held by individuals who are duly licensed. The bylaws shall further provide that the remainder of said stock may be issued only to and held by individuals who are employees of the corporation whether or not such employees are licensed to render professional services or authorized to use a title. Notwithstanding the above limitations, the bylaws may provide that the corporation may issue its stock to a partnership each of the partners of which is duly licensed or otherwise legally authorized to render the same professional services as those for which the corporation was incorporated.

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3. The bylaws shall state that nonlicensed or noncertified individuals will not have a voice or standing in any matter affecting the practice of the corporation requiring professional expertise or ~~considered~~ in any matter constituting professional practice, or both.

D. Board of directors. A corporation may elect to its board of directors not more than 1/3 of its members who are employees of the corporation and are not authorized to render professional services.

At least 2/3 of the board of directors shall be licensed to render the services of an architect, professional engineer or land surveyor, or be duly certified to ~~render the services~~ use the title of a certified landscape architect or certified interior designer, or any combination thereof.

At least one director currently licensed or certified in each profession offered or practiced shall be resident at the business to provide effective supervision and control of the final professional product.

E. Joint ownership of stock. Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle

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those employees to vote in any matter affecting the practice of the professions herein regulated.

- F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.
  
- G. Branch offices. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office. ~~Persons in~~  
~~responsible charge~~ Responsible persons shall be designated in accordance with this chapter. At least one currently licensed or certified ~~individual~~ responsible person in each profession offered or practiced at each branch office shall be resident at each branch office to provide effective supervision and control of the final professional product.

**18 VAC 10-20-540. Certificates of authority.**

Certificates of authority shall be issued by the board. The certificate of authority will permit a corporation to practice only the professions shown on its certificate of authority, ~~architecture,~~  
~~engineering, land surveying, certified landscape architecture, certified interior design, or any~~  
~~combination thereof.~~

**18 VAC 10-20-550. Foreign corporations.**

The bylaws shall state that the corporation's activities in Virginia shall be limited to rendering the services of architects, professional engineers, land surveyors, certified landscape architects and certified interior designers, or any combination thereof. A foreign corporation ~~is not required to comply with the provisions of 18 VAC 10-20-530 C 2~~ must meet every requirement of this chapter except the requirement that 2/3 of its stockholders be licensed or certified to perform the professional service in Virginia.

The corporation shall provide the name, ~~and address, and~~ Virginia license or certificate number of each stockholder or employee of the corporation who will be providing the professional service(s) in Virginia ~~and the Virginia license or certificate number of each stockholder or employee.~~

**18 VAC 10-20-560. Amendments and changes.**

- A. Amendments to charter, articles of incorporation or bylaws. A corporation holding a certificate of authority to practice in one or in any combination of the professions covered in

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these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of incorporation, bylaws or charter.

- B. Change in directors or shareholders. In the event there is a change in corporate directors or shareholders, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining directors and shareholders of the corporation unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services. In the event that such change results in noncompliance with the requirements of this chapter and applicable statutes relating to ownership of capital stock or composition of the board of directors, the certificate of authority shall be suspended until such time as the corporation comes into compliance with this chapter. The corporation shall notify the board within 30 days of any such change.
- C. Change of name, address and place of business. Any change of name (including assumed names), address, place of business in Virginia, or responsible person(s) ~~in responsible charge~~ of the profession(s) practiced or offered at each place of business shall be reported to the board by the registered entity within 30 days of such an occurrence. In addition, any licensed or

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certified employee responsible for such practice shall notify the board in writing of any changes of his employment status within ~~40~~ 30 days of such change.

**18 VAC 10-20-565. ~~Renewal of Branch Offices.~~ Repealed.**

~~Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within 30 days following the expiration date noted on the registration, a reinstatement fee of \$25 will be required in addition to the renewal fee.~~

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## PART IX

### QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL LIMITED LIABILITY COMPANY

#### 18 VAC 10-20-570. Definitions.

§ 13.1-1102 of the Code of Virginia, as amended, provides definitions of the following terms:

Professional Limited Liability Company (“P.L.C.,” “PLC,” “P.L.L.C.,” or “PLLC”)

~~The following words and terms when used in this part shall have the following meanings, unless the context clearly indicates otherwise:~~ The following words, terms, and phrases, when used in this Part IX, shall have the meaning ascribed to them, except where the context clearly indicates or requires a different meaning:

"Manager" is a person or persons designated by the members of a limited liability company to manage the professional limited liability company as provided in the articles of organization or an operating agreement, and who is duly licensed or otherwise legally authorized to render one or more of the professional

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services of architects, professional engineers, land surveyors, certified landscape architects, or certified interior designers in the Commonwealth of Virginia.

