

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



REGULATIONS
Effective December 1, 1999

STATUTES
Title 54.1, Chapter 4
Excerpts from Title 13.1

*Virginia*_{PD}

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DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

3600 West Broad Street
Richmond, Virginia 23230-4917
367-8500

NOTICE SUMMARY OF SIGNIFICANT CHANGES

These regulations are effective December 1, 1999, 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. These regulations have been revised and should be thoroughly reviewed. Following is a brief summary of the regulations to assist you in your review.

- Almost all fees contained in the regulations were reduced effective October 1, 1999.
- 18 VAC 10-20-35 clarifies that experience requirements are based on full time employment (35 hours per week).
- **Architects** – The NCARB Intern Development Program (NCARB-IDP) will be required of all applicants for examination. Those individuals who have 12 or fewer months remaining through the non-NCARB-IDP program must complete the non-NCARB-IDP program and submit an application so that it is received in the board office within 13 months of the effective date of these regulations. Additionally, 18 VAC 10-20-140.I has been changed to clarify that an examination candidate must reapply after three years and meet new entry requirements unless he has been continuously taking the examination with no break and reapplies within 6 months (then he may reapply under the original entry requirements). Further, 18 VAC 10-20-150.A states that if a comity applicant is not able to meet the requirements of Virginia that were in effect in Virginia when he was initially licensed in his base state, then he must meet Virginia's current requirements.
- **Professional Engineers** – The FE and PE examination sections have been reconfigured to make them easier to understand, utilize and apply. Further, 18 VAC 10-20-270 has been amended to clarify that the standards to be met by comity applicants are those standards that were in place in Virginia at the time the comity applicant became originally licensed. If a comity applicant is not able to meet these requirements, then he must meet Virginia's current requirements.
- **Land Surveyors** – The experience requirements for registration/licensure as a Land Surveyor-in Training or Land Surveyor have been reduced. Further, 18 VAC 10-20-300.1 has been modified to allow undergraduates in an approved surveying or surveying technology program who are within 12 months of graduating to sit for the Fundamentals of Land Surveying examination during their senior year.
- 18 VAC 10-20-640.B has been amended to eliminate the requirement that 2/3 of the general partners in a partnership offering professional services be licensed.
- 18 VAC 10-20-680.E has been added to clarify that a license, certificate or registration that has been reinstated shall be regarded as having been continuously licensed without interruption and the regulant remains under the disciplinary authority of the board during the entire period.
- 18 VAC 10-20-795 adds a section requiring individuals to notify the Board of any change of address within 30 days.

STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your license as an Architect, Professional Engineer, Land Surveyor or certificate as a Landscape Architect or Interior Designer. 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. The 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 or certificate. **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 OR CERTIFICATE.**

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
3600 West Broad Street
Richmond, Virginia 23230-4917

or call the Agency at (804) 367-8500.

TABLE OF CONTENTS

1.	Regulations	
Part I	General Definitions	1
Part II	General Entry Requirements	2
Part III	Qualifications for Licensing of Architects	5
Part IV	Qualifications for Licensing of Professional Engineers	11
Part V	Qualifications for Licensing and Standards of Procedure for Land Surveyors	17
Part VI	Qualifications for Certification of Landscape Architects	27
Part VII	Qualifications for Certification of Interior Designers	30
Part VIII	Qualifications for Registration as a Professional Corporation	31
Part IX	Qualifications for Registration as a Professional Limited Liability Company	34
Part X	Qualifications for Registration as a Business Entity other than a Professional Corporation and Professional Limited Liability Company	37
Part XI	Renewal and Reinstatement	39
Part XII	Standards of Practice and Conduct	41
2.	Code of Virginia	47
3.	Public Participation Guidelines	59

PART I
GENERAL DEFINITIONS

18 VAC 10-20-10. Definitions.

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

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

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

"Direct control and personal supervision" shall be that degree of supervision by a person overseeing the work of another whereby the supervisor has both control over and detailed professional knowledge of the work prepared under his supervision.

"Full time" means 60% or more of a Virginia licensed or certified individual's gainfully employed time.

"Good moral character" shall include, but shall not be limited to, compliance with the standards of practice and conduct as set forth in this chapter.

"Place of business" means any location which offers to practice or practices through licensed or certified professionals the services of architecture, professional engineering, land surveying, landscape architecture and interior design. A temporary field office set up for project specific services is not a place of business.

"Professional" means licensed architect, licensed professional engineer, licensed land surveyor, certified landscape architect or certified interior designer.

"Regulant" means licensee, certificate holder or registrant.

"Responsible charge" means the direct control and personal supervision of the practice of architecture, professional engineering, land surveying and certified landscape architecture.

PART II

GENERAL ENTRY REQUIREMENTS

18 VAC 10-20-20. Application requirements.

- A. Fully documented applications with the noted exception shall be submitted by applicants seeking consideration for licensure, certification or registration with the appropriate fee(s) (check or money order only made payable to the Treasurer of Virginia) to be received in the board's office no later than 120 days prior to the scheduled examination. Applicants for the Fundamentals of Engineering examination enrolled in an ABET accredited curriculum who are within 12 months of completion of degree requirements may submit applications to be received in the board's office no later than 60 days prior to the scheduled examination. The date the completely documented application and fee are received in the board's office shall determine if an application has been received by the deadline set by the board. All applications should be completed according to the instructions contained herein. Applications are not considered complete until all required documents, including but not limited to references, employment verifications and verification of registration are received by the board. All applications, accompanying materials and references are the property of the board.
- B. Applicants shall meet applicable entry requirements at the time application is made.
- C. Applicants who have been found ineligible for any reason may request further consideration by submitting in writing evidence of additional qualifications, training or experience. No additional fee will be required provided the requirements for licensure, certification or registration are met within a period of three years from the date the original application is received by the board. After such period, a new application shall be required.
- D. The board may make further inquiries and investigations with respect to the qualifications of the applicant and all references, etc., to confirm or amplify information supplied. The board may also require a personal interview with the applicant.
- E. 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.
- F. Applicants shall be held to the same standards of practice and conduct as set forth in this chapter.

