

**STATUTORY/REGULATORY REVIEW COMMITTEE
OF THE APELSCIDLA BOARD**

AGENDA

10:00 AM

January 9, 2024

DPOR 1st Floor Training Room

1. Call to Order
2. Emergency Evacuation Procedures
3. Approval of Agenda
4. Public Comment Period*
5. Regulatory Review
 - Parking Lot Items
6. Other Business
7. Conflict of Interest / Travel Vouchers
8. Adjourn

*Five minute public comment, per person, with the exception of any open disciplinary files.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

- **Call to Order**
- **Emergency Evacuation**

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position
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➤ **Public Comment**

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Items to be resolved at APELSCIDLA RRC meeting

REFER TO STATUTES AT EACH SECTION.

References – are all professions removing them?

Pathway of Architects

Good moral character – staff to provide ways to incorporate

Notice of Adverse Action – see WWOOSP Board language

Reciprocity versus Endorsement – needs to be consistent with all professions

Removal of TOEFL: 18VAC10-20-55 requiring applicants to pass the Test of English as a Foreign Language Internet based Test (TOEFL iBT). The Board believes if the applicant can pass the exam written in English, then the applicant has a reasonable understanding of the English language. Has the Board considered this change already? Or was this a determination made by the regulatory review committee?

18VAC10-20-75 regarding conduct at examination sites. The company who provides the exam is responsible for the attendees' conduct at its sites. **May need to think about this one some more. -Many other regulations have some provision that says "follow exam instructions." Will applicants be on sufficient notice as to the potential consequences for failing to follow instructions if we take this out?**

Part III – Qualifications for Licensing of Architects (18 VAC 10-20-90 et seq.):

PATHWAYS NEEDED

References (18 VAC 10-20-130): Repealing this section as it is not necessary. The section requires that an applicant for an architect license submit three (3) references as part of an application. However, in practice, these references are not reviewed by Board members who review applications. Further, an applicant would not typically request someone provide the applicant a reference if the applicant knows the individual would provide a bad reference.

Examination (18 VAC 10-20-140): Revising the provisions of this section to remove the requirement that an applicant for an architect license be approved by the Board to sit for the architect licensing examination. With this change, an applicant will be allowed to take the examination before applying for licensure.

Licensure by Comity (18 VAC 10-20-150): Revising the provisions of this section to clarify that architects licensed in other jurisdictions may apply for licensure by endorsement instead of comity. The change corrects terminology used in the regulation to reflect the current provisions for allowing individuals licensed in other jurisdictions to become licensed in Virginia. Those who are licensed in another jurisdiction must meet requirements that are equivalent to the requirements in Virginia's regulation and pass

appropriate examinations.

Part IV – Qualifications for Licensing of Professional Engineers (18 VAC 10-20-160 et seq.):

NEED CLARIFICATION ON PATHWAYS

Requirements for Engineer-in-Training Designation (18 VAC 10-20-200): Revising the provisions of this section to allow an applicant for an engineering-in-training (EIT) designation to apply for the Fundamentals of Engineering (FE) examination before applying with the Board.

References (18 VAC 10-20-220): Repealing this section as it is not necessary. The section requires that an (i) applicant for an EIT designation submit one (1) reference as part of an application; and an applicant for a professional engineer license submit (3) references as part of an application. However, in practice, these references are not reviewed by Board members who review applications. Further, an applicant would not typically request someone provide the applicant a reference if the applicant knows the individual would provide a bad reference.

Licensure by Comity (18 VAC 10-20-270): Revising this section to remove the requirement that an applicant for licensure by comity submit three references. This requirement is not necessary. In practice, these references are not reviewed by Board members who review applications. Further, an applicant would not typically request someone provide the applicant a reference if the applicant knows the individual would provide a bad reference.

Part V – Qualifications for Licensing and Standards of Procedure for Land Surveyors (18 VAC 10-20-280 et seq.):

Requirements for Surveyor-in-Training (SIT) Designation (18 VAC 10-20-300):

- Revising the provisions of this section to provide that applicants apply directly to NCEES to take the Fundamentals of Surveying examination. Currently, applicants are required to apply to the Board before taking the examination. This change will allow applicants to apply directly to NCEES instead. Applicants would be required to pass the examination before applying to the Board for licensure.
- **Revising the qualifications for an SIT**

Experience Standards (18 VAC 10-20-340): Revising the provisions of this section to provide that applicants for land surveyor, land surveyor photogrammetrist, and land surveyor B licenses demonstrate experience requirements by requiring that (i) written verification that experience was gained under the direct control and supervision of a licensed land surveyor or land surveyor photogrammetrist be documented on board-approved forms; (ii) experience must have been acquired in positions requiring the exercise of independent judgment, initiative, and professional skill; (iii) experience may be gained either prior to or after education is obtained; and (iv) experience be verified

by a licensed land surveyor or surveyor photogrammetrist in an organization with a surveying practice.

Examinations (18 VAC 10-20-350):

Licensure by Comity (18 VAC 10-20-360):

- Revising the provisions of this section to clarify that land surveyors licensed in other jurisdictions may apply for licensure by endorsement instead of comity. The change corrects terminology used in the regulation to reflect the current provisions for allowing individuals licensed in other jurisdictions to become licensed in Virginia. Those who are licensed in another jurisdiction must meet requirements that are equivalent to the requirements in Virginia's regulation and pass appropriate examinations.
- Revising the provisions of this section to require that applicants for endorsement pass a Board-supplied examination on regulations.

Part VI – Qualifications for Licensing of Landscape Architects (18 VAC 10-20-400 et seq.):

REFERENCES STAY OR GO?

Part VIII – Qualifications for Registration as a Business Entity (18 VAC 10-20-627 et seq.): Repealing provisions requiring branch offices to register with the Board. This change is being made to reduce a regulatory burden on businesses. Only business entities will be required to be registered.

Registration Required (18 VAC 10-20-627): Revising the provisions of this section to provide that business entities designate a responsible person for each professional service offered by the business entity when registering with the Board.

Registration Certification (18 VAC 10-20-650): Revising the provisions of this section to remove a requirement that a business entity certify that responsible persons will be resident at the place of business. Since COVID-19, many business are no longer in “brick and mortar” buildings and businesses are now able to supervise employees virtually. Because the “responsible person” can virtually supervise and review the work of others there is no longer a need to have a “resident” onsite to review the work in person.

Part X – Standards of Practice and Conduct (18 VAC 10-20-690 et seq.):

ADD LIST OF PROHIBITED ACTS?

Public Statements (18 VAC 10-20-700): Revising the provisions of subsection D to provide that a regulant must not knowingly make a materially false statement or deliberately withhold a material fact in any professional matter. Currently, regulants must not knowingly make a materially false statement or deliberately withhold a material

fact requested in connection with an application for licensure, certification, registration, renewal, or reinstatement.

Solicitation of Work or Employment (18 VAC 10-20-720): Revising the provisions of subsection D to provide that materials, content, and information used in the solicitation of work must not misrepresent facts concerning employers, employees, associates, joint ventures, or past accomplishments of any kind. Currently, this standard applies only to materials used in the solicitation of employment.

Organization and Styling of Practice (18 VAC 10-20-770): Revising the provisions of subsection A to provide that the responsible persons designated by the firm for the professional services offered must exercise direct control and personal supervision of the work being offered or practiced.

Professional Required at Each Place of Business (18 VAC 10-20-780): Repealing this section which requires that any regulant which maintains a place of business in Virginia that offers or practices professional services designate a resident responsible person to exercise direct control and personal supervision of the work being offered or practiced at each place of business. Because most businesses are allowing employees to telework and provide virtual supervision, there is no longer a need to have a professional at each place of business to oversee the work of others; this is now possible through virtual means.

WISHLIST ITEMS

Continuing education – needs to be put back into regs



COMMONWEALTH OF VIRGINIA
BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND
SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND
LANDSCAPE ARCHITECTS

**REGULATIONS Governing Architects,
Professional Engineers, Land Surveyors,
Certified Interior Designers and
Landscape Architects**

Last Updated December 1, 2021

STATUTES
Title 54.1, Chapter 4
Excerpts from Title 13.1

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NOTICE
SUMMARY OF SIGNIFICANT CHANGES

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA) is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code.

These regulations are effective, and replace all previous regulations of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. As a regulant of the Board, you are responsible for following all regulations and therefore you should read and become familiar with all regulations printed in this booklet.

This document is a complete, edited (unofficial) copy of the December 1, 2021 Regulations (18VAC10-20). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <https://law.lis.virginia.gov/admincode>.

The following is a brief summary of significant revisions to the regulations effective December 1, 2021, but may not include all changes that were made to the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Regulations:

The regulations were amended to conform to SB 1406, enacted by the General Assembly during the 2021 Special Session I. Requirements for licensure were revised to exclude marijuana-related misdemeanor convictions from convictions that must be disclosed on an application. Standards of conduct and practice were revised to exclude marijuana-related drug distribution misdemeanor convictions from convictions that a regulant must report to the Board.

STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your license as an Architect, Professional Engineer, Land Surveyor, Landscape Architect; your certificate as an Interior Designer; and a registration for your business. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Chapter 4 of Title 54.1 and excerpts from Title 13.1. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to get and keep your license. **BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR LICENSE, CERTIFICATE OR REGISTRATION.**

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

APELSCIDLA Board
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233

or call the Agency at (804) 367-8506.

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PART I GENERAL

18VAC10-20-10 Definitions

Section 54.1-400 of the Code of Virginia provides definitions of the following terms and phrases as used in this chapter:

Architect

Board

Certified interior designer

Improvement to real property ??? – LS to provide Interior design. When used in this chapter, interior design shall only be applicable to interior design performed by a certified interior designer.

Land surveyor. When used in this chapter, land surveyor shall include surveyor photogrammetrist unless stated otherwise or the context requires a different meaning.

Landscape architect

Practice of architecture

Practice of engineering

Practice of land surveying

Practice of landscape architecture

Professional engineer

Responsible charge

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

"Application" means a completed application with the appropriate fee and any other required documentation.

"Comity" means the recognition of licenses or certificates issued by other states or other jurisdictions of the United States as permitted by § 54.1-103 C of the Code of Virginia.

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

ADD ENDORSEMENT DEFINITION

"Direct control and personal supervision" means supervision by a professional who oversees and is responsible for the work of another individual.

"Good moral character" may be established if the applicant or regulant:

STAFF TO PROVIDE WAYS TO INCORPORATE.

1. Has not been convicted of a non-marijuana misdemeanor in the last 10 years or has ever been convicted of a felony that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia;
2. Has not committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, negligence, or incompetence reasonably related to:
 - a. The proposed area of practice within 10 years prior to application for licensure, certification, or registration; or
 - b. The area of practice related to licensure, certification, or registration by the board while under the authority of the board;
3. Has not engaged in fraud or misrepresentation in connection with the application for licensure, certification, or registration, or related exam;
4. Has not had a license, certification, or registration revoked or suspended for cause or been disciplined by the Commonwealth or by any other jurisdiction, or surrendered or has surrendered a license, certificate, or registration in lieu of disciplinary action; or
5. Has not practiced without the required license, registration, or certification in the Commonwealth or in another jurisdiction within the five years immediately preceding the filing of the application for licensure, certification, or registration by the Commonwealth.

"Good standing" means that the regulant holds a current or active license, certificate, or registration issued by any regulatory body and the regulant is not subject to a current sanction.

"Place of business" means any location (workplace?) that, through professionals, offers or provides the services of architecture, engineering, land surveying, landscape architecture, interior design, or any combination thereof. A temporary field office established and utilized for the duration of a specific project shall not qualify as a place of business under this chapter. Parking lot – Branch Office?

"Profession" means the practice of architecture, engineering, land surveying, landscape architecture, or interior design.

"Professional" means an architect, professional engineer, land surveyor, landscape architect, or certified interior designer who holds a license or certificate issued by the board pursuant to the provisions of this chapter and is in good standing with the board to practice his profession in the Commonwealth.

"Registrant" means a business entity holding a registration issued by the board and in good standing to offer or provide one or more of the professions regulated by the board. "Regulant" means an architect, professional engineer, land surveyor, or landscape architect holding a license issued by the board; a certified interior designer holding a valid certification issued by the board; or a registrant.

"Responsible person" means the professional named by the registrant to be responsible and have control of the registrant's regulated services offered or rendered. A professional can only be the responsible person for the profession indicated on his licenses or certifications.

"Surveyor photogrammetrist" means a person who by reason of specialized knowledge in the area of photogrammetry has been granted a license by the board to survey land in accordance with Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia for the determination of topography, contours, or location of planimetric features using photogrammetric methods or similar remote sensing technology.

Historical Notes:

Derived from VR130-01-2 § 1.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 26, Issue 4, eff. July 1, 2010; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-15. 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.

Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002; amended, Virginia Register Volume 23, Issue 1, eff. February 1, 2007.

PART II

GENERAL ENTRY REQUIREMENTS

18VAC10-20-20. General application requirements.

- A. Applicants must be of good moral character.
- B. Applications shall be completed in accordance with instructions contained in this chapter and on the application.

- C. Applicants shall meet all entry requirements in effect at the time application is made.
- D. Applicants shall provide the board with all required documentation and fees to complete the application for licensure or certification no later than three years from the date of the board's receipt of the initial application fee. Applications that remain incomplete after that time will no longer be processed by the board and the applicant shall submit a new application.
- E. The board may make further inquiries and investigations with respect to an applicant's qualifications and documentation to confirm or amplify information supplied.
- 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 who do not meet the requirements of 18VAC10-20-20 or 18VAC10-20-40 may be approved following consideration by the board in accordance with the provisions of the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia)

Historical Notes:

Derived from VR130-01-2 § 2.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-30. [Repealed]

18VAC10-20-35. Experience.

All experience or training requirements contained in this chapter shall be on the board-approved form and will be evaluated based on the applicant working a minimum of 30 hours per week. Any experience gained at less than 30 hours per week may be prorated at the sole discretion of the board.

Historical Notes:

Derived from Virginia Register Volume 16, Issue 3, eff. December 1, 1999; amended, Virginia Register Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-40. Good standing of applicants.