"Member" means an individual or professional business entity that owns an interest in a professional limited liability company.

~~"Professional Limited Liability Company" means a limited liability company organized in accordance with Chapter 13 (§13.1-1100 et seq.) of Title 13.1 of the Code of Virginia for the sole and specific purpose of rendering one or more of the professional services of architects, professional engineers, land surveyors, landscape architects or certified interior designers.~~

**18 VAC 10-20-580. Fee schedule.**

All fees are nonrefundable and shall not be prorated.

|                               |        |
|-------------------------------|--------|
| Application                   | \$ 100 |
| Designation for branch office | \$ 50  |
| Renewal                       | \$ 50  |
| Renewal of branch office      | \$ 50  |



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|                                |                  |
|--------------------------------|------------------|
| Reinstatement of branch office | \$ 30            |
| <del>Dishonored check</del>    | <del>\$ 25</del> |

**18 VAC 10-20-590. Application requirements.**

- A. All applicants shall have obtained a certificate of organization in the Commonwealth of Virginia or, if a foreign professional limited liability company, shall have obtained a certificate of registration to ~~do~~ conduct business in Virginia from the State Corporation Commission, in accordance with § 13.1-1105 of the Code of Virginia, as amended. The company shall be in good standing with the State Corporation Commission at the time of application to the board office and at all times when the registration is in effect.
- B. Each application shall include a certified true copy of the certificate of organization or, if a foreign professional limited liability company, a certificate of registration issued by the State Corporation Commission. Each application must also include certified true copies of the articles of organization, operating agreement, or both.
- C. Each application shall ~~be accompanied by~~ include a written affirmative affidavit that attests to the following inclusions to the articles of organization or operating agreement.

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1. The articles of organization or operating agreement shall state the specific purpose of the professional limited liability company.
  
2. ~~The articles of organization or operating agreement shall attest that membership is composed of one or more individuals or professional business entities, and at least 2/3 of the membership interests are held by individuals or professional business entities which are duly licensed, certified or registered to render professional services within the Commonwealth of Virginia. For those professional limited liability companies using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, the membership interests of the professional limited liability company shall be held by individuals in accordance with § 13.1-1111 of the Code of Virginia. The remaining membership interest may be held only by employees of the company whether or not they are licensed, certified or otherwise legally authorized to render professional services. Pursuant to § 13.1-1111 of the Code of Virginia, as amended, the articles of organization or operating agreement shall provide that not less than two-thirds of the membership interests of a PLLC rendering the services of architects, professional~~

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engineers, or land surveyors, or using the title of certified landscape architects or certified interior designers, or any combination thereof, shall be held by individuals duly licensed or professional business entities legally authorized to render the services of architects, professional engineers, or land surveyors, or by individuals or professional business entities legally authorized to use the title of certified landscape architects or certified interior designers. Similarly, for those PLLCs using the title of certified interior designers and providing the services of architects, professional engineers, or land surveyors, or any combination thereof, the articles of organization or operating agreement shall provide that not less than two-thirds of the membership interests of the company shall be held by individuals who are duly licensed. The articles of organization or operating agreement shall further provide that remainder of the membership interests of the PLLC may be held only by individuals who are employees of the PLLC whether or not those employees are licensed to render professional services or authorized to use a title.

3. The articles of organization or operating agreement shall attest that all members, managers, employees and agents who render professional services of architects, professional engineers, or land surveyors, or use the title of certified landscape

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architects, or certified interior designers are duly licensed or certified to provide those services.

~~4. The person executing the affidavit shall sign it and state beneath his signature his name and the capacity in which he signs. If the person signing the affidavit is not a manager of the limited liability company, the affidavit shall also state that the individual has been authorized by the members of the limited liability company to execute the affidavit for the benefit of the company.~~

The person executing the affidavit shall sign it and state beneath his signature his name and the capacity in which he signs. If the person signing the affidavit is not a manager of the PLLC, the affidavit shall also state that the individual has been authorized by the members of the PLLC to execute the affidavit for the benefit of the company.