18 VAC 10-20-30. Determining qualifications of applicants.

In determining the qualifications of an applicant for a license as an architect, a majority vote of only the architect members of the board shall be required. In determining the qualifications of an applicant for a license as a professional engineer, a majority vote of only the professional engineer members of the board shall be required. In determining the qualifications of an applicant for a license as a land surveyor, a majority vote of only the land surveyor members of the board shall be required. In determining the qualifications of an applicant for certification as a landscape architect, a majority vote of only the certified landscape architect members of the board shall be required, and in determining the qualifications of an applicant for certification as an interior designer, a majority vote of only the certified interior designer members of the board shall be required.

18 VAC 10-20-35. Experience.

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

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

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

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

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

18 VAC 10-20-60. Replacement of wall certificate.

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

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

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

18 VAC 10-20-80. Dishonored checks.

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

PART III

QUALIFICATIONS FOR LICENSING OF ARCHITECTS

18 VAC 10-20-90. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 45
Renewal	35
Dishonored checks	25

18 VAC 10-20-100. Character.

Applicants must be of good moral character.

18 VAC 10-20-110. Education.

- A. All applicants shall hold a professional degree in architecture where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation.
- B. Foreign degrees must be evaluated for equivalency to a NAAB accredited degree. The board reserves the right to reject, for good cause, any evaluation submitted. Any cost of translation and evaluation will be borne by the applicant.

18 VAC 10-20-120. Experience.

- A. The NCARB Intern Development Program (NCARB-IDP) shall be required of all applicants for examination. An applicant shall be enrolled in NCARB-IDP for a period of one year or more prior to submitting an application for examination in Virginia. IDP training requirements shall be in accordance with the National Council of Architectural Registration Boards' Handbook for Interns and Architects, 1998-1999 Edition.
- B. All applicants must have a minimum of 36 months experience/training prior to submitting an application for examination. Any experience/training of less than 10 consecutive weeks will not be considered in satisfying this requirement.
- C. All applicants must have a minimum of 12 months experience/training in architecture as an employee in the office of a licensed architect prior to submitting an application for examination. An organization will be considered to be an office of a licensed architect if:
 - 1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and
 - 2. The practice of the organization encompasses the comprehensive practice of architecture, including the categories set forth in the IDP requirements.

D. Exceptions.

1. In the case of any individual certifying to the board that he had accrued sufficient experience/training credits under the requirements existing prior to December 1, 1999, so that 12 or fewer months of experience/training remained to be acquired, then the prior experience/training requirements in subsection E of this section shall continue in effect for such individual;
2. Any applicant who has accrued experience/training prior to December 1, 1999, may verify such experience/training to the best of his ability as if such experience/training had been acquired hereunder, and such verified experience/training shall, when accepted by the board, be considered for purposes of meeting the experience/training requirements of this chapter. Subsection E of this section is only applicable to those individuals specified in this subsection. Table I is only applicable to assist in verifying subdivisions 1 and 2 of this subsection.

E. Applicants to whom the exceptions in subsection D of this section apply shall have three years of diversified training in the essential areas of architectural practice as described in this subsection. Evidence shall be in the form of official records of a structured internship or incorporated in the candidate's application and verified by employers. Experience shall include:

1. A minimum of 18 months in the area of design and construction documents directly related to the practice of architecture;
2. A minimum of five months in the area of construction administration directly related to the practice of architecture; and
3. A minimum of three months in the area of office management directly related to the practice of architecture.

Training credits shall be calculated in accordance with Table I.

F. Applicants to whom the exceptions in subsection D of this section apply shall have until January 1, 2001, to complete the experience/training credits existing prior to December 1, 1999, and have their completed application received in the board's office. After January 1, 2001, the exceptions in subsection D of this section will cease.

18 VAC 10-20-130. References.

Eligibility for licensure is determined in part by the applicant's demonstrated competence and integrity to engage in the practice of architecture. Applicants shall submit three references with the application, all of whom are licensed architects in a jurisdiction or territory of the United States. These professionals shall have personal knowledge of the applicant's architectural experience and have known the applicant for at least one year. References shall be current for one year.

18 VAC 10-20-140. Examination.

- A. All applicants for original licensure in Virginia are required to pass an NCARB prepared examination after meeting the education and experience/training requirements as provided in this chapter.

- B. The Virginia board is a member board of the National Council of Architectural Registration Boards (NCARB) and as such is authorized to make available the NCARB prepared examination.
- C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB.
- D. The NCARB prepared examination will be offered at least once a year at a time designated by the board.
- E. The board may approve transfer credits for parts of the NCARB prepared examination taken in accordance with national standards.
- F. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee. Applicants not properly registered shall not be allowed into the examination site.
- G. Examinees will be given specific instructions as to the conduct of each division of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.
- H. Examinees will be advised only of passing or failing the examination. Only the board and its staff shall have access to documentation.
- I. Should an applicant not pass the NCARB prepared examination within three years after being approved, the applicant must reapply. If the applicant has not been taking the examination on a continuous basis during the three year eligibility period, and the applicant does not reapply within 6 months of the end of their three year eligibility period, then the applicant shall meet the entry requirements current at the time of re-application.