- A. Applicants currently 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.
- B. Applicants shall report any disciplinary action related to their profession including

suspended, revoked, or surrendered license, certificate, or registration. have been the subject of a disciplinary action in any jurisdiction.

- C. Applicants shall report any felony and or misdemeanor convictions in any jurisdiction, excluding any misdemeanor marijuana convictions.

Historical Notes:

Derived from VR130-01-2 § 2.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-50. Transfer of scores to other boards.

The board, at its discretion and upon proper application, may forward the scores achieved by an applicant in the various exams given under the board's jurisdiction for use in evaluating the applicant's eligibility for registration within another board's jurisdiction or evaluation of the applicant's national certification. An applicant requesting that his score be transferred to another registration board shall state his reason for the request in writing.

Historical Notes:

Derived from VR130-01-2 § 2.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-60. [Repealed]

18VAC10-20-80. [Repealed]

18VAC10-20-85. Examination on regulations.

The board shall provide applicants with an exam on its regulations and statutes. All applicants for licensure or certification must achieve a passing score on this exam.

Historical Notes:

Derived from Virginia Register Volume 23, Issue 1, eff. February 1, 2007; amended, Virginia Register Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-87. Expiration of licenses, certificates, and registrations.

- A. Licenses, certificates, and registrations shall be valid for two years from the last day of the month in which they are issued.
- B. Licenses, certificates, and registrations shall expire in accordance with this section unless renewed pursuant to 18VAC10-20-670 or reinstated pursuant to 18VAC10-20- 680.

Historical Notes:

Derived from Virginia Register Volume 32, Issue 6, eff. January 1, 2016.

PART III

QUALIFICATIONS FOR LICENSING OF ARCHITECTS

18VAC10-20-90. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Initial Architect License	\$75
Application for Architect License by Comity	\$75
Renewal	\$55

Historical Notes:

Derived from VR130-01-2 § 3.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, October 1, 1999; Volume 21, Issue 3, eff. December 1, 2004; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-100. [Repealed]

18VAC10-20-105. Qualifications for Licensure.

**Upon completing the requirements of this section, applicants may apply for licensure with the board:
Education.**

- A. Applicants for original licensure shall hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) . The degree program must have been accredited by NAAB no later than two years after the date of the applicant's graduation from the program.
- B. Applicants seeking credit for a degree or coursework that is not NAAB-accredited, whether foreign or domestic, shall establish a National Council of Architectural Registration Boards record and have that degree or coursework evaluated for equivalency to a NAAB-accredited professional degree in architecture through NAAB's evaluation service. The board reserves the right to reject any evaluation submitted. Any costs attributable to evaluation shall be borne by the applicant.

Historical Notes:

Derived from VR130-01-2 § 3.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

Experience.

- A. Applicants for original licensure shall successfully complete the National Council of Architectural Registration Boards (NCARB) administered architectural experience program, which satisfies the experience requirement outlined in 18VAC10-20-35.
- B. **Parking Lot-Another Pathway** Applicants with a National Architectural Accrediting Board-accredited degree or who are actively participating in or who have completed the NCARB-accepted integrated path to architectural licensure option are required to document their experience or training in architecture before licensure.

Historical Notes:

Derived from VR130-01-2 § 3.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 25, Issue 5, eff. January 1, 2009; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

Examination.

The board is a member board of National Council of Architectural Registration Boards (NCARB) and applicants for original licensure are required to pass the NCARB-prepared exam.

Historical Notes:

Derived from VR130-01-2 § 3.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 5, eff. January 1, 2009; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-150. Licensure by endorsement.

- A. Applicants who hold a valid active license in another state or other jurisdiction of the United States or a country in which a mutual recognition agreement has been executed between itself and National Council of Architectural Registration Boards (NCARB) and accepted by the board may be granted a license provided that they meet the requirements of 18VAC10-20-25 and:
 - 1. Possess an NCARB certificate; or
 - 2. Met the requirements for licensure that were substantially equivalent to those in effect in Virginia at the time they were originally licensed. or
 - 3. Meet the entry requirements for initial licensure pursuant to this chapter.

Historical Notes:

Derived from VR130-01-2 § 3.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

PART IV

QUALIFICATIONS FOR LICENSING OF PROFESSIONAL ENGINEERS

18VAC10-20-160. Definitions.

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

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

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

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

"EAC" means Engineering Accreditation Commission.

"ETAC" means Engineering Technology Accreditation Commission.

"Related science program" means a four-year program in biology, chemistry, geology, geophysics, mathematics, physics, or other programs approved by the board. Programs must have a minimum of six semester hours of mathematics courses beyond algebra and trigonometry and a minimum of six semester hours of science courses in calculus-based physics in order to be considered a related science program.

"Qualifying engineering experience" means a record of progressive experience in engineering work during which the applicant has made a practical utilization of acquired knowledge and has demonstrated 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. Qualifying engineering experience based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design.

Historical Notes:

Derived from VR130-01-2 § 4.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff.

February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-170. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Engineer-in-Training Designation	\$30
Application for Initial Professional Engineer License	\$60
Application for Professional Engineer License by Comity	\$60
Renewal	\$80

Historical Notes:

Derived from VR130-01-2 § 4.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 21, Issue 3, eff. December 1, 2004; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-180. [Repealed]

18VAC10-20-190. (Repealed.) Go to the proposed regulation and replace this.

18VAC10-20-190. Requirements for engineer-in-training (EIT) designation.

Applicants shall apply directly with NCEES for the FE exam. Upon passing the FE exam, and verification of graduation from an ABET-accredited undergraduate EAC or ETAC curriculum, an ABET-accredited graduate or doctorate EAC or ETAC curriculum, or graduated from a nonapproved engineering curriculum or from a related science curriculum of four years or more, shall apply to the board to receive the EIT designation.

Historical Notes:

Derived from VR130-01-2 § 4.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; [Volume 10, Issue 15](#), eff. May 19, 1994; [Volume 16, Issue 3](#), eff. December 1, 1999; [Volume 18, Issue 7](#), eff. March 1, 2002; [Volume 23, Issue 1](#), eff. February 1, 2007; [Volume 32, Issue 6](#), eff. January 1, 2016; repealed, Virginia Register [Volume 37, Issue 24](#), eff. September 2, 2021.

Upon passing the FE exam, an applicant who qualified for the exam under 18VAC10-20-190 A will receive the EIT designation only after he provides verification of his degree to the board. All other applicants will receive the EIT designation upon passing the FE exam. The EIT designation will remain valid indefinitely.

18VAC10-20-210. Requirements for licensure as a professional engineer **Go to the proposed regulation and replace this.**

A. In general, the required education shall be applied as follows:

EDUCATIONAL REQUIREMENTS	Passing of Fundamentals Exam REQUIRED?	NUMBER OF REQUIRED YEARS OF QUALIFYING ENGINEERING EXPERIENCE
1. Have graduated from an ABET accredited engineering program.	YES	4
2. Dual degree holders.	NO	4
a. Have graduated from an ABET-accredited undergraduate engineering program; and b. Have graduated from a doctorate engineering program that is ABET accredited at the undergraduate level.		
3. Have graduated from a four year related science program, engineering technology program, or a non-ABET accredited engineering program.	YES	6
<u>4. Have obtained, by documented academic coursework, the equivalent of education that meets that requirements of ABET accreditation for the baccalaureate engineering technology curricula. Whether an education is considered to be equivalent shall be determined by the judgment of the board.</u>	YES	10
<u>5. Have graduated from an engineering, engineering technology, or related science curriculum of four years or more.</u>	NO	20

Historical Notes:

Derived from VR130-01-2 § 4.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1,

1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-215. (Repealed.)

18VAC10-20-230. Education.

- A. An applicant who is seeking credit for a degree that is not ABET accredited as ETAC or EAC and was earned from an institution outside the United States and its territories shall have the degree authenticated and evaluated by an educational credential evaluation service. The board may consider the degree as an approved engineering program or approved engineering technology program. The board reserves the right to reject any evaluation submitted by the applicant.
- B. Degrees earned within the United States for any nonapproved engineering program, related science program, or nonapproved engineering technology program of four years or more shall be from an accredited college or university that is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

Historical Notes:

Derived from VR130-01-2 § 4.8, eff. October 18, 1985, amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 23, Issue 1, eff. February 1, 2007; Volume 23, Issue 21, eff. September 10, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-240. Experience.

- A. Each applicant shall complete the board's Professional Engineer Experience Verification Form, documenting all of his engineering experience. The information provided on the form shall clearly describe the engineering work or research that the applicant personally performed; delineate his role in any group engineering activity; provide an overall description of the nature and scope of his work; and include a detailed description of the engineering work personally performed by him. The experience must be obtained in an organization with an engineering practice and must be verified on the board's experience verification form by a licensed professional engineer in the organization's engineering practice.
- B. In general, the required experience shall be applied as follows:

Type of Experience	Qualifying	Nonqualifying
1. Design experience.	A demonstrated use of engineering computation and problem-solving skills.	Drafting of design by others.

2. Construction experience.	A demonstrated use of engineering computation and problem-solving skills.	The execution as a contractor of work designed by others, the supervision of construction, and similar non-engineering tasks.
3. Military experience.	Engineering of a character substantially equivalent to that required in the civilian sector for similar work.	Non-engineering military training and supervision.
4. Sales experience.	A demonstrated use of engineering computational and problem-solving skills.	The selection of data or equipment from a company catalogue, similar publication, or database.
5. Industrial experience.	Work directed toward the identification and solution of practice problems in the applicant's area of engineering specialization including engineering analysis of existing systems or the design of new ones.	The performance of maintenance of existing systems, replacement of parts or components, and other nonengineering tasks.
6. Graduate or doctoral degree.	Only one year of qualifying experience will be given for any combination of advanced degrees in an engineering program. In addition, if a degree is used to satisfy the education requirement, it cannot also be used toward satisfying the experience requirement.	Research conducted as part of a graduate or doctoral degree shall not count as additional experience if credit for the degree is granted pursuant to 18VAC10-20-210.
7. Teaching.	For teaching experience to be considered qualifying by the board, the applicant shall have taught in an engineering program approved by the board and shall have been employed in the level of instructor or higher.	
8. Co-op or internship.	Engineering experience gained during a co-op or internship may be deemed qualifying engineering experience to a maximum of one year of credit.	
9. General.		Experience in claims consulting, drafting, estimating, and field surveying.

- C. The board, in its sole discretion, may permit partial credit for approved qualifying engineering experience obtained prior to graduation from an engineering program. Partial credit shall not exceed one-half of that required for any method of initial licensure.

Historical Notes:

Derived from VR130-01-2 § 4.9, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-250. [Repealed]

18VAC10-20-260. Examinations.

- A. The board is a member board of the National Council of Examiners for Engineering and Surveying (NCEES) and is authorized to administer the NCEES exams including the Fundamentals of Engineering exam and the Principles and Practice of Engineering exam.
- B. The exam may not be reviewed by applicants. Unless authorized by NCEES rules and procedures, exam scores are final and are not subject to change.

Historical Notes:

Derived from VR130-01-2 § 4.11, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-270. Licensure by comity.

- A. Applicants holding a valid license to practice engineering in other states or jurisdictions of the United States may be licensed provided they satisfy the provisions of this subsection. Applicants shall:
 - 1. Submit to the board verifiable documentation that the education, experience, and exam requirements by which they were first licensed in the original jurisdiction were substantially equivalent to the requirements in Virginia at the same time;
 - 2. Have passed an exam in another jurisdiction that was substantially equivalent to that approved by the board at the time of their original licensure;
 - 3. Be in good standing in all jurisdictions where they are currently licensed;
 - 4. Satisfy all other applicable requirements of this chapter.
- B. Applicants who do not meet the requirements for licensure in Virginia that were in effect at the time of their original licensure shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office.

Historical Notes:

Derived from VR130-01-2 § 4.12, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1,

1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

PART V

QUALIFICATIONS FOR LICENSING AND STANDARDS OF PROCEDURE FOR LAND SURVEYORS

18VAC10-20-280. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Surveyor-in-Training Designation	\$60
Application for Initial Land Surveyor License	\$90
Application for Initial Surveyor Photogrammetrist License	\$90
Application for Initial Land Surveyor B License	\$90
Application for License by Comity	\$90
Renewal	\$90

Historical Notes:

Derived from VR130-01-2 § 5.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Errata, 18:10 VA.R. 1342 January 28, 2002; amended, Virginia Register Volume 21, Issue 3, eff. December 1, 2004; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-290. [Repealed]

18VAC10-20-295. Definitions.

"Absolute horizontal positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to systematic and random errors in measurements in the location of any point on a survey relative to the defined datum at the 95% confidence level.

"Approved land surveying experience" means progressive and diversified office and field training and experience under the direct control and personal supervision of a licensed land surveyor.

"Approved photogrammetric surveying or similar remote sensing technology experience" means progressive and diversified office and field training and experience in photogrammetric surveying or similar remote sensing technology under the direct control and personal supervision of a licensed land surveyor or licensed surveyor photogrammetrist.

"Relative horizontal positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95% confidence level.

Rural Land Surveys: Rural surveys include surveys on properties located outside urban/suburban properties.

Urban/Suburban Land Surveys: Urban surveys include surveys on properties which lie within or adjoin city or town limits, suburban areas, or other high valued properties.

Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002; amended, Virginia Register Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-300. Requirements for surveyor-in-training (SIT) designation.