D. ~~Unless Pursuant to § 13.1-1118 of the Code of Virginia, as amended, unless the articles of organization or an operating agreement provides for management of a professional limited liability company the PLLC~~ by a manager or managers, management of a ~~limited liability company the PLLC~~ shall be vested in its members ~~pursuant to § 13.1-1118 of the Code of Virginia.~~

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If the articles of organization or an operating agreement provides for management of the ~~professional limited liability company~~ PLLC by a manager or managers, the manager or managers must be an individual or individuals ~~professional business entity~~ duly licensed or otherwise legally authorized to render the same professional services within the Commonwealth for which the company was formed. ~~At least one member or manager currently licensed or certified in each profession offered or practiced shall be resident at the business to provide effective supervision and control of the final professional product.~~

Only members or managers duly licensed or otherwise legally authorized to render the same professional services within this Commonwealth shall supervise and direct the provision of professional services within this Commonwealth. At least one member or manager currently licensed or certified in each profession offered or practiced shall be resident at the business to provide effective supervision and control of the final professional product.

- E. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

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- F. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office. ~~Persons in responsible charge~~ Responsible persons shall be designated in accordance with this chapter. At least one currently licensed or certified ~~individual~~ responsible person in each profession offered or practiced at each branch office shall be resident at each branch office to provide effective supervision and control of the final professional product.

**18 VAC 10-20-600. Certificates of authority.**

A certificate of authority shall be issued by the board. The certificate of authority will permit a ~~professional limited liability company~~ PLLC to practice only the professions shown on its certificate of authority, ~~architecture, engineering, land surveying, certified landscape architecture, certified interior design, or any combination thereof.~~

**18 VAC 10-20-610. Foreign professional limited liability companies.**

The articles of organization or operating agreement shall state that the ~~professional limited liability company's~~ PLLC's activities in Virginia shall be limited to rendering the professional services of architects, professional engineers, land surveyors, certified landscape architects, and certified interior

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designers, or any combination thereof. ~~A foreign company is not required to comply with the provisions of 18 VAC 10-20-590.C.2.~~ The foreign company must meet every requirement of this chapter except for the requirement that 2/3 of its members and managers be licensed or certified to perform the professional service in this Commonwealth.

The ~~professional limited liability company~~ PLLC shall provide the name, ~~and address, and Virginia license or certificate number~~ of each manager or member who will be providing the professional service(s) in Virginia ~~and the Virginia license or certificate number of each manager or member.~~

**18 VAC 10-20-620. Amendments to articles of organization, operating agreements or certificate of organization; change in managers or members; change in name, address and place of business.**

- A. A ~~professional limited liability company~~ PLLC holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of organization, operating agreement or certificate of organization.
  
- B. In the event there is a change of ~~professional limited liability company~~ managers or members of the PLLC, whether the change is temporary or permanent and whether it may be caused by

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death, resignation, or otherwise, the certificate of authority shall be automatically modified to be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining managers or members of the ~~professional limited liability company~~ PLLC unless an employee of the ~~professional limited liability company~~ PLLC holds the appropriate license or certificate and is competent to render such professional services. Unless otherwise provided, in the event that such change results in noncompliance with the requirements of this chapter and applicable statutes relating to ownership of the membership interests, the certificate of authority shall be automatically suspended until such time as the ~~professional limited liability company~~ PLLC comes into compliance with these regulations. The ~~professional limited liability company~~ PLLC shall notify the board within 30 days of any such change.

No member of the ~~professional limited liability company~~ PLLC may transfer or sell its membership interest in the company, except to the company, or unless at least 2/3 of the remaining membership interest is held by individuals or professional business entities duly licensed or otherwise authorized to render the professional services of the company.

- C. Any change of name (including assumed names), address, place of business in Virginia, registered agent, or responsible person(s) ~~in responsible charge~~ of the profession(s) practiced



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or offered shall be reported by the registered entity to the board within 30 days of such an occurrence. In addition, any licensed or certified employee responsible for such practice shall notify the board in writing of any changes of his employment status within ~~40~~ 30 days of such change.