18 VAC 10-20-150. License by comity.

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

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

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

TABLE I.
 REQUIREMENTS FOR ARCHITECTURAL LICENSURE
 (APPLICABLE ONLY TO INDIVIDUALS SPECIFIED IN 18 VAC 10-20-120.D)

EDUCATION AND TRAINING REQUIREMENTS.	Education Credits	Training Credits	
		Credit Allowed	Max Credit Allowed
First professional degree in architecture where the degree program has been approved by the board not later than two years after graduation.	5 years	No credit used as an education credit may be used as a training credit.	
A-1 Diversified experience in architecture as an employee in the offices of licensed architects.	0	100%	no limit
A-2 Diversified experience in architecture as a principal practicing in the office of a licensed architect with a verified record of substantial practice.	0	100%	no limit
A-3 Diversified experience in architecture as an employee of an organization (other than the offices of licensed architects) when the experience is under the direct supervision of a licensed architect.	0	100%	2 years
A-4 Experience directly related to architecture, when under the direct supervision of a licensed architect but not qualifying as diversified experience or when under the direct supervision of a professional engineer.	0	50%	1 year
A-5 Experience, other than 1, 2, 3 or 4 experience, directly related to on-site building construction operations or experience involving physical analysis of existing buildings.	0	50%	6 months
A-6 Other Training Experience - See B-2.2			

EXPLANATION OF REQUIREMENTS

B-1 Training Credits. Training credits shall be subject to the following conditions:

- B-1 .1 Every applicant must earn at least one year of training credit under A-1 or A-2 and must earn it after earning five years of education credits.
- .2 No credit used as an education credit may be used as a training credit.
- .3 Organizations will be considered to be 'offices of licensed architects': (a) the architectural practice of the organization in which the applicant works is in the charge of a person practicing as a principal and the applicant works under the direct supervision of a licensed architect and (b) the organization is not engaged in construction and (c) the organization has no affiliate engaged in construction which has a substantial economic impact upon the person or persons in the organization practicing as a principal.
- .4 An organization (or an affiliate) is engaged in construction if it customarily engages in either of the following activities:
 - (a) Providing labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation.
 - (b) Agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.
- .5 A person practices as a 'principal' by being a licensed architect and the person in charge of the organization's architectural practice, either alone or with other licensed architects.
- .6 In evaluating training credits the board may, prior to licensure, require the applicant to substantiate training experience by comparing this experience to the training requirements as indicated for the Intern -Architect Development Program (IDP).

B-2 General Evaluation Criteria

- B-2 .1 To earn full training credits under A-1, A-2, A-3, A-4 and A-5 an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under A-1 or six consecutive months under A-2, A-3, A-4 or A-5. An applicant may earn one-half of the credit specified under A-1 for work of at least 20 hours per week in periods of six or more consecutive months; no credit will be given for part-time work in any category other than A-1.
- .2 Other training may be substituted for the requirements outlined above, only insofar as the board considers them to be equivalent to the required qualifications.
- .3 In evaluating credits, the board may, prior to licensure, require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the training requirements set forth above.

PART IV

QUALIFICATIONS FOR LICENSING OF PROFESSIONAL ENGINEERS

18 VAC 10-20-160. Definitions.

The following definitions shall apply in the regulations relating to the licensing of professional engineers.

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

"Approved engineering curriculum" means an engineering curriculum of four years or more approved by the board. ABET approved engineering curricula are approved by the board.

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

"Approved engineering technology curriculum" means an ABET approved engineering technology curriculum of four years of more.

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

"Engineering examination" means an eight-hour written examination in the Fundamentals of Engineering and an eight-hour written examination in the Principles and Practice of Engineering where required.

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

18 VAC 10-20-170. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Fundamentals of Engineering Application	\$ 20
Principles of Engineering Application	40
Renewal	30
Comity	40
PE Exam rescore	25
FE/PE out of state proctor	30
Dishonored check	25

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$70 for the Fundamentals of Engineering and \$160 for the Principles of Engineering to the candidate.

18 VAC 10-20-180. Character.

Applicants must be of good moral character.

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

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

	EDUCATIONAL REQUIREMENTS	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Enrolled in an ABET accredited undergraduate curriculum and within 12 months of completion of degree requirements. Enrolled in an ABET accredited graduate curriculum, or enrolled in a graduate curriculum that is ABET accredited at the undergraduate level at the institution at which the graduate degree is being sought, and within six months of completion of graduate degree requirements. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.	0
2.	Graduated from an approved engineering or an approved engineering technology curriculum of four years or more.	0
3.	Obtained an undergraduate engineering degree from an institution in a curriculum without ABET accreditation and obtained a graduate level engineering degree from an institution in a curriculum that is ABET accredited at the undergraduate level.	0
4.	Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.	2
5.	Graduated from a nonapproved engineering technology curriculum or not graduated from an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation as described by self study when compared to the ABET Course Requirements for Engineering Technology Programs.	6

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

An applicant who is qualified to sit for the FE examination under subdivision 1 of 18 VAC 10-20-190 must provide verification of his degree prior to becoming an EIT. All other applicants who qualify to sit for the FE examination under subdivisions 2 through 5 of 18 VAC 10-20-190 will become an EIT upon achieving a passing examination score.