- A. Applicants shall apply directly with NCEES for the FS exam. All applicants shall receive the SIT designation upon passing the FS exam, receiving approval from a board reviewed application, and meeting all other board requirements. All applicants must satisfy one of the following conditions in numbers 1 through 8 (inclusive) as listed below. Applicants who do not complete their applications and receive their designations within the three years from the date that they apply must reapply and satisfy one of the following:
1. Be enrolled in an EAC/ABET-accredited surveying or surveying technology program have 12 months or less remaining before completion of degree requirements, and provide a certificate of good standing from the dean of the school or the dean's designee;
 2. Have earned an undergraduate degree from an EAC/ABET-accredited surveying or surveying technology program;
 3. Have earned an undergraduate degree related to surveying acceptable to the board and possess a minimum of one year of approved land surveying experience;
 4. Have earned an undergraduate degree in a field unrelated to surveying in conjunction with an additional 30 credit hours in surveying acceptable to the board and possess a minimum of two years of approved land surveying experience;
 5. Have earned an associate's degree related to surveying acceptable to the board and possess a minimum of two years of approved land surveying experience;
 6. Have earned a certificate (or diploma) in a surveying curriculum of a minimum of 30 credit hours (1) in a surveying program acceptable to the board and possess a minimum of three years of approved land surveying experience;

7. Have successfully completed a registered survey apprenticeship program approved by the board, including all work hours and required related technical instruction. and possess a minimum of three years of approved land surveying experience; or
 8. Have graduated from high school with evidence of successful completion of courses in algebra, geometry, and trigonometry and possess a minimum of six years of approved land surveying experience.
- B. Applicants seeking approval for SIT designation pursuant to subdivisions A 3 through A 8 of this section may apply board-approved college credits toward the experience requirement. The maximum rate of college credit substitution for experience shall be one year of experience credit for each 30 credit hours of board-approved college credits completed. College credits applicable toward the completion of any degree used to satisfy a requirement of subsection A of this section shall not be eligible for experience substitution.

Historical Notes:

Derived from VR130-01-2 § 5.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-310. Requirements for the land surveyor and surveyor photogrammetrist licenses.

A. Land surveyor license.

1. A surveyor-in-training (SIT) who has a minimum of four years of approved land surveying experience in addition to the requirements of 18VAC10-20-300, shall be approved to sit for:
 - a. The Principles and Practice of Land Surveying exam;
 - b. The Virginia-specific land surveying exam; and
 - c. The board supplied exam on regulations.
2. A qualified applicant shall be granted a license to practice land surveying upon passing all three exams and meeting all other board requirements.

B. Surveyor photogrammetrist license.

1. A surveyor -in -training (SIT) who has an a minimum of four years of approved photogrammetric surveying or similar remote sensing technology experience in addition to the requirements of 18VAC101VAC10-20-300, shall be approved to sit for:
 - a. The board-approved surveyor photogrammetrist exam; and

- b. The board supplied exam on regulations.
2. A qualified applicant shall be granted a license to practice photogrammetric surveying upon passing both exams and meeting all other board requirements.

Historical Notes:

Derived from VR130-01-2 § 5.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Errata, 25:7 V.A.R. 1451 December 8, 2008; amended, Virginia Register Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-320. Requirements for the land surveyor B license.

- A. An applicant shall:
 1. Hold a valid Virginia license as a land surveyor;
 2. Present satisfactory evidence of a minimum of two years of land surveying experience that is progressive in complexity, as provided in § 54.1-408 of the Code of Virginia, under the direct control and personal supervision of a licensed land surveyor B or professional engineer;
 3. Present satisfactory evidence of having passed college-level courses in hydrology and hydraulics that are acceptable to the board; and
 4. Pass the board approved exam.
- B. A qualified applicant shall be issued a land surveyor B license upon passing the board-approved exam and meeting all board requirements of in subsection A.

Historical Notes:

Derived from VR130-01-2 § 5.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-330. Education.

An applicant who is seeking credit for a degree earned from an institution outside of the United States shall have his degree authenticated and evaluated by an education evaluation service. The board reserves the right to reject any evaluation submitted by the applicant. Any cost of evaluation shall be borne by the applicant.

Historical Notes:

Derived from VR130-01-2 § 5.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-340. Experience standards.

In order to demonstrate meeting the experience requirements of 18VAC10-20-300, 18VAC-10-20-310, and 18VAC10-20-320, the following requirements shall be met:

- A. Written verification of such work experience shall document experience that has been gained under the direct control and supervisor of a licensed land surveyor or licensed surveyor photogrammetrists on forms provided by the board.
- B. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative, and professional skill.
- C. Experience may be gained either prior to or after education is obtained.
- D. Experience shall be verified by a licensed land surveyor or licensed surveyor photogrammetrist in an organization with a surveying practice and will be evaluated by the board in accordance with 18VAC10-20-35.
- E. Notwithstanding the definition of "approved land surveying experience," and/or "approved photogrammetric surveying or similar remote sensing technology experience," the requirements set forth in 18VAC10-20-310 shall not be waived.

Historical Notes:

Derived from VR130-01-2 § 5.7, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-350. Examinations.

- A. Applications for initial licensure shall be received by the board in accordance with the following:
 - 1. Upon successful achievement of the Surveyor-in-Training designation, applicants who qualify under 18VAC 10-20-310 may apply to sit for the other surveying exams.
 - 2. Upon successful completion of the land surveyor licensure requirements, applicants who qualify under 18VAC 10-20-320 may apply to sit for the LS-B exam.
- B. Applicants shall apply to the Board to be approved to sit for examinations. Applicants must register and submit the required exam fee to the board's designee. Applicants shall follow all board regulations and designee requirements.
- C. Applicants approved to sit for the exam shall be eligible for a period of three years

from the date of their initial approval. Applicants who do not pass the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board, meet all current entry requirements, and demonstrate successful completion of 16 hours of educational activities that meet the requirements of 18VAC10-20-683 E and F.

Historical Notes:

Derived from VR130-01-2 § 5.8, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-360. Licensure by endorsement.

- A. In order to become licensed as a land surveyor in Virginia, any person currently licensed to practice land surveying in another state or jurisdiction of the United States shall:
1. Submit to the board verifiable documentation for education and experience, meeting current requirements in Virginia;
 2. Have passed examinations in another jurisdiction that are substantially equivalent to those examinations approved by the board.
 3. Be in good standing in all jurisdictions where licensed;
 4. Pass the Virginia-specific exam; and
 5. Pass the board supplied exam on regulations; and
 6. Satisfy all other applicable requirements of this chapter.
- B. Applicants who do not meet the requirements for licensure in Virginia that were in effect at the time of their original licensure shall be required to meet the entry requirements current at the time the completed application for comity is received in the board's office;
- C. In order to become a licensed surveyor photogrammetrist in Virginia, any person currently licensed to practice land surveying or photogrammetric surveying in another state or jurisdiction of the United States shall: Applicants holding a current license to practice land surveying or photogrammetric surveying issued by another state or other jurisdiction of the United States may be licensed in Virginia as a surveyor photogrammetrist provided they meet one of the following criteria:
1. Submit to the board verifiable documentation that the education, experience, and exam requirements by which they were first licensed in the original jurisdiction are substantially equivalent to the requirements in Virginia;
 2. Be in good standing in all jurisdictions where licensed;
 3. Applicants who were originally licensed prior to December 1, 2009, shall meet the requirements of the board's regulations effective December 1, 2008, and pass the Virginia-approved Mapping Sciences exam or submit proof of passing a substantially equivalent examination; or

4. Pass the board supplied exam on regulations; and
5. Satisfy all other applicable requirements of this chapter.
6. Applicants who were originally licensed on or after December 1, 2009, shall meet the requirements of the board's regulations effective at the time of original licensure and pass the Virginia-specific exam.

Historical Notes:

Derived from VR130-01-2 § 5.9, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-370. 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 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 as it pertains to the common boundaries. The professional shall have the additional responsibility to utilize such other available data pertinent to the survey being performed from any other known sources. Evidence found from all known sources, including evidence found in the field, shall be carefully compared in order to aid in the establishment of the correct boundaries of the land being surveyed. The professional shall clearly identify on the plats, maps, and reports inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land. 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.
 1. Angular measurement. Angle measurements made for traverse or land boundary survey lines will be made by using a properly adjusted transit-type total-station or scan-station instrument that allows a direct reading to a minimum accuracy of 6 seconds of arc or equivalent. The number of angles turned at a given station or corner will be the number that, 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 and lines of the land boundary survey shall be made (i) with metal tapes that have been checked and

are properly calibrated as to incremental distances or (ii) with properly calibrated electronic distance measuring equipment preferably included within the properly adjusted total-station or scan-station instrument following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane and distances between monuments shall be reported as ground plane measurement, and other necessary corrections shall be performed before using such linear measurements for computing purposes.

- D. Field traverse and land boundary closure and accuracy standards. For a land boundary survey located in a rural area, the maximum permissible error of closure for a field traverse 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 angular error of closure shall not exceed 20 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 10,000 feet of perimeter of closed loop control traverse (1:10,000). Based on the network adjustment at the 95% confidence level, neither axis of the 95 percent confidence level error ellipse for any control point, property corner, or independent point located on the boundary, shall exceed 0.10 feet (or 0.030 meters) plus 50 ppm measured relative to any other point on the survey.
1. For land boundary surveys located in an urban/suburban area, the angular error of closure for the closed loop control traverse shall not exceed 10 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 20,000 feet of the perimeter of the closed loop control traverse (1:20,000). Based on the network adjustment at the 95% confidence level, neither axis of the 95 percent confidence level error ellipse for any control point, property corner, or independent point located on the boundary, shall exceed 0.05 feet (or 0.015 meters) plus 30 ppm measured relative to any other point on the survey. For a land boundary survey located in an urban area, the maximum permissible error of closure for a traverse shall be one part in 20,000 (1/20,000). The attendant angular
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 shall not exceed the positional tolerance of 0.07 feet (or 20 mm +/- 50 ppm).
- E. When using GNSS for land boundary surveying, in order to meet error of closure and relative positional accuracy standards, multiple simultaneous and concurrent observations shall be used to obtain baseline solutions to compute network or closed traverse errors of closure as outlined in this section. A single real-time kinematic (RTK) vector solution yields a “no check” solution and therefore, by itself, does not meet minimum standards and shall not be used without additional independent checks.
1. 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 and prescriptive rights-of-way, and each such monument, other than a natural monument, shall, when physically feasible, be identified by a temporary witness marker. Where it is not physically feasible to set actual corners, appropriate reference monuments shall be set, preferably on the boundary 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 this section subdivision, when such monumentation is not otherwise regulated by the provisions of a local subdivision ordinance.

2. 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 reestablishment of the existing corners for each end of the existing property lines.

F. Office procedures.

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 and maps 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 recording references.
 - c. Names of all adjoining owners of record with recording references, or with subdivision name and lot designations and recording references.
 - d. Inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land. The inconsistencies shall be clearly noted by the professional.
 - e. Names of highways and roads with route number and widths of right-of-way 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 other prominent or well-known objects that are informative as to the location of the land boundary.
 - 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, or state plane coordinates shall be provided. .
 - g. Items crossing any property lines such as, but not limited to, physical improvements and evidence of easements such as utilities and other physical features pertinent to the boundary of the property.

- h. Bearings of all property lines and meanders to nearest one second of arc or equivalent. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or equivalent. Meanders are defined as lines of convenience used to close the figure along an irregular geometry of natural boundary course such as a river or shoreline, or along a boundary at the center of a roadway
- i. Adequate curve data to accomplish mathematical closures.
- j. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or equivalent.
- k. Pursuant to subdivision C 5 of this section, the bearing and distances from the new corners to the existing corners on each end of the existing property lines.
- l. For property located in rural areas, area to the nearest hundredth (.01) of an acre or equivalent.
- m. For property located in urban/suburban areas, area to the nearest square foot or thousandth (0.001) of an acre or equivalent.
- n. North arrow and source of meridian used for the survey.
- o. For interior surveys, when the new parcel is entirely surrounded by the parent tract, a reference bearing and distance to a property corner of an adjoining owner or other prominent object, including intersecting streets or roads.
- p. Tax map designation or geographic parcel identification number if available, for surveyed parcel and adjoining parcels.
- q. Description of each monument found and each monument set by the professional.
- r. A statement that the land boundary survey shown is based on a current field survey and include the closed-loop traverse methodology (such as total station or redundant GNSS observations) used to perform the field survey. a compilation from deeds, plats, surveys by others, or combination thereof. If the land boundary information shown is a compilation from deeds, or plats, or a survey by others, the title of the plat shall clearly depict that the plat does not represent a current land boundary survey and the plat shall not be titled as a land boundary survey.
- s. A statement as to whether a current title report has been furnished to the professional.

- t. A statement as to whether any or all easements, physical improvements, and improvements are shown on the plat.
 - u. Name, address, and contact information for the land surveyor or the registered business.
 - v. 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 the client's agent, for completion of any newly performed land boundary survey. The description shall reflect all metes and bounds, to include bearings, distances, curve data sufficient to reconstruct the geometry, the area of the property described, all pertinent monumentation, names of record owners or other appropriate identification of all adjoining, 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. 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.

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.

Historical Notes:

Derived from VR130-01-2 § 5.10, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002; Errata, 18:10 VA.R. 1342 January 28, 2002; amended, Virginia Register Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-380. 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 acres or equivalent (sometimes also known as "building location survey," "house location surveys," "physical surveys," etc.) in the Commonwealth of Virginia. The application of the professional's seal, signature, and date as required by this chapter 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 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 18VAC10-20-370. All such monumentation, other than natural monumentation shall, when physically feasible, be identified by temporary witness markers.

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 18VAC10-20-370), 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:

1. Fences in near proximity to the land boundary lines and other fences that 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.), utility lines, and poles.
 3. Cemeteries, if known, disclosed, or discovered disclosed in the process of performing the survey; roads or traveled ways crossing the property that serve other properties; and streams, creeks, and other defined drainage ways.
 4. Other visible evidence of physical encroachment physical improvements 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:
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 and source of meridian used for the survey.
 3. North arrow, in accordance with record data.
 4. Fences in the near proximity to the land boundary lines and other fences that may reflect lines of occupancy or possession.
 5. Improvements and other pertinent features on the property as located in the field pursuant to subsection B of this section.

6. All physical improvements encroachment, including fences, across a property line shall be identified and dimensioned with respect to the property line.
7. The closest dimension (to the nearest 0.1 foot or 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 equivalent).
8. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed. In absence of physical numbers an address as shown on the locality's geographic information system.
9. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features.
10. Street names, as posted or currently identified and as per record data if different from posted name.
11. Distance to nearest road intersection from a property corner, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified.
12. Building restriction or setback lines per restrictive covenants if as shown or noted on the record subdivision plat.
13. 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 names of the record owner; town, county, or city; date of survey; and scale of drawing.
14. Adjoining property identification.
15. Easements and other encumbrances set forth on the record subdivision plat, and those otherwise known to the professional.
16. A statement as to whether or not a current title report has been furnished to the professional.
17. Inconsistencies found in the research or field work of common boundaries between the land being surveyed and the adjoining land shall be clearly noted.
18. Name, address, and contact information for the individual or entity for whom the survey is being performed.
19. Professional's seal, signature, and date.