**18 VAC 10-20-625. ~~Renewal of Branch Offices.~~ Repealed.**

~~Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within the 30 days following the expiration date noted on the registration, a reinstatement fee of \$25 will be required in addition to the renewal fee.~~

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**PART X**

**QUALIFICATIONS FOR REGISTRATION AS A BUSINESS ENTITY  
OTHER THAN A PROFESSIONAL CORPORATION AND PROFESSIONAL  
LIMITED LIABILITY COMPANY**

**18 VAC 10-20-630. Fee schedule.**

All fees are nonrefundable and shall not be prorated.

|                                |                  |
|--------------------------------|------------------|
| Application                    | \$ 100           |
| Designation for branch office  | \$ 50            |
| Renewal                        | \$ 50            |
| Renewal of branch office       | \$ 50            |
| Reinstatement of branch office | \$ 30            |
| <del>Dishonored check</del>    | <del>\$ 25</del> |

**18 VAC 10-20-640. Application requirements.**

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- A. In accordance with § 54.1-411 of the Code of Virginia, as amended, ~~applicants~~ any corporation, partnership, limited liability company, or other entity, including but not limited to joint ventures, shall register with the board on a form approved by the board.
- B. If a partnership or limited partnership, a ~~certified true~~ copy of the partnership agreement shall be included with the application. The partnership agreement shall state that all professional services of the partnership shall be under the ~~direction and~~ direct control and personal supervision of a licensed or certified professional. The limited partnership application shall also include a copy of the certificate of limited partnership issued by the Virginia State Corporation Commission. If a foreign limited partnership, a certification of registration of the foreign limited partnership issued by the Virginia State Corporation Commission shall be required in lieu of the certificate of limited partnership.
- C. If a corporation, the application shall include ~~certified true~~ copies of the certificate of incorporation issued by the Virginia State Corporation Commission, articles of incorporation, bylaws and charter, ~~and if~~ If a foreign corporation, a certificate of authority issued by the Virginia State Corporation Commission shall be required in lieu of the certification of incorporation.

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- D. If a limited liability company, the application shall include a ~~certified true~~ copy of the certificate of organization issued by the State Corporation Commission, and, if a foreign limited liability company, a certified true copy of the certificate of authority issued by the State Corporation Commission.
  
- E. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office. ~~Persons~~ Responsible persons resident ~~and in responsible charge~~ shall be designated in accordance with this chapter.
  
- F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

**18 VAC 10-20-650. Registration certification.**

The application shall contain an affidavit by an authorized official in the corporation, partnership, sole proprietorship, limited liability company, or other entity unit that the practice of architecture, engineering, land surveying, certified landscape architecture or certified interior design to be done by that entity shall be under the direct control and personal supervision of the licensed or certified full-time employees or licensed or certified resident principals identified in the application as responsible

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persons for the practice. In addition, the licensed or certified employees or principals responsible for the practice shall sign their names indicating that they are responsible persons who are resident ~~employees or principals and in responsible charge~~, and that they understand and shall comply with all statutes and regulations of the board.

**18 VAC 10-20-660. Change of status.**

Any changes of status, including but not limited to change in entity, name (including assumed names), address, place of business or responsible persons ~~in responsible charge of the professions practiced or offered~~ at each place of business, shall be reported to the board by the registered entity within 30 days of such an occurrence. In addition, any licensed or certified employee responsible for such practice shall notify the board in writing of any changes of his employment status within ~~10~~ 30 days of such change.

In the event there is a change in the ~~licensed or certified employees in responsible charge~~ responsible person, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the registration shall be automatically modified to be limited to that professional practice permitted by the remaining licensed or certified employees, or shall be automatically suspended until such time as the entity comes into compliance with these regulations.

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**18 VAC 10-20-665. ~~Renewal of Branch Offices.~~ Repealed.**

~~Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within the 30 days following the expiration date noted on the registration, a reinstatement fee of \$25 will be required in addition to the renewal fee.~~

## PART XI

### RENEWAL AND REINSTATEMENT

#### 18 VAC 10-20-670. Expiration and renewal.

- A. Prior to the expiration date shown on the license, certificate or registration, licenses, certificates or registrations shall be renewed for a two-year period upon completion of a renewal application and payment of a fee established by the board. An applicant must certify continued compliance with the Standards of Practice and Conduct as established by the board. Registrations for professional corporations, professional limited liability companies and business entities shall expire on December 31 of each odd-numbered year. Branch office registrations expire the last day of February of each even-numbered year. If the renewal fee for a branch office is not received by the board within 30 days following the expiration date noted on the registration, a reinstatement fee of \$30 will be required in addition to the renewal fee. Branch offices may not renew until the main office registration is properly renewed.
- B. Failure to receive a renewal notice and application shall not relieve the regulant of the responsibility to renew. If the regulant fails to receive the renewal notice, a copy of the

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license, certificate or registration may be submitted with the required fee as an application for renewal, accompanied by a signed statement indicating that the applicant continues to comply with the Standards of Practice and Conduct of the board under whose authority the license, certificate or registration is issued.