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

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

	EDUCATIONAL REQUIREMENTS	EIT REQUIRED?	NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE
1.	Graduated from an approved engineering curriculum of four years or more.	YES	4
2.	Been awarded both an ABET accredited undergraduate engineering degree and a doctorate degree in engineering from an engineering curriculum which is ABET accredited at the undergraduate level.	NO	4
3.	Graduated from a nonapproved engineering curriculum, a related science curriculum, or an approved engineering technology curriculum, all of which shall be four years or more.	YES	6
4.	Graduated from a nonapproved engineering technology curriculum of four years or more; or without graduation from an engineering or related science curriculum of four years or more.	YES	10
5.	Graduated from an engineering, engineering technology or related science curriculum of four years or more.	NO	20

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

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

18 VAC 10-20-220. References.

A. References for Fundamentals of Engineering examination.

Applicants for the Fundamentals of Engineering examination only shall provide one reference from a professional engineer, or from the dean of the engineering school or a departmental professor in the school attended by the applicant, or an immediate work supervisor. Any reference provided shall be from a person who has known the applicant for at least one year. References may not also verify professional experience.

B. References for Principles and Practice of Engineering examination.

To be eligible for admission to the Principles and Practice of Engineering examination, an applicant must indicate competence and integrity to engage in the engineering profession by

submitting three references with the application, all of whom shall be licensed professional engineers in a state or territory of the United States. The professional engineers providing the references shall have personal knowledge of the applicant's engineering experience and shall have known the applicant for at least one year. References shall be no more than one year old at the time the applicant is approved to take the requisite examination. References may not also verify professional experience.

18 VAC 10-20-230. Education.

Any applicant who has earned a degree from an institution outside the United States shall have the degree evaluated by an educational credential evaluation service or by ABET if credit for such education is sought, unless the applicant earned an equivalent or higher level engineering degree from a United States institution where the program has been accredited by ABET. The board reserves the right to reject, for good cause, any evaluation submitted by the applicant.

18 VAC 10-20-240. Training and experience.

Professional engineering training and experience shall be progressive in complexity and based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design, provided:

1. In general, experience in sales, drafting, estimating, field surveying, nonengineering military service, and inspection are considered nonqualifying;
2. Engineering experience gained by graduate engineering study or by engineering teaching as an instructor or higher in an institution approved by the board may be deemed professional experience;
3. Engineering experience gained during a board-approved co-op program may be deemed professional experience to a maximum of one year of credit;
4. The board, in its sole discretion, may permit partial credit, not to exceed 1/4 of that required, for approved professional experience obtained prior to graduation from an engineering curriculum.

18 VAC 10-20-250. Language and comprehension.

Every applicant applying for licensure as a professional engineer shall be able to speak and write English. An applicant from a non-English speaking country or a country wherein the primary language is other than English shall submit to the board a TOEFL (Test of English as a Foreign Language) score report with a minimum score of 560, and a TSE (Test of Spoken English) score report with a minimum score of 255. Score reports shall not be over two years old at the time of application. The requirement of submitting a TOEFL and a TSE report shall not apply if the applicant is a graduate of a US college or university.

18 VAC 10-20-260. Examinations.

- A. The Virginia board is a member board of the National Council of Examiners for Engineering and Surveying (NCEES) and as such is authorized to administer the NCEES examinations.
- B. The Fundamentals of Engineering examination consists of a NCEES exam on the fundamentals of engineering, and is given at times designated by the board.

- C. The Principles and Practice of Engineering examination consists of a NCEES exam on applied engineering and is given at times designated by the board.
- D. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.
- E. A candidate eligible for admission to both parts of the examination must first successfully complete the fundamentals of engineering examination before being admitted to the principles and practice of engineering examination.
- F. Examinees will be given specific instructions as to the conduct of each examination at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate disciplinary action.
- G. Grading of the examinations shall be in accordance with national grading procedures established by NCEES.

Each part of the written examination will have a value of 100. A passing score shall be 70 and above. Candidates will be notified of passing or failing and their actual scores.
- H. Should an applicant not pass an examination within three years after being approved to sit for an examination, the applicant must reapply and meet all current entry requirements.
- I. The Fundamentals of Engineering examination may not be reviewed by the candidates. Examination scores are final and are not subject to change.

Upon written request to the board within 20 days of the mailing of exam results, candidates for the Principles and Practice of Engineering examination will be permitted to review only their own failed examination. Score appeals will only be accepted if the candidate received a score of 65 or above.

18 VAC 10-20-270. License by comity.

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

PART V

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

18 VAC 10-20-280. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application for Fundamentals of Surveying	\$ 45
Application for Principles of Surveying	50
Renewal	80
Application for Land Surveyor B	50
Comity	50
Out of State Proctor	50
Dishonored check	25

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$150 for the Fundamentals of Land Surveying, \$150 for the Principles of Land Surveying, \$90 for the Virginia State Examination and \$55 for the Land Surveyor B examination to the candidate.

18 VAC 10-20-290. Character.

Applicants must be of good moral character.

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

The education or experience, or both, and examination requirements for land surveyor-in-training (LSIT) are as follows:

1. An applicant who has graduated from or is enrolled in a board-approved surveying or surveying technology curriculum of four years or more approved by the board and is within 12 months of completion of degree requirements is eligible for the Fundamentals of Land Surveying examination. Upon passing such examination, and providing evidence of graduation, the applicant shall be a land surveyor-in-training, if the applicant is otherwise qualified. Applications must be accompanied by a certificate of good standing from the dean of the school.
2. An applicant who has graduated from a curriculum of four years or more related to surveying as approved by the board and with a specific record of one year of approved land surveying experience shall be admitted to the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be a land surveyor-in-training, if the applicant is otherwise qualified.
3. An applicant who has earned at least a four-year bachelor's degree in a field unrelated to surveying and with a specific record of two years of approved progressive land surveying experience shall be admitted to the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be a land surveyor-in-training, if the applicant is otherwise qualified.