20. Name, address, and contact information for the land surveyor or registered business.
- D. In performing a physical improvements survey, a professional shall not be required to set corner monumentation on any property when:
1. It 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 or by subdivision A 7 of § 15.2-2241 of the Code of Virginia;
 2. Eventual placement is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty;
 3. Exempt by § 54.1-407 of the Code of Virginia.
- E. A professional performing a physical improvements survey when monumentation is not required as stated in subsection D of this section shall clearly note on the plat "no corner markers set," the reason why it is not required, and the name of guarantors providing the performance guaranty.

Historical Notes:

Derived from VR130-01-2 § 5.11, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

- A. The minimum standards and procedures set forth in this section are to be used for topographic surveys performed in the Commonwealth of Virginia pursuant to Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia. The application of the professional's seal, signature, and date as required by this chapter shall be evidence that the topographic survey is correct to the best of the professional's knowledge and belief and complies with the minimum standards and procedures.
- B. Minimum field and office procedures. The following information shall be shown on, or contained in, all plats, maps, or digital geospatial data including metadata used to depict the results of the topographic survey:
1. Physical improvements on the property, all man-made or installed structures, as well as visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc.), and utility lines and poles shall be

shown or depicted when they are visible based on the methodology and scale. If the methodology or scale prevents depiction of the improvements as described in this section subdivision, then notice shall be clearly stated on or contained in the map, plat, or digital geospatial data including metadata indicating the improvements that are not depicted.

2. Elevations shall be provided as spot elevations, contours, or digital terrain models.
3. Onsite, or in close proximity, benchmarks shall be established onsite, or in close proximity of the project and shown in the correct location, with correct reference to vertical datum, preferably North Vertical Datum (NAVD), and shown in the correct location. Clearly state reference and basis of vertical datum. Elevations shall be provided as spot elevations, contours, or digital terrain models.
4. The title of the topographic survey identifying the land surveyed and showing the state, county, or city in which property is located.
5. Name, address, and contact information of the individual or entity for whom the survey is being performed.
6. Name, address, and contact information for the land surveyor, surveyor photogrammetrist, or registered business.
7. Date, graphic scale, numerical scale, and contour interval of plat, map, or digital geospatial data including metadata.
8. North arrow and source of meridian used for the survey.
9. Names or route numbers of highways, streets and named waterways shall be shown
10. A distance to the nearest road intersection or prominent or well-known object. In cases of remote areas, latitude and longitude, or state plane coordinates shall be provided.
11. The horizontal and vertical unit of measurement, coordinate system, and complete metadata., including adjustments if applicable.
12. A statement, in the following form, shall be shown on or contained in plats, maps, or digital geospatial data including complete metadata:

This _____ (provide description of the project) was completed under the direct and responsible charge of

(Name of

Professional) from an actual Ground /Conventional, RTKGPS (or GNSS), or

Remotely Sensed (check all the one that are is applicable) survey made under my supervision; that the imagery and/or original data was obtained on _____ (Date); and that this plat, map, or digital geospatial data including metadata meets minimum accuracy standards unless otherwise noted.

For the purposes of the certification above, Remotely Sensed data includes photogrammetry, airborne LIDAR, terrestrial and mobile LIDAR, and for hydrographic surveys, sonar or other acoustic type technologies for measurements.

- C. Minimum positional accuracies shall be met in accordance with the tables in subdivisions 1, 2, and 3 of this subsection. These tables are not intended to be acceptable in all situations, and the professional shall be responsible to perform the work to the appropriate quality and extent that is prudent or warranted under the existing field conditions and circumstances. Metric or other unit of measurements shall meet an equivalent positional accuracy. Map or plat scales, or contour intervals, other than those defined in these tables shall meet an equivalent positional accuracy. The minimum positional accuracy tables are as follows:

1. Scale and contour interval combinations.

Map or Plat Scale	Contour Interval
1" = 20'	1 or 2 feet
1" = 30'	1 or 2 feet
1" = 40'	1 or 2 feet
1" = 50'	1 or 2 feet
1" = 100'	1 or 2 feet
1" = 200'	2, 4, or 5 feet
1" = 400'	4, 5, or 10 feet

2. Vertical accuracy standards.

	Contours - Vertical Positional Accuracy	Spot Elevations - Vertical Positional Accuracy
Contour line 1' interval	± 0.60 feet	± 0.30 feet
Contour line 2' interval	± 1.19 feet	± 0.60 feet
Contour line 4' interval	± 2.38 feet	± 1.19 feet
Contour line 5' interval	± 2.98 feet	± 1.49 feet
Contour line 10' interval	± 5.96 feet	± 2.98 feet

3. Horizontal accuracy standards.

Well defined ground points - Horizontal (Radial) Positional Accuracy
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Map or Plat Scale	Absolute Horizontal Positional Accuracy	Relative Horizontal Positional Accuracy
1" = 20'	± 0.8 feet	± 0.20 feet
1" = 30'	± 1.1 feet	± 0.30 feet
1" = 40'	± 1.5 feet	± 0.40 feet
1" = 50'	± 1.9 feet	± 0.50 feet
1" = 100'	± 3.8 feet	± 1.00 feet
1" = 200'	± 7.6 feet	± 2.00 feet
1" = 400'	± 15.2 feet	± 4.00 feet
Positional Accuracy is given at the 95% confidence level.		

Historical Notes:

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; amended, Virginia Register Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-390. Geodetic surveys.

All geodetic surveys including, but not limited to, 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, shall be performed under the direct control and personal supervision of a professional as defined in Part I (18VAC10-20-10 et seq.) of this chapter.

Historical Notes:

Derived from VR130-01-2 § 5.12, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-392. Photogrammetric surveys.

The use of photogrammetric methods or similar remote sensing technology to perform any part of the practice of land surveying as defined in Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be performed under the direct control and supervision of a licensed land surveyor or a licensed surveyor photogrammetrist.

Historical Notes:

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-395. Standard of care.

In no event may The requirements contained in 18VAC10-20-370 through 18VAC10-20-392 shall not 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.

Historical Notes:

Derived from Virginia Register Volume 25, Issue 3, eff. December 1, 2008; amended, Virginia Register Volume 32, Issue 6, eff. January 1, 2016.

PART VI

QUALIFICATIONS FOR LICENSING OF LANDSCAPE ARCHITECTS

18VAC10-20-400. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Initial Landscape Architect License	\$125
Application for Landscape Architect License by Comity	\$125
Renewal	\$110

Historical Notes:

Derived from VR130-01-2 § 6.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 21, Issue 3, eff. December 1, 2004; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-410. [Repealed]

18VAC10-20-420. Requirements for licensure.

Applicants for licensure as a landscape architect shall satisfy the requirements of subdivision 1 or 2 of this section.

1. An applicant who has graduated from a landscape architecture program accredited by the Landscape Architectural Accreditation Board (LAAB) shall have:
 - a. Obtained a minimum of 36 months of experience as follows:
 - (1) A minimum of 12 months of experience under the direct control and personal supervision of a licensed or certified landscape architect;
 - (2) The remaining 24 months of experience under the direct control and personal supervision of a licensed or certified landscape architect or a licensed architect, professional engineer, or land surveyor in accordance with the Landscape Architects Experience Credit Table; or

- (3) In lieu of the provision in subdivisions 1 a (1) and 1 a (2) of this section, a minimum of 48 months of experience under the direct control and personal supervision of a licensed architect, professional engineer, or land surveyor; and
- b. Passed all sections of the Council of Landscape Architectural Registration Board (CLARB)-prepared exam.
2. Applicants who have not graduated from a LAAB-accredited landscape architecture program shall have obtained a minimum of eight years of combined education and work experience in accordance with this subsection.
- a. Only semester and quarter hours with passing scores shall be accepted. Credit shall be calculated as follows:
- (1) 32 semester credit hours or 48 quarter credit hours shall be worth one year.
- (2) Fractions greater than or equal to one half-year, but less than one year, will be counted as one-half year.
- (3) Fractions smaller than one half-year will not be counted.
- b. The maximum years indicated in subdivisions a through d of the Landscape Architects Education Credit Table shall apply regardless of the length of the degree program.
- c. All applicants shall have a minimum of two years of experience under the direct control and personal supervision of a licensed or certified landscape architect.
- d. Education and experience shall be evaluated against the Landscape Architects Education Credit Table and the Landscape Architects Experience Credit Table to determine if an applicant has met the minimum eight years required in this subsection.

LANDSCAPE ARCHITECTS EDUCATION CREDIT TABLE

Categories	Values	Examples
<p>(1) Credits completed applicable toward a LAAB-accredited degree.</p> <p>(2) A degree in landscape architecture, or credits completed applicable toward a degree in landscape architecture, from a non-LAAB-accredited program.</p>	<p>Credit shall be given at the rate of 100% with a maximum of four years allowable.</p>	<p>An applicant has 86 semester hours of credit.</p> <p>Calculation:</p> <ul style="list-style-type: none"> ◆ $86/32 = 2.6875$ years ◆ 100% credit for a maximum of four years ($2.6875 \times 100\% = 2.6875$ years). ◆ 0.6875 is ≥ 0.5 years, which is worth 0.5 years. <p>Final result: 86 semester hours equals 2.5 years.</p>
<p>(3) A degree, or credits completed applicable toward a degree, in an allied professional discipline approved by the board (i.e., architecture, civil engineering, environmental science).</p>	<p>Credit shall be given at the rate of 75% for the first two years and 100% for succeeding years with a maximum of three years allowable.</p>	<p>An applicant has 101 semester hours of credit.</p> <p>Calculation:</p> <ul style="list-style-type: none"> ◆ $101/32 = 3.15625$ years ◆ 75% credit for the first two years ($2 \times 75\% = 1.5$ years). ◆ 100% credit for succeeding years ($1.15625 \times 100\% = 1.15625$ years). ◆ $1.5 + 1.15625 = 2.65625$ years. ◆ 0.65625 is ≥ 0.5 years, which is worth 0.5 years. <p>Final result: 101 semester hours equals 2.5 years.</p>
<p>(4) Any other undergraduate degree or credits completed applicable toward that degree.</p>	<p>Credit shall be given at the rate of 50% for the first two years and 75% for succeeding years with a maximum of two years allowable.</p>	<p>An applicant has 95 semester hours of credit.</p> <p>Calculation:</p> <ul style="list-style-type: none"> ◆ $95/32 = 2.96875$ years ◆ 50% credit for the first two years ($2 \times 50\% = 1$ year). ◆ 75% credit for succeeding years ($.96875 \times 75\% = .72656$ years). ◆ $1 + .72656 = 1.72656$ years. ◆ 0.72656 is ≥ 0.5 years, which is worth 0.5 years. <p>Final result: 95 semester hours equals 1.5 years.</p>

LANDSCAPE ARCHITECTS EXPERIENCE CREDIT TABLE

Categories	Values	Examples
(5) Experience gained under the direct control and personal supervision of a licensed or certified landscape architect.	Credit shall be given at the rate of 100% of work experience gained with no maximum.	An applicant worked under a landscape architect for 3.7 years. Calculation: 3.7 years x 100% = 3.7 years (no maximum). Final result: An applicant with 3.7 years of work experience will be credited for the entire 3.7 years.
(6) Experience gained under the direct control and personal supervision of a licensed architect, professional engineer, or land surveyor.	Credit shall be given at the rate of 50% of work experience gained with a maximum of four years allowable.	An applicant has worked under a land surveyor for eight years or more. Calculation: 8 years x 50% = 4 years. Final result: eight years or more of experience is worth only four years based on the maximum allowable.

Historical Notes:

Derived from VR130-01-2 § 6.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 23, Issue 21, eff. August 1, 2007; Volume 26, Issue 4, eff. July 1, 2010; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-425. References.

In addition to the requirements found in 18VAC10-20-25, applicants shall submit three references with the application, one of which shall be from a currently licensed, certified, or registered landscape architect in a state or other jurisdiction of the United States. An applicant shall only submit references from a licensed professional engineer, architect, land surveyor, or a landscape architect who has personal knowledge of the applicant's competence and integrity relative to his landscape architectural experience.

Historical Notes:

Derived from Virginia Register Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-430. Experience standard.

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

The experience must be obtained in an organization with a landscape architecture practice and must be verified on the board experience verification form by a licensed landscape architect, professional engineer, architect, or land surveyor in the organization's practice.

Historical Notes:

Derived from VR130-01-2 § 6.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-440. Examination.

- A. Applicants with a LAAB-accredited degree may be approved to sit for the exam prior to completing the 36-month experience requirement contained in subdivision 1 a of 18VAC10-20-420.
- B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards (CLARB) and is authorized to make available the CLARB prepared exams. All applicants for original licensure in Virginia are required to pass the CLARB-prepared exam.
- C. Applicants approved to sit for the exam shall register and submit the required exam fee to be received in the board office, or by the board's designee. Applicants not properly registered will not be allowed to sit for the exam.
- D. Grading of the exam shall be in accordance with the national grading procedures administered by CLARB. The board shall utilize the scoring procedures recommended by CLARB.
- E. Applicants shall be advised only of their passing or failing score and the CLARB minimum passing score.
- F. The board may approve transfer credits for parts of the exam taken and passed in accordance with national standards.
- G. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass all sections of the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board as follows:
 - 1. Applicants who have taken at least one section of the exam and who reapply to the board no later than six months after the end of their eligibility may be approved to sit for the exam for an additional three years. The original application requirements shall apply.
 - 2. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.

Historical Notes:

Derived from VR130-01-2 § 6.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 23, Issue 21, eff. August 1, 2007; Volume 26, Issue 4, eff. July 1, 2010; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-450. Licensure by comity.

- A. Applicants with a valid license in good standing to practice landscape architecture issued by another state or other jurisdiction of the United States may be licensed by the board without further examination provided they:
 - 1. Were issued the original license based on requirements that do not conflict with and that are substantially equivalent to the board's regulations that were in effect at the time of original licensure;
 - 2. Passed an exam in another jurisdiction that was substantially equivalent to that approved by the board at that time or met the regulations in effect at that time; and
 - 3. Possess a CLARB certificate.
- B. Applicants who do not qualify under subsection A of this section shall be required to meet current entry requirements at the time the application for comity is received in the board's office.