- C. Board discretion to deny renewal. The board may deny renewal of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.
  
- D. If the renewal fee is not received by the board within 30 days following the expiration date noted on the license, certificate or registration, a late renewal fee equal to the regular fee plus \$25 shall be required, unless a reinstatement fee is otherwise noted.

**18 VAC 10-20-680. Reinstatement.**

- A. If the license, certificate or registration has expired for six months or more, but less than five years, the regulant shall be required to submit a ~~new~~ reinstatement application, which shall be evaluated by the board to determine if the applicant meets the renewal requirements. In addition, a reinstatement fee equal to the regular renewal fee plus \$100 shall be required.



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- B. If the license, certificate or registration has expired for five years or more, an application for reinstatement shall ~~the regulant will~~ be required to ~~submit a new application~~, which shall be evaluated by the board to determine if the applicant remains qualified to be a regulant of the board ~~meets the renewal requirements~~, and ~~submit~~ a reinstatement fee equal to the regular renewal fee plus \$250 shall be submitted. In addition, the board may require an individual applicant to submit to an examination.
- C. Board discretion to deny reinstatement. The board may deny reinstatement of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.
- D. The date the renewal application and fee are received in the office of the board shall determine whether a license, certificate or registration shall be renewed without late renewal or reinstatement, or shall be subject to reinstatement application procedures.
- E. A license, certificate or registration that is reinstated shall be regarded as having been continuously licensed, certified or registered without interruption. Therefore, the license, certificate or registration holder who is not subject to the licensure for life provisions of §

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54.1-405 of the Code of Virginia, as amended, shall remain under the disciplinary authority of the board during the entire period and shall be accountable for his activities during the period. A license, certificate or registration that is not reinstated and is not subject to the licensure for life provisions of § 54.1-405 of the Code of Virginia, as amended, shall be regarded as unlicensed, uncertified or unregistered from the expiration date forward. Nothing in this chapter shall divest the board of its authority to discipline a license, certificate or registration holder for a violation of the law or regulation during the period of time for which the regulant was licensed, certified or registered.

## PART XII

### STANDARDS OF PRACTICE AND CONDUCT

#### 18 VAC 10-20-690. Responsibility to the public.

The primary obligation of the professional is to the public. The professional shall recognize that the health, safety, and welfare of the general public are dependent upon professional judgments, decisions, and practices. If the professional judgment of the ~~regulant~~ professional is overruled under circumstances when the ~~safety, health, property~~ safety, and welfare, or any combination thereof, of the public are endangered, the professional shall inform the employer or client of the possible consequences and notify appropriate authorities.

#### 18 VAC 10-20-700. Public statements.

- A. The professional shall be truthful in all professional matters. The professional shall include all relevant and pertinent information in professional reports, statements, or testimony, which shall include the date indicating when such information was current.

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- B. When serving as an expert or technical witness, the professional shall express an opinion only when it is based on an adequate knowledge of the facts in the issue, ~~and~~ on a background of competence in the subject matter, and upon honest conviction. Except when appearing as an expert witness in court or an administrative proceeding when the parties are represented by counsel, the professional shall issue no statements, reports, criticisms, or arguments on matters relating to professional practice which are inspired or paid for by an interested party or parties, unless the regulant has prefaced the comment by disclosing the identities of the party or parties on whose behalf the professional is speaking, and by revealing any self-interest.
- C. A professional shall not knowingly make a materially false statement or fail deliberately to disclose a material fact requested in connection with his application for licensure, certification, registration, renewal or reinstatement.
- D. A professional shall not knowingly make a materially false statement or fail to deliberately disclose a material fact requested in connection with an application submitted to the board by any individual or business entity for licensure, certification, registration, renewal or reinstatement.

**18 VAC 10-20-710. Conflicts of interest.**

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- A. The ~~professional~~ regulant shall promptly and fully inform an employer or client of any business association, interest, or circumstance ~~or circumstances~~ which may influence the professional's judgment or the quality of service.
  
- B. The ~~professional~~ regulant shall not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to by, all interested parties in writing ~~to all parties of current interest~~.
  
- C. The ~~professional~~ regulant shall neither solicit nor accept financial or other valuable consideration from material or equipment suppliers for specifying their products or services.
  
- D. The ~~professional~~ regulant shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the ~~professional~~ regulant is responsible.