4. An applicant who has graduated from a surveying curriculum of two years or more approved by the board with a specific record of four years of approved progressive land surveying experience, shall be admitted to the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be a land surveyor-in-training, if the applicant is otherwise qualified.
5. An applicant who has successfully completed a survey apprenticeship program approved by the board with at least 480 hours of surveying related classroom instruction with a specific record of six years of approved progressive land surveying experience, shall be admitted to the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be a land surveyor-in-training, if the applicant is otherwise qualified.
6. An applicant who has graduated from high school with evidence of successful completion of courses in algebra, geometry and trigonometry with a specific record of eight years of approved progressive land surveying experience, shall be admitted to the Fundamentals of Land Surveying examination. Applicants who have accumulated college credits may apply credit hours approved by the board to help meet the experience requirement. One year of experience credit will be given for 40 semester hours of approved college credit. Upon passing such examination, the applicant shall be a land surveyor-in-training, if the applicant is otherwise qualified.

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

A land surveyor-in-training with a specific record of four years of approved land surveying experience under the supervision of a licensed land surveyor, shall be admitted to an examination in the Principles and Practice of Land Surveying and a Virginia state examination. Upon passing such examination, the applicant shall be granted a license to practice land surveying, provided the applicant is otherwise qualified.

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

- A. An applicant shall hold a valid license as a land surveyor and present satisfactory evidence of two years of progressive land surveying experience in land surveyor B professional land surveying, as defined in §54.1-408 of the Code of Virginia, under the supervision and direction of a licensed land surveyor B or professional engineer.
- B. An applicant shall also present satisfactory evidence of having passed board- approved courses in hydraulics and hydrology.
- C. An applicant shall pass an examination as developed by the board. Upon passing such examination, the applicant shall be granted a license as a Land Surveyor B, if he is otherwise qualified.

18 VAC 10-20-330. Education.

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

18 VAC 10-20-340. Experience standards.

- A. "Approved land surveying experience" means diversified training in land surveying under the supervision and direction of a licensed land surveyor or under the supervision and direction of an individual authorized by statute to practice land surveying. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative and professional skill in the office and field. Experience may be gained either prior to or after education is obtained. Notwithstanding the definition of "approved land surveying experience," the requirements set forth in 18 VAC 10-20-310 shall not be waived.
- B. An applicant shall submit written verification from a licensed land surveyor or an individual authorized by statute to practice land surveying of work experience from each employment engagement utilized as land surveying experience on forms provided by the board.

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

- A. The examination for land surveying under §54.1-400 of the Code of Virginia shall consist of two parts. Part I shall consist of the Fundamentals of Land Surveying. Part II shall consist of an examination in the Principles and Practice of Land Surveying and a Virginia State examination. These examinations shall be given semiannually at times designated by the board.
- B. The examination for land surveying under §54.1-408 of the Code of Virginia (Land Surveyor B) shall be given at times designated by the board.
- C. Unless otherwise stated, applicants approved to sit for an examination must register and submit the required examination fee to be received in the board office at a time designated by the board. Applicants not properly registered shall not be allowed into the examination site.
- D. Candidates shall be notified of passing or failing but shall not be notified of actual scores. Only the board and its staff shall have access to examination papers, scores and answer sheets. Examinations may not be reviewed.
- E. Upon payment of a reexamination fee, an applicant may retake parts of the written examination which the applicant may have failed. Should the applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

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

All applicants for comity, after meeting the requirements of 18 VAC 10-20-40, must also comply with the provisions of 18 VAC 10-20-300 and 18 VAC 10-20-310. However, the applicant may be required to take such examinations as the board deems necessary to determine his qualifications, but in any event, the applicant shall be required to pass a written Virginia state examination. The examination shall

include questions on law, procedures and practices pertaining to land surveying in Virginia.

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

The following minimum standards and procedures are to be used for 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 boundary survey is correct to the best of the professional's knowledge and belief, and complies with the minimum standards and procedures.

A. 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 any other available data pertinent to the survey being performed from any other source that is known. Evidence found, from all sources, shall be carefully compared with that located and found in the field survey in order to aid in the establishment of the correct boundaries of the land being surveyed. The professional shall clearly note 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.

B. Minimum field procedures.

1. Angular measurement. Angle measurements made for traverse or boundary survey lines will be made by using a properly adjusted transit type instrument which allows a direct reading to a minimum accuracy of 30 seconds of arc or metric equivalent. The number of angles turned at a given station or corner will be the number which, in the judgment of the professional, can be used to substantiate the average true angle considering the condition of the instrument being used and the existing field conditions.
2. Linear measurement. Distance measurement for the lines of traverse or lines of the boundary survey shall be made with metal tapes which have been checked and are properly calibrated as to incremental distances, or with properly calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane and other necessary corrections performed before using for computing purposes.
3. Field traverse and boundary closure. The maximum permissible error of closure for a field traverse in connection with a boundary survey located in a rural area shall be one part in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. The maximum permissible error of closure for a traverse in connection with a boundary survey located in an urban area shall be one part in 20,000 (1/20,000). The attendant angular closure shall be that which will sustain the one part in 20,000 (1/20,000) maximum error of closure.
4. Monumentation. As a requisite for completion of the work product, each 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 boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and prescriptive road rights-of-way; and each such monument, other than a natural monument, shall, when

feasible, be identified by a temporary witness stake (which may be wooden). Where it is not feasible to set actual corners, appropriate reference monuments shall be set, preferably on line, and the location of each shall be shown on the plat or map of the boundary.

