



Virginia  
Regulatory  
Town Hall

townhall.virginia.gov

## Notice of Intended Regulatory Action (NOIRA) Agency Background Document

<b>Agency name</b>	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
<b>Virginia Administrative Code (VAC) citation</b>	18 VAC 10-20
<b>Regulation title</b>	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Rules and Regulations
<b>Action title</b>	Changes to Experience Requirements for Landscape Architect Applicants
<b>Document preparation date</b>	June 17, 2004

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Purpose

*Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.*

The purpose of the proposal is to make the following changes:

Consider amending the entry requirements for those landscape architect applicants who possess an LAAB accredited degree in landscape architecture to require them to obtain three-years of acceptable experience before being granted certification (they could still be approved to take, and sit for, the examination prior to obtaining the required three-years of experience; however, certification would not be awarded until such time as the three-years of acceptable experience is obtained, documented, submitted, reviewed and approved).

Other changes which may be necessary pursuant to the Board's periodic review of its regulation, and any other changes, will also be considered.

## Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

---

§§ 54.1-404, 54.1-411.C, 13.1-549 and 13.1-1111 of the Code of Virginia authorize the Board to promulgate regulations for a regulatory system. While the Board is mandated to establish regulations, the content of the regulations is up to the discretion of the Board.

## Substance

*Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.*

---

Consider amending the entry requirements for those landscape architect applicants who possess an LAAB accredited degree in landscape architecture to require them to obtain three-years of acceptable experience (currently no experience is required for these applicants) before being granted certification (they could still be approved to take, and sit for, the examination prior to obtaining the required three-years of experience; however, certification would not be awarded until such time as the three-years of acceptable experience is obtained, documented, submitted, reviewed and approved).

The proposed change is being considered to determine if the health, safety and welfare of the public would be better protected by including an experience requirement for these types of applicants. Once a landscape architect is certified, they may hold themselves out as, and practice as, a landscape architect/certified landscape architect (see § 54.1-409 of the Code of Virginia); therefore, the current requirement allows those with an LAAB accredited degree to become certified and provide services to the public without the benefit of any practical experience. In order to adequately protect the public, it may be necessary for these applicants to have some experience before being awarded certification.

Any other changes which may be necessary may also be considered.

## Alternatives

*Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.*

---

The Board will consider any and all comments received during the comment periods as to any proposed alternatives.

### Family impact

*Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.*

---

The contemplated changes are not anticipated to have any significant impact on Virginia's families.