Historical Notes:

Derived from VR130-01-2 § 6.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 23, Issue 21, eff. August 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

PART VII

QUALIFICATIONS FOR CERTIFYING OF INTERIOR DESIGNERS

18VAC10-20-460. Definitions.

The following words, terms, and phrases when used in this part shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings.

"CIDA" means the Council for Interior Design Accreditation, formerly known as the Foundation of Interior Design Education Research (FIDER).

"Diversified experience" includes the identification, research, and creative solution of problems pertaining to the function and quality of the interior environment including code analysis, fire safety consideration, and barrier free evaluations that relate to the health, safety, and welfare of the public.

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

"Professional program approved by the board" means an evaluated degree or combination of evaluated degrees as follows:

1. A minimum of an undergraduate degree in an interior design program that is deemed by the board to be substantially equivalent to an undergraduate degree in interior design from a CIDA-accredited program;
2. A graduate degree from a CIDA-accredited program; or
3. A graduate degree in interior design plus an undergraduate degree that in combination are deemed by the board to be substantially equivalent to an undergraduate degree program from a CIDA-accredited program at the time of the applicant's graduation.

For the purposes of this definition, a degree program that met CIDA accreditation requirements not later than two years after the date of the applicant's graduation shall be determined to be CIDA accredited.

Historical Notes:

Derived from VR130-01-2 § 7.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-470. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Initial Interior Designer Certification	\$45
Application for Interior Designer Certification by Comity	\$45
Renewal	\$45

Historical Notes:

Derived from VR130-01-2 § 7.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-480. [Repealed]

18VAC10-20-490. Requirements for certification.

- A. Applicants shall possess a degree from a professional program approved by the board.

- B. The board reserves the right to reject any evaluation submitted. Any costs attributable to evaluation shall be borne by the applicant.
- C. Applicants shall possess a minimum of two years of monitored experience. Any monitored experience gained under the direct control and personal supervision of a professional engineer shall be reduced by 50% and shall not account for more than six months of the two years required by this subsection.
- D. Applicants shall have passed the board-approved exam and provide documentation acceptable to the board verifying that the exam has been passed.

Historical Notes:

Derived from VR130-01-2 § 7.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-495. Examination.

- A. The National Council of Interior Design Qualification exam is approved by the board.
- B. Applicants shall apply directly to the Council for Interior Design Qualifications for the exam.

Historical Notes:

Derived from Virginia Register Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-500. [Repealed]

18VAC10-20-505. Certification by comity.

Applicants who hold a license or certificate in good standing in another jurisdiction of the United States or province of Canada may be issued a certificate if the board is provided with satisfactory evidence that the license or certificate was issued based on qualifications equal to those required by this chapter as of the date the application is received by the board.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 23, eff. October 1, 1997; amended, Virginia Register Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-510. (Repealed.)

18VAC10-20-515. (Repealed.)

18VAC10-20-520. (Repealed.)

- 18VAC10-20-530. (Repealed.)
- 18VAC10-20-540. (Repealed.)
- 18VAC10-20-550. (Repealed.)
- 18VAC10-20-560. (Repealed.)
- 18VAC10-20-565. (Repealed.)
- 18VAC10-20-570. (Repealed.)
- 18VAC10-20-575. (Repealed.)
- 18VAC10-20-580. (Repealed.)
- 18VAC10-20-590. (Repealed.)
- 18VAC10-20-600. (Repealed.)
- 18VAC10-20-610. (Repealed.)
- 18VAC10-20-620. (Repealed.)
- 18VAC10-20-625. (Repealed.)

PART VIII

QUALIFICATIONS FOR REGISTRATION AS A BUSINESS ENTITY

18VAC10-20-627. Registration required.

Any business entity offering or rendering professional services in the Commonwealth of Virginia shall register with the board and designate a responsible person for each professional service offered. Professional services shall include architecture, engineering, land surveying, landscape architecture, or interior design.

Historical Notes:

Derived from Virginia Register Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-630. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for business entity registration	\$90
Renewal of business entity registration	\$45

Historical Notes:

Derived from VR130-01-2 §-10.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 15, Issue 24, eff. October 1, 1999; Volume 21, Issue 3, eff. December 1, 2004; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-640. Application requirements.

- A. All applicants shall be appropriately credentialed to do business in the Commonwealth of Virginia by the State Corporation Commission in accordance with the Code of Virginia. The business entity shall be in good standing with the State Corporation Commission at the time of application to the board office, at the time of board approval, and at all times when the board

registration is in effect.

- B. 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.

Historical Notes:

Derived from VR130-01-2 § 10.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-650. Registration certification.

The application shall contain an affidavit by an authorized official in the business entity that the practice of architecture, engineering, land surveying, landscape architecture, or 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 principals identified in the application as responsible 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, and that they understand and shall comply with all statutes and regulations of the board.

Historical Notes:

Derived from VR130-01-2 § 10.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Register Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 26, Issue 4, eff. July 1, 2010; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-660. Change of status.

- A. Any changes of status including, but not limited to, change in entity, name (including assumed names), address, place of business or responsible persons at each place of business shall be reported to the board by the registered entity within 30 days of the 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 30 days of the change.
- B. In the event there is a change in the responsible person, whether the change is temporary or permanent 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.

Historical Notes:

Derived from VR130-01-2 § 10.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-665. [Repealed]

PART IX

RENEWAL AND REINSTATEMENT

18VAC10-20-670. Renewal.

- A. Regulants shall not practice with an expired license, certificate, or registration. The following timeframes shall determine the required fees for renewal based on the date the fee is received in the board's office:
1. If the renewal fee is received by the board by the expiration date of the license, certificate, or registration, no additional fee shall be required to renew.
 2. If the renewal fee is not received by the board within 30 days following the expiration date of the license, certificate, or registration, a \$25 late fee shall be required in addition to the renewal fee.
 3. If the renewal fee and applicable late fee are not received by the board within six months following the expiration date of the license, certificate, or registration, the reinstatement fee shall be required pursuant to 18VAC10-20-680.
- B. Upon receipt of the required fee, licenses, certificates, and registrations not currently sanctioned by the board shall be renewed for a two-year period from their previous expiration date.
- C. 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 for the same reasons that it may discipline a regulant for noncompliance with the requirements contained in this chapter. The regulant has the right to request further review of any such action by the board under the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).
- D. By submitting the renewal fee, the regulant is certifying continued compliance with this chapter.
- E. Failure to receive a renewal notice shall not relieve the regulant of the responsibility to renew. In the absence of a renewal notice, the regulant may submit a copy of the license, certificate, or registration with the required fee for renewal.
- F. A license, certificate, or registration that is renewed shall be regarded as having been current without interruption and under the authority of the board.
- G. Failure to pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in a delay or withholding of services provided

by the department such as, but not limited to, renewal, reinstatement, or processing a new application.

Historical Notes:

Derived from VR130-01-2 § 11.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 12, eff. April 1, 2009; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-680. Reinstatement.

- A. Applicants whose license, certificate, or business entity registration has expired for more than six months, and applicants whose office registration has expired for more than 30 days, shall be required to submit a reinstatement application, which shall be evaluated by the board to determine if the applicant remains qualified to be a regulant of the board.
- B. Applicants whose license or certificate has expired for more than five years shall be required to reapply for licensure or certification on the initial application and document experience from the date of expiration of the license or certificate to the present.
- C. The board may require an exam, continuing education, or experience for architects, professional engineers, land surveyors, landscape architects, and interior designers whose license or certificate has expired for more than five years.
- D. 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 for the same reasons that it may discipline a regulant for noncompliance with the requirements contained in this chapter. The applicant has the right to request further review of any such action by the board under the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).
- E. The date the reinstatement fee is received in the board's office shall determine the amount to be paid pursuant to the following requirements:
 - 1. Office registrations that have expired for more than 30 days shall require a reinstatement fee that shall equal the renewal fee plus \$30.
 - 2. Licenses, certificates, and registrations that have expired for more than six months, but less than five years, shall require a reinstatement fee that shall equal the renewal fee plus \$100.
 - 3. Licenses, certificates, and registrations that have expired for more than five years shall require a reinstatement fee that shall equal the renewal fee plus \$250.
- F. Licensees shall remain under [redacted] and be subject to all laws and regulations as if the licensee had been continuously licensed. The licensee shall remain under and be subject to the disciplinary authority of the board during this entire period. [redacted] at all times,

regardless of whether the license is reinstated, pursuant to § 54.1-405 of the Code of Virginia.

- G. A certificate or registration holder who reinstates shall be regarded as having been current and without interruption and under the authority of the board.
- H. Failure to pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in a delay or withholding of services provided by the department such as, but not limited to, renewal, reinstatement, or processing a new application.

Historical Notes:

Derived from VR130-01-2 § 11.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 12, eff. April 1, 2009; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- A. Licensees are required to complete continuing education (CE) pursuant to the provisions of § 54.1-404.2 of the Code of Virginia for any renewal or reinstatement.
- B. CE for renewal shall be completed during the two-year license period immediately prior to the expiration date of the license and shall be valid for that renewal only; additional hours shall not be valid for subsequent renewal.
- C. CE for reinstatement shall be completed during the two years immediately prior to the date of the board's receipt of a reinstatement application and shall be valid for that reinstatement only; additional hours shall not be valid for subsequent renewal.
- D. Licensees shall maintain records of completion of CE used to renew a license for three years from the date of expiration of the license. Licensees shall provide those records to the board or its authorized agents upon request.
- E. CE activities completed by licensees may be accepted by the board provided the activity:
 - 1. Consists of content and subject matter related to the practice of the profession;
 - 2. Has a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of practice and may be in areas related to business practices, including project management, risk management, ethics, and public health, safety, and welfare that have demonstrated relevance to the licensee's area of practice as defined in § 54.1-400 of the Code of Virginia;
 - 3. Is taught by instructors who are competent in the subject matter, either by education

or experience, for those activities involving an interaction with an instructor;

4. If self-directed, contains an assessment by the sponsor at the conclusion of the activity that verifies that the licensee has successfully achieved the purpose and objective of the activity; and
5. Results in documentation that verifies the licensee's successful completion of the activity.

F. Computation of credit.

1. Fifty contact minutes shall equal one hour of CE. For activities that consist of segments that are less than 50 minutes, those segments shall be totaled for computation of CE for that activity.
2. One semester hour of college credit shall equal 15 hours of CE and one-quarter hour of college credit shall equal 10 hours of CE.
3. The number of hours required to successfully complete any CE activity must have been determined by the sponsor. A licensee shall not claim more credit for any CE activity than the number of hours that was predetermined by the sponsor at the time the activity was completed.
4. CE may be granted for the initial development, substantial updating, or the initial teaching of a CE activity that meets the requirements of this chapter at twice the amount of credit that participants receive. CE claimed pursuant to this subdivision shall not be claimed for subsequent offerings of the same activity.
5. A licensee applying for renewal shall not receive credit for completing a CE activity with the same content more than once during the two years prior to license expiration.
6. A licensee applying for reinstatement shall not receive credit more than once for completing a CE activity with the same content during the two years immediately prior to the date of the board's receipt of his reinstatement application.

G. The board may periodically conduct a random audit of its licensees who have applied for renewal to determine compliance. Licensees who are selected for audit shall provide all documentation of all CE activities utilized to renew their license within 21 calendar days of the date of the board's notification of audit.

H. If the board determines that CE was not obtained properly to renew or reinstate a license, the licensee shall be required to make up the deficiency to satisfy the CE requirement for that license renewal or reinstatement. Any CE activity used to satisfy the deficiency shall not be applied to his current license CE requirement or any subsequent renewal or reinstatement.

Historical Notes:

Derived from Virginia Register Volume 25, Issue 12, eff. April 1, 2009; Errata, 25:15 VA.R. 2804 March 30, 2009; amended, Virginia Register Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-687. Exemptions and waivers.

Pursuant to § 54.1-404.2 of the Code of Virginia, the board may grant exemptions to, waive, or reduce the number of continuing education activities required in cases of certified illness or undue hardship. However, such exemptions, waivers, or reductions shall not relieve the individual of his obligation to comply with any other requirements of this chapter including, but not limited to, the provisions of 18VAC10-20-670 or 18VAC10-20-680.

Historical Notes:

Derived from Virginia Register Volume 25, Issue 12, eff. April 1, 2009; amended, Virginia Register Volume 32, Issue 6, eff. January 1, 2016

PART X

STANDARDS OF PRACTICE AND CONDUCT

should there be a PROHIBITED ACTS area as in WWOOSP and Contractors?

18VAC10-20-690. Responsibility to the public.

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

Historical Notes:

Derived from VR130-01-2 § 12.1, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-700. Public statements.

- A. The regulant shall be truthful in all professional matters and shall include all relevant information in professional reports, statements, or testimony, which shall include the date indicating when such information was current.
- B. When serving as an expert or technical witness, the regulant shall express an opinion only when it is based on an adequate knowledge of the facts in the issue and a background of competence in the subject matter.
- C. Except when appearing as an expert witness in court or in an administrative proceeding when the parties are represented by counsel, the regulant shall issue no statements, reports, criticisms, or arguments on matters relating to professional practice that are inspired by or

paid for by interested persons, unless the regulant has prefaced the comment by disclosing any self-interest and the identities of all persons on whose behalf the regulant is speaking.

- D. A regulant shall not knowingly make a materially false statement or deliberately withhold a material fact in any professional matters.

Historical Notes:

Derived from VR130-01-2 § 12.2, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-710. Conflicts of interest.

- A. The regulant shall promptly and fully inform an employer or client of any business association, interest, or circumstance which may influence the regulant's judgment or the quality of service.
- B. The 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 and agreed to in writing by all interested parties.
- C. The regulant shall not solicit or accept financial or other valuable consideration from material or equipment suppliers for specifying their products or services.
- D. The 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 regulant is responsible.

Historical Notes:

Derived from VR130-01-2 § 12.3, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-720. Solicitation of work or employment.