**18 VAC 10-20-720. Solicitation of work or employment.**

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In the course of soliciting work or employment:

1. The regulant shall not ~~bribe~~. give, solicit, or receive, either directly or indirectly, any gratuity, contribution, or unlawful consideration to influence the award of a contract by a public authority, or which may reasonably be construed as having the effect of intending to influence the awarding of such a contract. The regulant shall not offer or provide any gift or other valuable consideration in order to secure work. The regulant shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a full-time employee or established commercial or marketing agency retained by them.
2. The regulant shall not falsify or permit misrepresentation of ~~the regulant's work~~ his or an associate's academic or professional qualifications or work, nor shall the regulant misrepresent the degree of responsibility for prior assignments. Materials used in the solicitation of employment shall not misrepresent facts concerning employers, employees, associates, joint ventures or past accomplishments of any kind.

**18 VAC 10-20-730. Competency for assignments.**

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- A. The professional shall undertake to perform professional assignments only when qualified by education or experience, or both, and licensed or certified in the profession involved. Licensed professionals may perform ~~professional~~ assignments related to landscape architecture or interior design provided they do not hold themselves out as certified in either of these professions unless they are so certified by this board. The professional may accept an assignment requiring education or experience outside of the field of the professional's competence, but only to the extent that services are restricted to those phases of the project in which the professional is qualified. All other phases of such project shall be the responsibility of licensed or certified associates, consultants or employees.
- B. A professional shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.
- C. The professional shall adhere to ~~all~~ the minimum standards and requirements pertaining to the practice of his own profession, as well as other professions if incidental work is performed.

**18 VAC 10-20-740. Professional responsibility.**

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- A. The ~~professional~~ regulant shall not knowingly associate in a business venture with, or permit the use of the ~~professional's~~ regulant's name ~~or firm name~~, by any person or firm ~~where~~ when there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.
- B. A ~~professional~~ regulant who has direct knowledge or reason to believe that any individual, ~~including himself~~, or firm may have violated or may currently be violating any of these provisions, or the provisions of Chapters 1 through 4 of Title 54.1 or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, as amended, shall immediately inform the ~~secretary of the~~ board in writing and shall cooperate in furnishing any further information or assistance that may be required by the board or any of its agents.
- C. The ~~professional~~ regulant shall, upon request or demand, produce to the board, or any of its agents, any plan, document, book, record or copy thereof in his or its possession concerning a transaction covered by this chapter, and shall cooperate in the investigation of a complaint filed with the board against a ~~licensee or certificate holder~~ regulant.
- D. A ~~professional~~ regulant shall not utilize the design, drawings, specifications, or work of another ~~professional~~ regulant to, ~~including but not limited to~~, complete the design,



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drawings, specifications, or work, or to replicate like design, drawings, specifications, or work without the knowledge and written consent of the person or organization that owns the design, drawings, specifications, or work.

- E. A professional who has received permission to modify or otherwise utilize the designs, drawings, specifications, or work of another professional pursuant to subsection D of this section may seal that work only after a thorough review of the design, drawings, specifications, or work to the extent that full responsibility shall be assumed for all design, drawings, specifications, or work.
  
- F. The information contained in recorded plats or surveys may be utilized by another professional without permission. If modifications are made to the plats or surveys, the professional must conduct a thorough review and verification of the work to the extent that full responsibility shall be assumed for any changes or modifications to the plats or surveys.

**18 VAC 10-20-750. Good standing in other jurisdictions.**

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- A. A regulant licensed, certified, or registered to practice architecture, engineering, land surveying, landscape architecture or interior design in other jurisdictions shall be in good standing in every jurisdiction where licensed, certified, or registered, ~~and shall not have had a license, certificate, or registration suspended, revoked or surrendered in connection with a disciplinary action or who has been the subject of discipline in another jurisdiction.~~
- B. A regulant who has received a reprimand, civil penalty, or monetary penalty, or whose license, certificate or registration is revoked, suspended, denied, or surrendered as a result of a disciplinary action by another jurisdiction, shall be subject to discipline by the board if the regulant's action constitutes a violation of the provisions of Chapters 1 through 4 of Title 54.1, or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, as amended, or the regulations adopted by the board.
- C. A regulant who has received a reprimand, civil penalty, or monetary penalty, or whose license, certificate or registration is revoked, suspended, denied, or surrendered as a result of a disciplinary action by another jurisdiction, must notify the board of such action within 30 days.