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

C. 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 boundary of the land involved.
2. Plats and maps. The following information shall be shown on all plats or maps, or both, used to depict the results of the boundary survey:
 - a. The title of the boundary plat identifying the land surveyed and showing the district and county or city in which the land is located and scale of drawing.
 - b. The name of owner of record and deed book reference where the acquisition was recorded.
 - c. Names of all adjoining owners of record with deed book references, or subdivision lot designations.
 - d. Names of highways and roads with route number, and widths of right-of-way, and or distance to the center of the physical pavement and pavement width, name of railroads, streams adjoining or running through the land, and other prominent or well-known objects or areas which are informative as to the location of the boundary survey including but not limited to a distance to the nearest road intersection, or prominent or well-known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.
 - e. Bearings of all property lines and meanders to nearest 10 seconds of arc, or metric equivalent.
 - f. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or metric equivalent.
 - g. Area to the nearest hundredth (.01) of an acre or metric equivalent for rural located surveys.
 - h. Area to the nearest square foot or thousandth (0.001) of an acre or metric equivalent for urban located surveys.
 - i. North arrow and source of meridian used for the survey.

- j. On interior surveys, a reference bearing and distance to a property corner of an adjoining owner or other prominent object, including but not limited to, intersecting streets or roads.
 - k. Tax map designation of parcel number if available.
 - l. Description of each monument found and each monument set by the professional.
 - m. A statement that the boundary survey shown is based on a current field survey. The application of the land surveyor's seal, signature and date shall constitute compliance with all the current standards of a boundary survey as of the date of the application of signature unless otherwise clearly stated in the title of the plat that the plat is to be construed otherwise.
 - n. If the land boundaries shown on the plat are the result of a compilation from deed or plats, or both, or based on a survey by others, that fact will be clearly stated and the title of the plat shall clearly depict that the plat does not represent a current boundary survey.
 - o. Name and address of the land surveyor.
3. Metes and bounds description. The professional shall prepare a metes and bounds description in narrative form, if requested by the client or their agent, for completion of any newly performed boundary survey. The description shall reflect all metes and bounds, the area of the property described, all pertinent monumentation, names of record owners or other appropriate identification of all adjoiners, 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. 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 boundary survey, such as a lot in a subdivision where it is unnecessary to revise the record boundaries of the lot.

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

- A. The following minimum standards and procedures are to be used for surveys determining the location of physical improvements on any parcel of land or lot containing less than two (2) acres or metric equivalent (sometimes also known as "building location surveys", "house location surveys", "physical surveys", etc.) in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the survey determining the location of physical improvements is correct to the best of the professional's knowledge and belief, and complies with the minimum standards and procedures set forth in this section.
- 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 B 4 of 18 VAC 10-20-370; all such monumentation other than natural monumentation, shall, when feasible, be identified by temporary witness markers (which may be wooden).

When the professional finds discrepancies of sufficient magnitude to warrant, in his opinion, the performance of a land boundary survey (pursuant to the provisions of 18 VAC 10-20-370), he shall so inform the client or the client's agent that such 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 the near proximity to the boundary lines and other fences which may reflect lines of occupancy or possession.
2. Other physical improvements on the property and all man-made or installed structures, including buildings, stoops, porches, chimneys, visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc), power lines and poles, and telephones lines and poles.
3. Cemeteries, if known or disclosed in the process of performing the survey; roads or travelways crossing the property which serve other properties; and streams, creeks, and other defined drainage ways.
4. Other visible evidence of physical encroachment on the property.

C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:

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 boundary survey has been performed in conjunction with the physical improvements survey. If needed to produce a closed polygon, the meander lines necessary to verify locations of streams, tidelands, lakes and swamps shall be shown. All bearings shall be shown in a clockwise direction, unless otherwise indicated.
2. North arrow, in accordance with record data.
3. Fences in the near proximity to the boundary lines and other fences which may reflect lines of occupancy or possession.
4. Improvements and other pertinent features on the property as located in the field pursuant to Subsection B above.
5. Physical encroachments, including fences, across a property line shall be identified and dimensioned with respect to the property line.
6. On parcels where compliance with restriction is in question, provide the closest dimension (to the nearest 0.1 foot) or metric equivalent from the front property line, side property line, and if pertinent, rear property line to the principal walls of each building. Also, all principal building dimensions (to the nearest 0.1 foot) or

metric equivalent.

7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed.
 8. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features.
 9. Street name(s), as posted or currently identified, and as per record data, if different from posted name.
 10. Distance to nearest intersection, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified.
 11. Building restriction line(s) per restrictive covenants, if shown on the record subdivision plat.
 12. The caption or title of the plat shall include: the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) of the record owner; town and/or county, or city; date of survey; and scale of drawing.
 13. Adjoining property identification.
 14. Easements and other encumbrances set forth on the record subdivision plat, and those otherwise known to the professional.
 15. A statement as to whether or not a current title report has been furnished to the professional.
 16. Professional's seal, signature and date.
- D. Notwithstanding the monumentation provisions of subsection B of this section, or any other provision of these regulations, a professional, in performing a physical improvements survey, shall not be required to set corner monumentation on any property when corner monumentation is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by §15.1-465 of the Code of Virginia, or by subdivision A 7 of §15.1-466 of the Code of Virginia, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty. When monumentation is not required, the surveyor shall clearly note on the plat "no corner markers set" and the reason to include name of guarantors.
- E. Moreover, notwithstanding the monumentation provisions of subsection B of this section or any other provisions of this chapter, a professional, in performing a physical improvements survey, shall not be required to set corner monumentation on any property (i) when corner monumentation has been set pursuant to the provisions of a local subdivision ordinance as mandated by §15.1-465 of the Code of Virginia, or by subdivision A 7 of §15.1-466 of the Code of Virginia or (ii) when the owner or contract purchaser, or a legal agent therefore, agrees in writing when the survey is ordered that such corner monumentation shall not be provided in connection with such physical improvements survey. When corner monumentation is not

provided, pursuant to such agreement, the land surveyor shall clearly reference on the plat the existing monumentation utilized to perform the physical improvements survey. The provisions of this subsection shall apply only to property located within the counties of Arlington, Fairfax, King George, Loudoun, Prince William, Spotsylvania, and Stafford; and the cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas and Manassas Park.