- A. In the course of soliciting work from, or employment by, a public authority the regulant shall not directly or indirectly:
 - 1. Give, solicit, or receive any gratuity, contribution, or consideration to unlawfully influence the award of a contract;
 - 2. Give, solicit, or receive any gratuity, contribution, or consideration that may reasonably be construed as an intention to influence the awarding of a contract; or
 - 3. Offer or provide any gift or other valuable consideration in order to secure work.
- B. The regulant shall not pay, directly or indirectly, a commission, percentage, or brokerage fee to a potential or existing client in order to secure work.

- C. The regulant shall not falsify or knowingly allow misrepresentation of his or an associate's:
 - 1. Academic or professional qualifications or work; or
 - 2. Degree of responsibility for prior assignments.
- D. Materials, content, and information used in the solicitation of work shall not misrepresent facts concerning employers, employees, associates, joint ventures, or past accomplishments of any kind.

Historical Notes:

Derived from VR130-01-2 § 12.4, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-730. Competency for assignments.

- 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 assignments related to interior design provided they do not hold themselves out as certified in this profession 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 meet the minimum standards and requirements pertaining to the practice of his own profession, as well as other professions if incidental work is performed.

Historical Notes:

Derived from VR130-01-2 § 12.5, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 16, Issue 3, eff. December 1, 1999; Volume 23, Issue 1, eff. February 1, 2007; Volume 26, Issue 4, eff. July 1, 2010.

18VAC10-20-740. Professional responsibility.

- A. Unless exempt by statute, all architectural, engineering, land surveying, landscape architectural, and interior design work must be completed by a professional or a person performing the work who is under the direct control and personal supervision of a professional.
- B. A professional shall be able to clearly define his scope and degree of direct control and personal supervision, clearly define how it was exercised, and demonstrate that he was

responsible within that capacity for the work that he has sealed, signed, and dated. For the work prepared under his supervision, a professional shall:

1. Have detailed professional knowledge of the work;
 2. Exercise the degree of direct control over work that includes:
 - a. Having control over decisions on technical matters of policy and design;
 - b. Personally making professional decisions or the review and approval of proposed decisions prior to implementation, including the consideration of alternatives to be investigated and compared for designed work, whenever professional decisions are made that could affect the health, safety, and welfare of the public involving permanent or temporary work;
 - c. The selection or development of design standards and materials to be used; and
 - d. Determining the validity and applicability of recommendations prior to incorporation into the work, including the qualifications of those making the recommendations;
 3. Have exercised his professional judgment in professional matters that are embodied in the work and the drawings, specifications, or other documents involved in the work; and
 4. Have exercised critical examination and evaluation of an employee's, consultant's, subcontractor's, or project team member's 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.
- C. The regulant shall not knowingly associate in a business venture with or permit the use of his name by any person or firm 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.
- D. A regulant who has knowledge that any person may have violated or may currently be violating any of these provisions, or the provisions of Chapters 7 (§ 13.1-542.1 et seq.) and 13 (§ 13.1-1100 et seq.) of Title 13.1 or Chapters 1 (§ 54.1-100 et seq.) through 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia, shall inform 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.
- E. Upon request by the board or any of its agents, the regulant shall produce any plan, plat, document, sketch, book, record, or copy thereof concerning a transaction covered by this chapter and shall cooperate in the investigation of a complaint filed with the board against a regulant.

- F. Except as authorized by 18VAC10-20-760 A 2, a regulant shall not utilize the design, drawings, specifications, or work of another regulant to complete or to replicate any work without the written consent of the person or organization that owns the design, drawings, specifications, or work.
- G. Utilization and modification of work.
1. A regulant who utilizes the designs, drawings, specifications, or work of another regulant pursuant to subsection F of this section or 18VAC10-20-760 A 2, or who modifies any plats or surveys, shall conduct a thorough review of the work to verify that it has been accomplished to the same extent that would have been done under the direct control and personal supervision of the regulant affixing the professional seal, signature, and date. The regulant shall assume full responsibility for the utilization of any unsealed work or any changes or modifications to previously sealed work.
 2. Information from recorded plats or surveys may be utilized without permission. However, the modification of the actual recorded plat or survey is prohibited without written permission of the regulant.

Historical Notes:

Derived from VR130-01-2 § 12.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-750. (Repealed.)

18VAC10-20-760. Use of seal.

- A. Affixing of a professional seal, signature, and date shall indicate that the professional has exercised direct control and personal supervision over the work to which it is affixed. Affixing of the seal, signature, and date also indicates the professional's acceptance of responsibility for the work shown thereon.
1. No professional shall affix a seal, signature, and date or certification to plans, plats, documents, drawings, or other works constituting the practice of the professions regulated that has been prepared by an unlicensed or uncertified person unless such works were performed under the direct control and personal supervision of the professional while the 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.
 2. If the original professional of record is no longer able to seal, sign, and date completed professional work, such work may be sealed, signed, and dated by another qualified professional pursuant to the standards established in 18VAC10-

B. Documents to be sealed.

1. All final documents, including cover sheet of plans, plats, documents, drawings, technical reports, and specifications, and each sheet of plans or plats, or drawings prepared by the professional, or someone under his direct control and personal supervision, shall be sealed, signed, and dated by the professional. All final documents shall also bear the professional's name or firm name, address, and project name.
2. For projects involving multiple professional services in the same project, each professional shall seal, sign, and date the final documents for the work component that he completed or that was completed under his direct control and personal supervision. The professional responsible for the compilation of the project shall seal, sign, and date the cover sheet of the aggregate collection of final documents for the project.

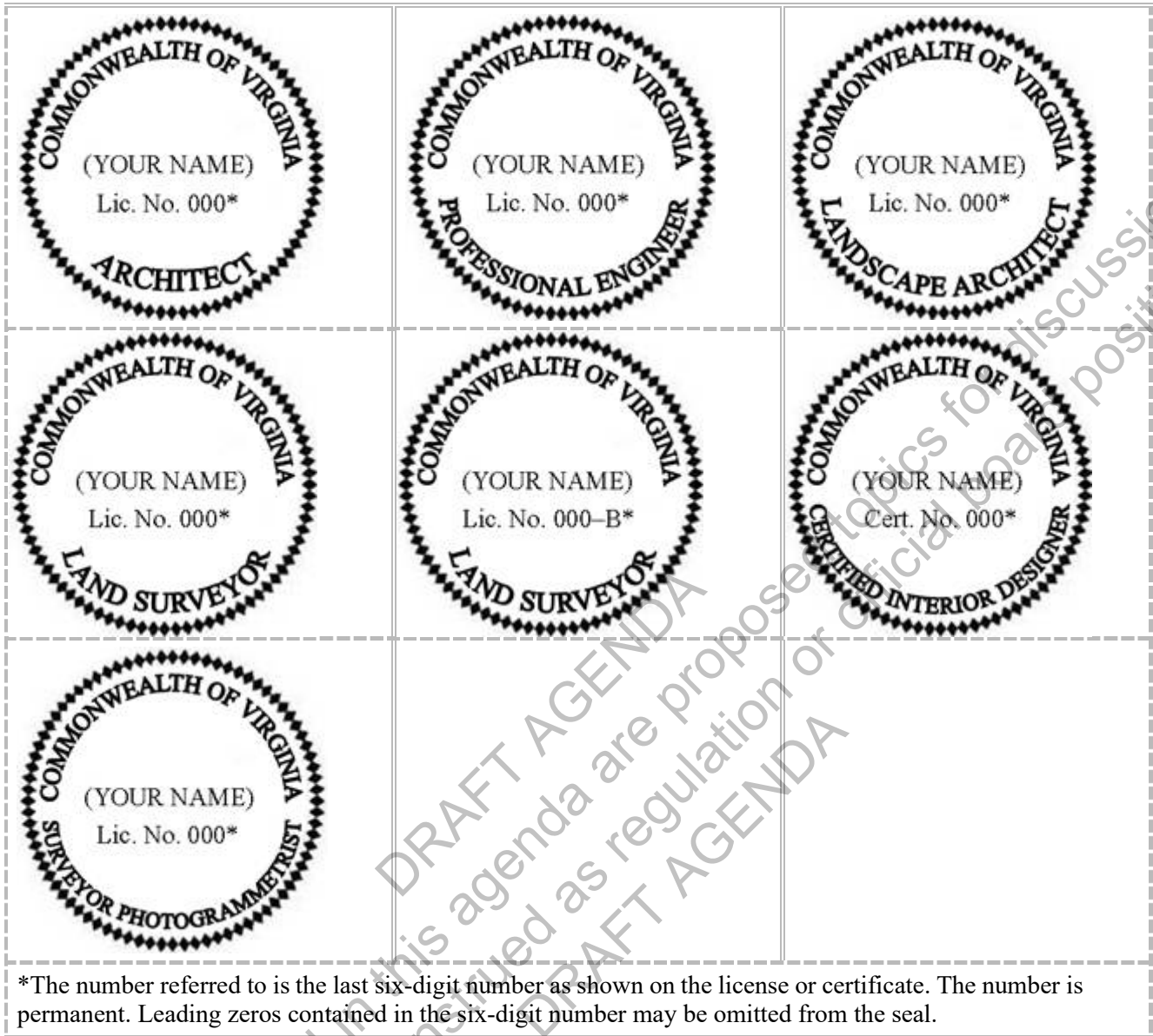
C. An electronic seal, signature, and date are permitted to be used in lieu of an original seal, signature, and date when the following criteria, and all other requirements of this section, are met:

1. It is a unique identification of the professional;
2. It is verifiable; and
3. It is under the professional's direct control.

D. Incomplete plans, plats, documents, and drawings, whether advance or preliminary copies, shall be so identified on the plans, plats, documents, or drawings and need not be sealed, signed, or dated. Advance or preliminary copies of incomplete plans, plats, documents, and drawings, must be clearly identified as not complete but need not be sealed, signed, or dated.

E. All work performed by a professional who is licensed or certified by this board, including work that is exempt from licensure pursuant to § 54.1-402 of the Code of Virginia, shall be sealed, signed, and dated pursuant to subsection B of this section.

F. The original seal shall conform in detail and size to the design illustrated in this subsection and shall be two inches in diameter. The designs illustrated may not be shown to scale:



Historical Notes:

Derived from VR130-01-2 § 12.8, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 3, eff. December 1, 2008; Volume 26, Issue 4, eff. July 1, 2010; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-770. Organization and styling of practice.

- A. A firm shall offer or practice only the professions shown on its board-issued registration. The regulants designated by the firm to be the responsible person shall exercise direct control and personal supervision of the work being offered or practiced.

- B. 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 shall not be included in the name.
- C. An assumed, fictitious or corporate name shall not be misleading as to the identity, responsibility or status of those practicing professionals employed or contracted by the registrant. Any advertisement, sign, letterhead, business card, directory, or any other form of representation shall avoid reference to any service that cannot be provided for under a resident responsible person.

Historical Notes:

Derived from VR130-01-2 § 12.9, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016.

18VAC10-20-790. Sanctions.

A license, certificate, or registration shall not be sanctioned unless a majority of the eligible voting members of the entire board vote for the action. The board may discipline or sanction any regulant if the board finds that:

1. The regulant failed to maintain good moral character pursuant to the definition in 18VAC10-20-10;
2. The license, certification, or registration was obtained or renewed through fraud or misrepresentation;
3. The regulant has been found guilty by a court of **ASK FOR COUNSEL INPUT** any material misrepresentation in the course of professional practice or has been convicted, pleaded guilty, or has been found guilty, regardless of adjudication or deferred adjudication, of any felony or non-marijuana misdemeanor that, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline. The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia;
4. **NEED TO ADD** Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred adjudication, in any jurisdiction of the United States of any (i) misdemeanor involving lying, cheating, stealing, sexual offense, non-marijuana drug distribution, or physical injury, or relating to the practice of the profession **OR ANOTHER PROFESSION THAT REQUIRES LICENSURE,** or (ii) felony, there being no appeal pending therefrom or the time for appeal having lapsed. Review of convictions shall be subject to the requirements of § 54.1204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for the purpose of this section.
5. **The notice must be made to the board in writing within 30 days of the action. A copy of the order or other supporting documentation must accompany the notice. The record of conviction, finding, or case decision shall be considered prima facie evidence of a conviction or finding of guilt.**

6. The regulant has committed acts constituting professional incompetence, negligence, or gross negligence;
7. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
8. The regulant fails to comply, or misrepresents any information pertaining to their compliance with the requirements contained in this chapter;
9. The regulant violates or induces others to violate any provision of Chapters 7 (§ 13.1-542.1 et seq.) and 13 (§ 13.1-1100 et seq.) of Title 13.1 or Chapters 1 (§ 54.1-100 et seq.) through 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia, or any other statute applicable to the practice of the professions regulated by this chapter;
10. The regulant has been disciplined by any county, city, town, state, or federal governing body. For purposes of this section "discipline" means reprimand, civil or monetary penalty, probation, suspension, or revocation of a license, or cease and desist order. The board will review such discipline before taking any disciplinary action of its own, or
11. The regulant fails to notify the board within 30 days of having been disciplined by any county, city, town, state, or federal governing body as stipulated in subdivision 8 of this section.

Historical Notes:

Derived from VR130-01-2 § 12.11, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 12, eff. April 1, 2009; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

18VAC10-20-795. Change of address.

All regulants shall notify the board of a change of mailing address on the designated address change form within 30 days of making the change. When submitting a change of address, regulants holding more than one license, certificate, or registration shall inform the board of each affected by the change. A post office box will not be accepted in lieu of a physical address.

Historical Notes:

Derived from Virginia Register Volume 16, Issue 3, eff. December 1, 1999; amended, Virginia Register Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

NOTICE

Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2021 session. Any changes made during the 2021 session became effective September 2, 2021, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

TITLE 54.1.

CHAPTER 4.

ARCHITECTS, ENGINEERS, SURVEYORS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS.