**18 VAC 10-20-760. Use of seal.**

- A. The application of a professional seal shall indicate that the professional has exercised ~~complete direction and~~ direct control and personal supervision over the work to which it is affixed. Therefore, no ~~regulant professional~~ shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person ~~or firm~~ unless such work was performed under the ~~direction and~~ direct control and personal supervision of the ~~regulant professional~~ while ~~under the regulant's contract or while employed by the same firm as the regulant~~ said unlicensed or uncertified person was an employee of the same firm as the professional or was under written contract to the same firm that employs the professional. If a ~~regulant~~ the original professional of record is no longer employed by the regulant or is otherwise unable to seal completed professional work, such work may be sealed by another ~~regulant professional, but~~ only after a thorough review ~~and verification~~ of the work by the professional affixing the professional seal to verify that the work has been accomplished to the same extent that would have been exercised if the work had been done under the ~~complete direction and~~ direct control and personal supervision of the ~~regulant professional~~ affixing the professional seal.

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- B. ~~A regulant~~ An appropriately licensed or certified professional shall apply a ~~stamp or a preprinted or electronic~~ seal to final and complete original cover sheets of plans, drawings, plats, technical reports and specifications and to each original sheet of plans, drawings or plats, prepared by the ~~regulant~~ professional or someone under his direct control and personal supervision.
1. All seal imprints on the cover or first sheet of final documents shall bear an original signature and date. “Final Documents” are completed documents or copies submitted on a client’s behalf for approval by authorities or recordation. In such cases, the cover sheet of the documents or copies shall contain a list of drawings or plats included in the set on which a seal, original signature and date shall be affixed for all regulated disciplines. Every page of the submission, other than the cover, may be reproduced from originals which contain the seal, original signature and date by each discipline responsible for the work.
    - a. An electronic seal, signature and date ~~is~~ are permitted to be used in lieu of an original seal, signature and date when the following criteria, and all other requirements of this section, are met:

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1. It is a unique identification of the professional;
  2. It is verifiable; and
  3. It is under the professional's direct ~~and sole~~ control;
  4. ~~It is linked to the document file in such a manner that changes are readily determined and visually displayed if any data contained in the document file was changed subsequent to the electronic seal, signature and date having been affixed to the document; and~~
  5. ~~Changes to the document after affixing the electronic seal, signature and date shall cause the electronic seal, signature and date to be removed or altered in such a way as to invalidate the electronic seal, signature and date.~~
- b. ~~In addition, once the electronic seal, signature and date is applied to the document, the document shall be in a view only format if the document is to be electronically transmitted. A professional should not seal original documents made of mylar, linen, sepia, or other materials, or which are transmitted electronically, which can be changed by the person or entity with whom the documents are filed, unless the professional accompanies such~~

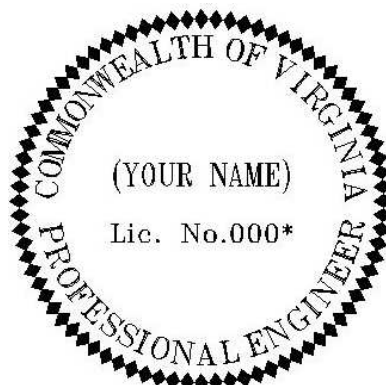
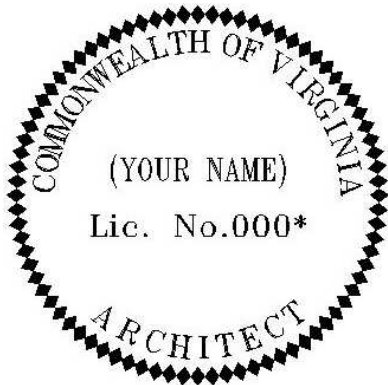
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documents with a signed and sealed letter making the recipient of such documents aware that copies of the original documents as designed by the professional have been retained by the professional and that the professional cannot assume responsibility for any subsequent changes to the reproducible original documents, which are not made by the professional or those working under his direct control and personal supervision.