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

18 VAC 10-20-390. Geodetic Surveys.

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

PART VI

QUALIFICATIONS FOR CERTIFICATION OF LANDSCAPE ARCHITECTS

18 VAC 10-20-400. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 75
Renewal	75
Out of State Proctor	50
Dishonored checks	25

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). The current examination shall not exceed a cost of \$630 for the entire Landscape Architect Registration Examination (LARE) or \$160 per Division.

18 VAC 10-20-410. Character.

Applicants must be of good moral character.

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

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

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

18 VAC 10-20-430. Experience standard.

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

18 VAC 10-20-440. Examination.

- A. All applicants for original certification in Virginia are required to pass the Landscape Architect Registration Examination (LARE) or equivalent after meeting the education and experience requirements as provided in these regulations.
- B. The Virginia board is a member of the Council of Landscape Architectural Registration Boards

(CLARB) and as such is authorized to administer the CLARB examinations.

- C. The Landscape Architect Registration Examination (LARE) will be offered at least once per year at a time designated by the board.
- D. Grading of the examination shall be in accordance with the national grading procedures established by CLARB. The board shall adopt the scoring procedures recommended by CLARB.
- E. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee to be received in the board office no later than 75 days before the next administration of the examination. Applicants not properly registered shall not be allowed into the examination site.
- F. Examinees will be given specific instructions as to the conduct of each section of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination. Evidence of misconduct may result in voided examination scores or other appropriate action.
- G. Examinees will be advised only of their passing or failing score and the CLARB minimum passing or failing score. Only the board and its staff shall have access to examination papers, scores and answer sheets.
- H. Upon written request to the board within 30 days of receiving examination results, examinees will be permitted to view individually their own performance problems for failed sections only. Examination appeals are permitted in accordance with the CLARB score verification process.
- I. Should an applicant not pass an examination within three years after being approved, the applicant must reapply and meet all current entry requirements.

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

Any applicant who has passed an examination in another jurisdiction of the United States or province of Canada comparable to the examination required by this chapter or who is CLARB certified and who is currently licensed or certified in another jurisdiction of the United States or province of Canada may have the required Virginia examinations waived, provided that all other qualifications are met.

**TABLE II.
TABLE OF EQUIVALENTS FOR EDUCATION AND EXPERIENCE
FOR CERTIFIED LANDSCAPE ARCHITECTS**

DESCRIPTIONS	EDUCATION CREDITS			EXPERIENCE CREDITS	
	First Two Years	Succeeding Years	Max Credit Allowed	Credit Allowed	Max Credit Allowed
A-1 Credits toward a degree in landscape architecture from an accredited school of landscape architecture	100%	100%	4 years		
A-2 Degree in landscape architecture or credits toward that degree from a nonaccredited school of landscape architecture.	100%	100%	4 years		
A-3 Degree or credits toward that degree in an allied professional discipline, i.e., architecture, civil engineering, environmental science, approved by the board.	75%	100%	3 years		
A-4 Any other bachelor degree, or credits toward that degree.	50%	75%	2 years		
A-5 Diversified experience in landscape architecture under the direct supervision of a certified landscape architect.				100%	No limit
A-6 Diversified experience directly related to landscape architecture when under the direct supervision of an architect, civil engineer, or "credentialed" planner.				50%	4 years

EXPLANATION OF REQUIREMENTS

B-1 Education Credits. Education credits shall be subject to the following conditions:

- B-1.1. Applicants with a degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program.
- .2. With a passing grade, 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions greater than one-half year will be counted one-half year and smaller fractions will not be counted.

B-2 Experience Credits. Experience credits shall be subject to the following conditions:

- B-2.1. Every applicant must earn at least two years of experience under category A-5. An applicant who has no education credits must earn at least four years of experience under category A-5.

PART VII

QUALIFICATIONS FOR CERTIFICATION OF INTERIOR DESIGNERS

18 VAC 10-20-460. Definitions.

The following definitions shall apply in the regulations relating to the certification of interior designers.

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

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

18 VAC 10-20-470. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 45
Renewal	45
Dishonored check	25

18 VAC 10-20-480. Character.

Applicants must be of good moral character.

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

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

1. The applicant shall hold a four-year degree from an institution accredited by the Foundation for Interior Design Education Research (FIDER) or an equivalent accrediting organization approved by the board; have two years of monitored experience; and have passed the examination for certification as an interior designer.
2. Monitored experience gained under the supervision of a professional engineer shall be discounted at 50% with a maximum credit of six months.

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

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 the qualifications required are equal, in the opinion of the board, to those required by the provisions of this chapter as of the date of application, and in which the applicant is the holder of a license or certificate in good standing. Upon receipt of such satisfactory evidence and provided all other requirements of this chapter are complied with, a certificate shall be issued to such applicant (§ 54.1-415 of the Code of Virginia).