Article 1.		54.1-404.2.	Continuing education.
Architects, Engineers, Surveyors and Landscape Architects.		54.1-405.	Examinations and issuance of licenses and certificates.
		54.1-406.	License required.
		54.1-407.	Land surveying.
54.1-400.	Definitions.	54.1-408.	Practice of land surveying; subdivisions.
54.1-401.	Exemptions.	54.1-409.	Landscape architecture.
54.1-402.	Further exemptions from license requirements for architects and professional engineers.	54.1-410.	Other building laws not affected; duties of public officials.
54.1-402.1.	State and local government employees; license exemptions for persons employed prior to March 8, 1992.	54.1-411.	Organization for practice; registration.
54.1-402.2.	Cease and desist orders for unlicensed activity; civil penalty.	Article 2.	
54.1-403.	Board members and officers; quorum.	Interior Designers.	
54.1-404.	Regulations; code of professional practice and conduct.	54.1-412.	Applicability.
		54.1-413.	Examination.
54.1-404.1.	Education and experience requirements continued.	54.1-414.	Issuance of certification; waiver of examination.
		54.1-415.	Repealed.

Article 1.

Architects, Engineers, Surveyors and Landscape Architects.

§ 54.1-400. Definitions.

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

"Architect" means a person who, by reason of hisin depth knowledge of the mathematical and physical sciences, and the principles of architecture and architectural design, acquired by professional education, practical experience, or both, is qualified to engage in the practice of architecture and whose competence has been attested by the Board through licensure as an architect.SEE ENGINEERING for duplication.

The "practice of architecture" means any service wherein the principles and methods of architecture are applied, such as consultation, investigation, evaluation, planning and design, in connection with any private or public buildings, structures or projects, or the related equipment or accessories.

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

"Certified interior designer" means a design professional who meets the criteria of education, experience, and testing in the rendering of interior design services established by the Board through certification as an interior designer.

"Improvements to real property" means any valuable addition or amelioration made to land and generally whatever is erected on or affixed to land which is intended to enhance its value, beauty or utility, or adapt it to new or further purposes. Examples of improvements to real property include, but are not limited to, structures, buildings, machinery, equipment, electrical systems, mechanical systems, roads, water and wastewater treatment and distribution systems., and stormwater improvement projects PARKING LOT should this include more for CIDs?

"Interior design" by a certified interior designer means any service rendered wherein the principles and methodology of interior design are applied in connection with the identification, research, and creative solution of problems pertaining to the function and quality of the interior environment. Such services relative to interior spaces shall include the preparation of documents for nonload-bearing interior construction, furnishings, fixtures, and equipment in order to enhance and protect the health, safety, and welfare of the public.

"Land surveyor" means a person who, by reason of hisin depth knowledge of the several sciences and of the principles of land surveying, and of the planning and design of land developments acquired by practical experience and formal education, is qualified to engage in the practice of land surveying, and whose competence has been attested by the Board through licensure as a land surveyor.

The "practice of land surveying" includes surveying of areas for a determination or correction, a description, the establishment or reestablishment of internal and external land boundaries, or the determination of topography, contours or location of physical improvements, and also includes the planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to

existing state or local standards.

"Landscape architect" means a person who, by reason of his in depth knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture and landscape architectural design acquired by professional education, practical experience, or both, is qualified to engage in the practice of landscape architecture and whose competence has been attested by the Board through licensure as a landscape architect.

The "practice of landscape architecture" by a licensed landscape architect means any service wherein the principles and methodology of landscape architecture are applied in consultation, evaluation, planning (including the preparation and filing of sketches, drawings, plans and specifications) and responsible

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supervision or administration of contracts relative to projects principally directed at the functional and aesthetic use of land.

"Professional engineer" means a person who, by reason of his in depth knowledge and use of mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and experience, and whose competence has been attested by the Board through licensure as a professional engineer.

The "practice of engineering" means any service wherein the principles and methods of engineering are applied to, but are not necessarily limited to, the following areas: consultation, investigation, evaluation, planning and design of public or private utilities, structures, machines, equipment, processes, and transportation systems.

theservice

"Residential wastewater" means sewage (i) generated by residential or accessory uses, not containing storm water or industrial influent, and having no other toxic, or hazardous constituents not routinely found in residential wastewater flows, or (ii) as certified by a professional engineer.

"Responsible charge" means the direct control and personal supervision of the practice of architecture, professional engineering, landscape architecture, or land surveying. PARKING LOT – add interior designers?

§ 54.1-401. Exemptions.

The following shall be exempted from the provisions of this chapter:

1. Practice of professional engineering by a licensed architect when such practice is incidental to an architectural project.
2. Practice of architecture by a licensed professional engineer when such practice is incidental to an engineering project.
3. and grant Engaging in the practice of professional engineering as an employee under a licensed professional engineer, engaging in the practice of architecture as an employee under a licensed architect, engaging in the practice of landscape architecture as an employee under a licensed landscape architect, or engaging in the practice of land surveying as an employee under a licensed land surveyor
4. Practice of professional engineering, architecture, landscape architecture, or land surveying solely as an employee of the United States government. However, an employee of the United States government shall not be exempt from other provisions of this chapter if he furnishes advisory service for compensation to the public in connection with engineering, architectural, landscape architecture, or land surveying matters.
5. on property Except as provided by regulations promulgated by the State Corporation Commission pursuant to § 56-257.2:1, the practice of engineering solely as an employee of a corporation

engaged in interstate commerce, or as an employee of a public service corporation, by rendering such corporation engineering service in connection with its facilities which are subject to regulation by the State Corporation Commission, provided that corporation employees who furnish advisory service to the public in connection with engineering matters other than in connection with such employment shall not be exempt from the provisions of this chapter.

§ Further exemptions from license requirements for architects, professional engineers, land surveyors, and landscape architects.

No license as an architect or professional engineer shall be required pursuant to § for persons who prepare plans, specifications, documents and designs that do not have any unique design of any structural, mechanical, and/or electrical elements for the following, provided any such plans, specifications, documents or designs bear the name and address of the author and his occupation:

1. Single- and two-family homes, townhouses and multifamily dwellings not exceeding three stories, excluding electrical and mechanical systems; or
2. All farm structures used primarily in the production, handling or storage of agricultural products or implements, including, but not limited to, structures used for the handling, processing, housing or storage of crops, feeds, supplies, equipment, animals or poultry; or
3. Buildings and structures classified with respect to use as business (Use Group B) and mercantile (Use Group M), as provided in the Uniform Statewide Building Code and churches with an occupant load of 100 or less, excluding electrical and mechanical systems, where such building or structure does not exceed 5,000 square feet in total net floor area, or three stories; or Buildings and structures classified with respect to use as factory and industrial (Use Group F) and storage (Use Group S) as provided in the Uniform Statewide Building Code, excluding electrical and mechanical systems, where such building or structure does not exceed 15,000 square feet in total net floor area, or three stories; or
4. remodeling without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard; or
5. Electric installations which comply with all applicable codes and which do not exceed 600 volts and 800 amps, where work is designed and performed under the direct supervision of a person licensed as a master's level electrician or Class A electrical contractor by written examination, and where such installation is not contained in any structure exceeding three stories or located in any of the following categories: **PARKING LOT –LSs**, PE's Okay with this
 - a. Use Group A-1 theaters which exceed assembly of 100 persons;
 - b. Use Group A-4 except churches;
 - c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or
6. Plumbing and mechanical systems using packaged mechanical equipment, such as equipment of catalogued standard design which has been coordinated and tested by the manufacturer, which comply with all applicable codes. These mechanical systems shall not exceed gauge pressures of 125 pounds per square inch, other than refrigeration, or temperatures other than flue gas of 300 degrees F (150 degrees C) where such work is designed and performed under the direct supervision of a person licensed as a master's level plumber, master's level heating, air

conditioning and ventilating worker, or Class A contractor in those specialties by written examination. In addition, such installation may not be contained in any structure exceeding three stories or located in any structure which is defined as to its use in any of the following categories:

- a. Use Group A-1 theaters which exceed assembly of 100 persons;
- b. Use Group A-4 except churches;
- c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or **PARKING LOT –LSs, PEs okay with this**

7. The preparation of shop drawings, field drawings and specifications for components by a contractor who will supervise the installation and where the shop drawings and specifications will be reviewed by the licensed professional engineer or architect responsible for the project

8. PEs put back in: Buildings, structures, or electrical and mechanical installations which are not otherwise exempted but which are of standard design, provided they bear the certification of a professional engineer or architect registered or licensed in another state, and provided that the design is adapted for the specific location and for conformity with local codes, ordinances and regulations, and is so certified by a professional engineer or architect licensed in Virginia or political or CHANGE BACK?

9. Conventional and alternative onsite sewage systems receiving residential wastewater, under the authority of Chapter 6 of Title 32.1, designed by a licensed onsite soil evaluator, which utilize packaged equipment, such as equipment of catalogued standard design that has been coordinated and tested by the manufacturer, and complies with all applicable codes, provided (i) the flow is less than 1,000 gallons per day; and (ii) if a pump is included, (a) it shall not include multiple downhill runs and must terminate at a positive elevational change; (b) the discharge end is open and not pressurized; (c) the static head does not exceed 50 feet; and (d) the force main length does not exceed 500 feet.

B. the preparation Persons utilizing photogrammetric methods or similar remote sensing technology shall not be required to be licensed as a land surveyor pursuant to subsection B of § or to:

(i) determine topography or contours, or to depict physical improvements, provided such maps or other documents shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination, or (ii) graphically show existing property lines and boundaries on maps or other documents provided such depicted property lines and boundaries shall only be used for general information.

Any determination of topography or contours, or depiction of physical improvements, utilizing photogrammetric methods or similar remote sensing technology by persons not licensed as a land surveyor pursuant to § shall not show any property monumentation or property metes and

bounds, nor provide any measurement showing the relationship of any physical improvements to any property line or boundary.

Any person not licensed pursuant to subsection B of § or preparing documentation pursuant to subsection C of § shall note the following on such documentation: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."

C. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings provided in the currently adopted Uniform Statewide Building Code , including any subsequent amendments.

§ 54.1-402.1. State and local government employees

- A. The chief administrative officer of any agency of the Commonwealth or political subdivision thereof employing persons engaged in the practice of engineering, architecture, land surveying, or landscape architecture as regular, full-time, salaried employees shall have the authority and responsibility to determine the engineering, architecture, land surveying, and landscape architecture positions which have responsible charge of engineering, architectural, land surveying, or landscape architecture decisions..
- B. Notwithstanding these provisions, any state agency or political subdivision of the Commonwealth unable to employ a qualified licensed engineer, architect, land surveyor, **landscape architect** to fill a responsible charge position, after reasonable and unsuccessful search, may fill the position with an unlicensed person upon the determination by the chief administrative officer of the agency or political subdivision that the person, by virtue of education, experience, and expertise, can perform the work required of the position.

(this was moved from 54.1-406) **§ 54.1-402.2. Cease and desist orders for unlicensed activity; civil penalty.**

A. Notwithstanding § , the Board may issue an order requiring any person to cease and desist from (i) practicing or offering to practice as an architect, professional engineer, land surveyor, or landscape architect when such person is not licensed or registered by the Board in accordance with this chapter or (ii) holding himself out as a certified interior designer when such person is not certified or registered by the Board in accordance with this chapter. The order shall be effective upon its entry and shall become final unless such person files an appeal with the Board in accordance with the Administrative Process Act (§ et seq.) within 21 days of the date of entry of the order.

B. If the person fails to cease and desist the unlicensed, uncertified, or **unregistered** activity after entry of an order in accordance with subsection A, the Board may refer the matter for enforcement pursuant to § .

C. Any person engaging in unlicensed, uncertified, or **unregistered** activity shall be subject to further proceedings before the Board and the Board may impose a civil penalty not to exceed

\$2,500. Any penalties collected under this section shall be paid to the Literary Fund after deduction of the administrative costs of the Board in furtherance of this section.

D. Nothing contained in this section shall apply to any person engaged in activity exempted from the provisions of this chapter.

§ 54.1-403. Board members and officers; quorum.

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects shall be composed of 15 members as follows: three architects, three professional engineers, three land surveyors, two landscape architects, two certified interior designers, and two nonlegislative citizen members.

Except for the nonlegislative citizen members appointed in accordance with § 54.1-107, Board members shall have actively practiced or taught their professions for at least 10 years prior to their appointments. The terms of Board members shall be four years.

The Board shall elect a president and vice-president from its membership.

Nine Board members, consisting of at least one professional engineer, one architect, one land surveyor, one landscape architect, one certified interior designer and one nonlegislative citizen member, shall constitute a quorum.

§ 54.1-404. Regulations; code of professional practice and conduct.

A. The Board shall promulgate regulations not inconsistent with this chapter governing its own organization, the professional qualifications of applicants, the requirements necessary for passing examinations in whole or in part, the proper conduct of its examinations, the implementation of exemptions from license requirements, and the proper discharge of its duties.

B. The Board may impose different licensure requirements for a limited area of the practice of land surveying for persons who determine topography, contours, or depiction of physical improvements utilizing photogrammetric methods or similar remote sensing technology who are not otherwise exempt pursuant to subsection C of § . Any such requirements shall include reasonable provisions for licensure of persons deemed by the Board to be qualified to practice photogrammetric and remote sensing surveying.

Any license issued pursuant to this subsection shall be distinctive, reflecting the limited area of the practice of land surveying so authorized, and considered as a land surveyor and the practice of land surveying for the purposes of §§ , , , and . Nothing herein shall be construed to authorize a person issued a limited license pursuant to this subsection to practice beyond such limited area of practice. The establishment of any such limited license shall not prohibit any duly qualified land surveyor licensed pursuant to § from engaging in any such limited area of practice.

C. The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. The protection of the public health, safety and welfare;
2. The maintenance of standards of objectivity, truthfulness and reliability in public statements by professionals;
3. The practice of professional service shall be limited to the area of competence.
4. The avoidance of conflicts of interests;
5. The prohibition of solicitation or acceptance of work on any basis other than their qualifications for the work offered;
6. The restriction of association engaging in illegal or dishonest activities or associating with any person engaging in illegal or dishonest activities.

§ 54.1-404.2. Continuing education.

A. The Board shall promulgate regulations governing continuing education requirements for architects, professional engineers, land surveyors, and landscape architects licensed by the Board. Each profession shall determine the requirements for continuing education biennium

of as a prerequisite to the renewal or reinstatement of a license issued to an architect, professional engineer, land surveyor, or landscape architect. The Board shall establish criteria for continuing education activities including, but not limited to (i) content and subject matter; (ii) curriculum; (iii) standards and procedures for the approval of activities, courses, sponsors, and instructors; (iv) methods of instruction for continuing education courses; and (v) the computation of course credit.