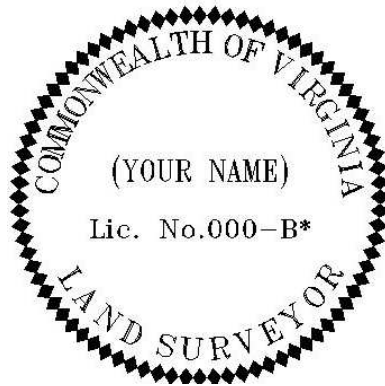
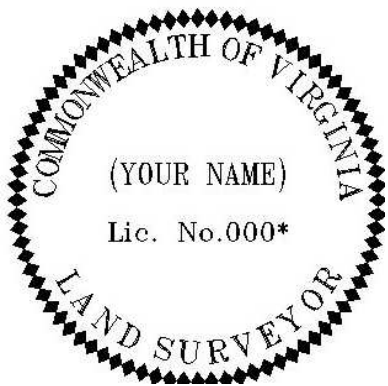
2. Incomplete plans, documents and sketches, whether advance or preliminary copies, shall be so identified on the plan, document or sketch and need not be sealed, signed or dated.
3. All plans, drawings or plats prepared by the ~~regulant~~ professional shall bear the ~~regulant's~~ professional's name or firm name, address and project name.
4. The seal of each ~~regulant~~ professional responsible for each profession shall be used and shall be on each document that was prepared under the ~~regulant's~~ professional's direction and for which that professional is responsible. If one of the exemptions found in § 54.1-402 of the Code of Virginia, as amended, is applicable, a professional licensed or certified by this board shall nevertheless apply his seal to the exempt work.

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5. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.
  
6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:



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\* The number referred to is the last six-digit number as shown on the license or certificate. The number is permanent. Leading zeros contained in the six-digit number may be omitted from the seal.

**18 VAC 10-20-770. Organization and styling of practice.**

Nothing shall be contained in the name, letterhead or other styling of a professional practice implying a relationship, ability or condition which does not exist. Professional services that the firm is not properly registered to provide may not be included in the name.

An assumed, fictitious or corporate name shall not be misleading as to the identity, responsibility or status of those practicing thereunder. Advertisements, signs, letterheads,



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business cards, directories, or any other form of representation shall avoid any reference to any service that cannot be provided for under a resident responsible person.

**18 VAC 10-20-780. Professional required at each place of business.**

Any legal entity or professional maintaining a place of business from which the ~~offering to practice or practice of~~ entity or professional offers or provides architectural, architecture, engineering, land surveying, certified landscape architectural architecture, or certified interior design services ~~is to be performed~~ in Virginia shall name for each profession offered or practiced at each place of business a ~~Virginia professional resident at the place of business and in responsible charge~~ resident, responsible person. The named ~~professional~~ resident, responsible person must hold a current valid Virginia license or certificate in the profession being offered or practiced.

Each named professional shall exercise ~~supervision and~~ direct control and personal supervision of the work being offered or practiced at the place of business for which he is named. Each named professional shall be ~~in~~ responsible ~~charge~~ [of for] only one location at a time. A named professional may be ~~in~~ responsible ~~charge~~ [of for] more than one location provided that he is resident at the place of business ~~and is in responsible charge~~ during a majority of the hours of operation at each location.

**18 VAC 10-20-790. Sanctions.**

- A. No license, certificate, or registration shall be suspended or revoked, nor shall any regulant be fined unless a majority of the members of the entire board ~~and a majority of the board members of the profession involved~~, who are eligible to vote, vote for the action. The board may suspend or revoke any license, certificate, certificate of authority or registration, or fine any regulant, if the board finds that:
1. The license, certification or registration was obtained or renewed through fraud or misrepresentation;
  2. The regulant has been found guilty by the board, or by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor which, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter;

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3. The regulant is guilty of professional incompetence, ~~or~~ negligence, or gross negligence;
  4. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
  5. The regulant violates any standard of practice and conduct, as defined in this chapter;  
or
  6. The regulant violates or induces others to violate any provision of Chapters 1 through 4 of Title 54.1 or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, as amended, or any other statute applicable to the practice of the professions herein regulated, or any provision of this chapter.
- B. If evidence is furnished to the board which creates doubt as to the competency of a regulant to perform professional assignments, the board may require the regulant to prove competence by interview, presentation or examination. Failure to appear before the board, pass an

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examination, or otherwise demonstrate competency to the board shall be grounds for  
revocation or suspension of the license, certification or registration.

**18 VAC 10-20-795. Change of address.**

All regulants shall notify the board of any change of address, in writing, within 30 days of making the  
change. When submitting a change of address, any regulant holding more than one license, certificate  
or registration shall inform the board of all licenses, certificates or registrations affected by the  
change. A physical address is required. A post office box will not be accepted.

*I certify that this regulation is full, true and correctly dated.*

\_\_\_\_\_  
*Mark N. Courtney, Executive Director*

\_\_\_\_\_  
*Date*

*Department of Professional and Occupational Regulation/Board for Architects, Professional Engineers,  
Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board)*