B. The Board may grant exemptions or waive or reduce the number of continuing education

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hours required in cases of certified illness or undue hardship.

§ 54.1-405. Examinations and issuance of licenses and certificates.

A. The Board or its designee shall hold at least one examination each year. A license to practice as a professional engineer, an architect, a land surveyor, or a landscape architect shall be issued to every applicant who complies with the requirements of this chapter and the regulations of the Board. A license shall be valid so long as it is renewed as required by regulation and has not been revoked or suspended by the Board.

B. Notwithstanding the provisions of § , a license holder who has retired from practice may use the designation granted by such license, followed by the word "emeritus," without possessing a current registration from the Board provided (i) the license has not been revoked or suspended by the Board and (ii) the license holder does not practice or offer to practice architecture, engineering, land surveying, or landscape architecture.

§ 54.1-406. License required.

- A. Unless exempted by § , , or , a person shall hold a valid license prior to engaging in the practice of architecture, engineering, land surveying, or landscape architecture which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.
- B. , , prior to Unless exempted by § , any person or business entity offering to practice architecture, engineering, land surveying, or landscape architecture without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § of this title.
- C. Any person or business entity which is not licensed or registered to practice in accordance with this chapter and which advertises or promotes through the use of the words "architecture," "engineering", "land surveying" "landscape architecture" or any modification or derivative thereof in its name or description of its business activity in a manner that indicates or implies that it practices or offers to practice architecture, engineering, land surveying, or landscape architecture as defined in this chapter shall be subject to the provisions of § .
- D. filla Notwithstanding the provisions of this section, a contractor who is licensed pursuant to the provisions of Chapter 11 (§ et seq.) of this title shall not be required to be licensed or registered to practice in accordance with this chapter when bidding upon or negotiating design-build contracts or performing services other than architectural, engineering, land surveying, or landscape architecture services under a design-build contract. The architectural, engineering, land surveying, or landscape architecture services offered or rendered in connection with such contracts shall only be rendered by an architect, professional engineer land surveyor, or landscape architect licensed in accordance with this chapter.

DECISION AS OF 6/20/23 RATIONALE: DISSERVICE TO THE PUBLIC TO NOT KNOW WHERE THEIR PROPERTY LINES ARE AT TIME OF PURCHASE PER LS AT 6/20/23 MTG – REMOVE B/C it is a disservice to the public to not know where their property lines are at time of purchase./§ 54.1-408. Practice of land surveying; subdivisions.

In addition to the work defined in § , a land surveyor may, for subdivisions, site plans and plans of development only, prepare plats, plans and profiles for roads, storm drainage systems, sanitary sewer extensions, and water line extensions, and may perform other engineering incidental to such work, but excluding the design of pressure hydraulic, structural, mechanical, and electrical systems. The work included in this section shall involve the use and application of standards prescribed by local or state authorities. The land surveyor shall pass an examination given by the Board in addition to that required for the licensing of land surveyors as defined in § . Any land surveyor previously licensed pursuant to subdivision (3) (b) of former § 54-17.1 may continue to do the work herein described without further examination.

Except as provided, nothing contained herein or in the definition of "practice of land surveying" in § shall be construed to include engineering design and the preparation of plans and specifications for construction.

§ 54.1-409. Practice of landscape architecture; license required. Parking lot for LA input

A. A person who engages in the practice of landscape architecture as defined in § and who holds himself out as a landscape architect shall hold a valid license prior to engaging in such practice. Resulting site plans, plans of development, preliminary plats, drawings, technical reports, and specifications, submitted under the seal, stamp or certification of a licensed landscape architect, shall be accepted for review by local and state authorities, in connection with both public and private projects. However, no landscape architect, unless he is also licensed as a land surveyor, shall provide boundary surveys, plats or descriptions for any purpose, except in conjunction with or under the supervision of an appropriately licensed professional, who shall provide certification, as required. Landscape architects shall only engage in projects which they are qualified to undertake based on education, training, and examination and in accordance with the practice of landscape architecture as defined in § .

B. June 30 Nothing contained herein or in the definition of "practice of landscape architecture" or in the definition of "landscape architect" in § shall be construed to restrict or otherwise affect the right of any architect, professional engineer, land surveyor, nurseryman, landscape designer, landscape contractor, land planner, community planner, landscape gardener, golf course designer, turf maintenance specialist, irrigation designer, horticulturist, arborist, or any other similar person from engaging in their occupation or the practice of their

profession or from rendering any service in connection therewith that is not otherwise proscribed.

C. Any person, partnership, corporation, or other entity that is not licensed to practice landscape architecture in accordance with the provisions of this chapter and that advertises or promotes through the use of the words "landscape architecture" or any modification or derivation thereof in its name or description of its business activity in a manner that indicates or implies that it practices or offers to practice landscape architecture as defined in this chapter shall be subject to the provisions of § . Nothing contained herein or in the definitions of "landscape architect" or "practice of landscape architecture" in § shall be construed to restrict or otherwise affect the right of any person undertaking the occupations or professions referred in subsection B of this section to engage in their occupation, or the practice of their profession, or from rendering any service in connection therewith that is not otherwise proscribed.

Any person, partnership, corporation, or other entity offering to practice landscape architecture without being registered or licensed to practice landscape architecture in accordance with the provisions of this chapter, shall be subject to the provisions of § . Nothing contained herein or in the definitions of "landscape architect" and "practice of landscape architecture" in § shall be construed to restrict or otherwise affect the right of any person undertaking the occupations or professions referenced in subsection B of this section to engage in their occupation, or the practice of their profession, or from rendering any service in connection therewith that is not otherwise proscribed.

§ 54.1-410. Other building laws not affected; duties of public officials.

A. Nothing contained in this chapter or in the regulations of the Board shall be construed to limit the authority of any public official authorized by law to approve plans, specifications or calculations in connection with improvements to real property. This shall include, but shall not be limited to, the authority of officials of local building departments as defined in § , to require pursuant to the Uniform Statewide Building Code, state statutes, local ordinances, or code requirements that such work be prepared by a person licensed or certified pursuant to this chapter.

B. Any public body authorized by law to require that plans, specifications or calculations be prepared in connection with improvements to real property shall establish a procedure to ensure that such plans, specifications or calculations be prepared by an architect, professional engineer, land surveyor or landscape architect licensed or authorized pursuant to this chapter in any case in which the exemptions contained in §§ , or § are not applicable.

Drafting of permits, reviewing of plans or inspection of facilities for compliance with an adopted code or standard by any public body or its designated agent shall not require the services of an architect, professional engineer, land surveyor or landscape architect licensed pursuant to this chapter.

§ 54.1-410.1. Prerequisites for obtaining business license.

Any person or business entity regulated by the board applying for or renewing a business license in any locality in accordance with Chapter 37 (§ et seq.) of Title 58.1 shall furnish prior to the issuance or renewal of such business license satisfactory proof that he is duly licensed under the terms of this chapter.

No locality shall issue or renew or allow the issuance or renewal of such license unless the person or business entity regulated by the board has furnished his license number issued pursuant to this chapter or evidence

of being exempt from the provisions of this chapter.

§ 54.1-411. Organization for practice; registration.

A. Nothing contained in this chapter or in the regulations of the Board shall prohibit the practice of architecture, engineering, land surveying, landscape architecture or the offering of the title of certified interior designer by any corporation, partnership, sole proprietorship, limited liability company, or other entity provided such practice or certification is rendered through its officers, principals or employees who are correspondingly licensed or certified. No individual practicing architecture, engineering, land surveying, landscape architecture, or offering the title of certified interior designer under the provisions of this section shall be relieved of responsibility that may exist for services performed by reason of his employment or other relationship with such entity. No such corporation, partnership, sole proprietorship, limited liability company, or other entity, or any affiliate thereof, shall, on its behalf or on behalf of any such licensee or certificate holder, nor any licensee or certificate holder, be prohibited from (i) purchasing or maintaining insurance against any such liability; (ii) entering into any indemnification agreement with respect to any such liability; (iii) receiving indemnification as a result of any such liability; or (iv) limiting liability through contract.

B. Any person or business entity offering or rendering the practice of architecture, engineering, land surveying, landscape architecture or offering the title of certified interior designer shall register with the Board, except for professional corporations holding a certificate of authority issued in accordance with § , professional limited liability companies holding a certificate of authority issued in accordance with § , and sole proprietorships that do not employ other individuals for which licensing is required. As a condition of registration, the entity shall name at least one licensed architect, professional engineer, land surveyor, landscape architect or certified interior designer for such profession offered or rendered. The person or persons named shall be responsible and have control of the regulated services rendered by the entity. **NEED INPUT FROM ELIZ PEAY ABOUT THIS**

C. The Board shall adopt regulations governing the registration of persons, corporations, partnerships, limited liability companies, sole proprietors and other entities as required in subsections A and B which:

1. Provide for procedural requirements to obtain and renew registration on a periodic basis;
2. Establish fees for the application and renewal of registration sufficient to cover costs;
3. Assure that regulated services are rendered and controlled by persons authorized to do so; and
4. Ensure that conflicts of interests are disclosed.

**Article 2.
Interior Designers.**

§ 54.1-412. Applicability.

This chapter shall not be construed to restrict or otherwise affect the right of any uncertified interior designer, architect, engineer, or any other person from rendering any of the services which constitute the practice of interior design; however, no person may hold himself out as, or use the title of, "certified interior designer" unless he has been so certified pursuant to the provisions of this chapter.

§ 54.1-413. Examination.

At least once each year the Board shall arrange for the National Council for Interior Design Qualification examination or an equivalent examination approved by the Board to be given to qualified applicants for

certification as interior designers.

§ 54.1-414. Issuance of certification; waiver of examination.

The Board shall issue a certification to practice as a certified interior designer in the Commonwealth to every applicant who shall have complied with the requirements of this chapter and the regulations of the Board. The certificates shall be signed by at least three members of the Board.

The Board shall certify any person who is a graduate of a minimum four-year professional degree program accredited by the Foundation for Interior Design Education Research, an equivalent accrediting organization or a professional program approved by the Board and who has two years of monitored experience in the performance of interior design services and who has taken and passed the examination for certification as a certified interior designer.

The Board, in its discretion, shall determine whether an applicant's professional education and professional experience in the field of interior design are sufficient to establish eligibility for the examination.

The Board, in lieu of all examinations, may accept satisfactory evidence of licensing or certification in another state or country or the District of Columbia where (i) the qualifications for such licensure or certification are equal, in the opinion of the Board, to the qualifications required by the provisions of this chapter as of the date of application and (ii) the applicant is the holder of a license or certificate in good standing. Upon receipt of such satisfactory evidence and provided all other such requirements of this chapter are complied with, a certificate shall be issued to such applicant.

§ 13.1-549. Qualifications of shareholders; special provisions for corporations rendering services of architects, professional engineers, landscape architects and land surveyors, and using the title of certified interior designers.

A. A corporation rendering the services of architects, professional engineers, land surveyors, or landscape architects, or using the title of certified interior designers, or any combination thereof, shall issue not less than two-thirds of its shares to individuals or professional business entities duly licensed to render the services of architect, professional engineer, land surveyor, or landscape architect, or to individuals legally authorized to use the title of certified interior designer, and the remainder of said shares 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. For a corporation using the title of certified interior designers and providing the services of architects, professional engineers or land surveyors, or any combination thereof, not less than two-thirds of its shares shall be held by individuals or professional business entities who are duly licensed. No other professional corporation, except for a corporation engaged in the practice of accounting as described in § , may issue any of its shares to anyone other than an individual or professional business entity who is duly licensed or otherwise legally authorized to render the same specific professional services as those for which the corporation was incorporated, including trustees of an eligible employee stock ownership plan. Notwithstanding the above limitations, a professional corporation may (i) issue its shares 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 or (ii) issue any of its shares to, and have as shareholders, directly or indirectly, whether through shares, fractional shares, or rights or options to purchase shares, the trustees of an eligible employee stock ownership plan.

B. As an additional prerequisite for a corporation engaging in the practice of the professions of architecture, professional engineering, land surveying, or landscape architecture, or using the title of certified interior designer, or any combination thereof, such corporation shall secure a

certificate of authority, which may be renewable and may be either general or limited, from the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Such certificate of authority shall be issued or renewed by the Board when in its discretion such corporation is in compliance with rules and regulations which shall be promulgated by the said Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ et seq.) of Title 54.1.

§ 13.1-1111. Qualifications of members and managers; special provisions for limited liability companies rendering service of architects, professional engineers, land surveyors and landscape architects, and using the title of certified interior designers.

Not less than two-thirds of the membership interests of a professional limited liability company rendering the services of architects, professional engineers, land surveyors, or landscape architects, or using the title of 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, land surveyors, or landscape architects, or by individuals or professional business entities legally authorized to use the title of certified interior designers, and the remainder of the membership interests may be held only by individuals who are employees of the professional limited liability company whether or not those employees are licensed to render professional services or authorized to use a title. 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, not less than two-thirds of the membership interests of the professional limited liability company shall be held by individuals who are duly licensed. No other professional limited liability company, except for a professional limited liability company engaged in the practice of accounting as described in § , may have as a member anyone other than an individual or a professional business entity that is duly licensed or otherwise legally authorized to render the same professional services as those for which the professional limited liability company was organized.

As an additional prerequisite for a professional limited liability company's engaging in the practice of the professions of architecture, professional engineering, land surveying, or landscape architecture, or using the title of certified interior designer, or any combination thereof, that professional limited liability company shall secure a certificate of authority, which may be renewable and may be either general or limited, from the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The certificate of authority shall be issued or renewed by the Board when in its discretion the professional limited liability company is in compliance with rules and regulations which shall be promulgated by the Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ et seq.) of Title 54.1.



Department of Professional and Occupational Regulation

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NOTICE
PLEASE REFER TO FIRST PAGE OF BOOKLET FOR NOTES ON IMPORTANT CHANGES.

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- **Other Business**
- **Conflict of Interest Forms /
Travel Vouchers**
- **Adjourn**

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