PART VIII

QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL CORPORATION

18 VAC 10-20-510. Definitions.

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

18 VAC 10-20-520. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 10
Designation for branch office	10
Renewal	15
Renewal of branch office	15
Reinstatement of branch office	25
Dishonored check	25

18 VAC 10-20-530. Application requirements.

- A. All applicants shall have been incorporated in the Commonwealth of Virginia, or, if a foreign professional corporation, shall have obtained a certificate of authority to do business in Virginia from the State Corporation Commission, in accordance with §13.1-544.2 of the Code of Virginia.
- B. Each application shall include certified true copies of the articles of incorporation, bylaws and charter, and, if a foreign professional corporation, the certificate of authority issued by the State Corporation Commission.
- C. Articles of incorporation and bylaws. The following statements are required:
 - 1. The articles of incorporation or bylaws shall specifically state that cumulative voting is prohibited.
 - 2. The bylaws shall state that at least 2/3 of the capital stock must be held by persons duly licensed to render the services of an architect, professional engineer or land surveyor, or duly certified to render the services of a landscape architect. The remainder of the stock may be issued only to and held by individuals who are employees of the corporation.
 - 3. The bylaws shall state that nonlicensed or noncertified individuals will not have a voice or standing in any matter affecting the practice of the corporation requiring professional expertise or considered professional practice, or both.
- D. Board of directors. A corporation may elect to its board of directors not more than 1/3 of its members who are employees of the corporation and are not authorized to render professional services.

At least 2/3 of the board of directors shall be licensed to render the services of architecture, professional engineering or land surveying, or be certified to render the services of landscape

architecture, or any combination thereof.

At least one director currently licensed or certified in each profession offered or practiced shall devote substantially full time to the business of the corporation to provide effective supervision and control of the final professional product.

- E. Joint ownership of stock. Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated.
- F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.
- G. Branch offices. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.

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

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

18 VAC 10-20-550. Foreign corporations.

In addition to these regulations, the bylaws shall state that the corporation's activities shall be limited to rendering the services of architecture, professional engineering, land surveying and landscape architecture, or any combination thereof.

The corporation shall provide the name and address of each stockholder of the corporation who will be providing the professional service(s) in Virginia and whether such stockholder is licensed or certified to perform the professional service(s) in Virginia.

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

- A. Amendments to charter, articles of incorporation or bylaws. A corporation holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of incorporation, bylaws or charter.
- B. Change in directors or shareholders. In the event there is a change in corporate directors or shareholders, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining directors and shareholders of the corporation unless an employee of the firm holds the appropriate license or certificate and is competent to render such professional services. In the event that such change results in noncompliance with this chapter and applicable statutes, the certificate of authority shall be suspended until such time as the corporation comes into compliance with this chapter. The corporation shall notify the board within 30 days of any such change.
- C. Change of name, address and place of business. Any change of name (including assumed names)

address, place of business in Virginia, or person(s) in responsible charge of the profession(s) practiced or offered at each place of business, shall be reported to the board within 30 days of such an occurrence.

18 VAC 10-20-565. Renewal of Branch Offices.

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

PART IX

QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL LIMITED LIABILITY COMPANY

18 VAC 10-20-570. Definitions.

The following words and terms when used in this part, shall have the following meanings, unless the context clearly indicates otherwise:

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

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

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

18 VAC 10-20-580. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 40
Designation for branch office	15
Renewal	20
Renewal of branch office	20
Reinstatement of branch office	25
Dishonored check	25

18 VAC 10-20-590. Application requirements.

- A. All applicants shall have obtained a certificate of organization in the Commonwealth of Virginia or, if a foreign professional limited liability company, shall have obtained a certificate of registration to do business in Virginia from the State Corporation Commission, in accordance with §13.1-1105 of the Code of Virginia.
- B. Each application shall include a certified true copy of the certificate of organization or, if a foreign professional limited liability company, a certificate of registration issued by the State Corporation Commission.
- C. Each application shall be accompanied by a written affirmative affidavit that attests to the following inclusions to the articles of organization or operating agreement.
 1. The articles of organization or operating agreement shall state the specific purpose of the professional limited liability company.

2. The articles of organization or operating agreement shall attest that membership is composed of one or more individuals or professional business entities, and at least 2/3 of the membership interests are held by individuals or professional business entities which are duly licensed or registered to render professional services within the Commonwealth of Virginia. The remaining membership interest may be held only by employees of the company whether or not they are licensed or otherwise legally authorized to render professional services.
 3. The articles of organization or operating agreement shall attest that all members, managers, employees and agents who render professional services of architecture, professional engineering, land surveying or landscape architecture are duly licensed to provide those services.
 4. The person executing the document shall sign it and state beneath his signature his name and the capacity in which he signs.
- D. Unless the articles of organization or an operating agreement provides for management of a professional limited liability company by a manager or managers, management of a limited liability company shall be vested in its members, all of which must be duly licensed or otherwise legally authorized to render the professional services within the Commonwealth for which company was formed.
- The manager must be an individual or professional business entity duly licensed or otherwise legally authorized to render the same professional services within the Commonwealth for which the company was formed.
- E. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.
- F. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.

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

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

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

In addition to the requirements of these regulations, the articles of organization or operating agreement shall state that the professional limited liability company's activities shall be limited to rendering the professional services of architecture, professional engineering, land surveying and landscape architecture, or any combination thereof.

The professional limited liability company shall provide the name and address of each manager or member who will be providing the professional service(s) in Virginia and whether such manager or member is licensed or certified to perform the professional service(s) in Virginia.

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

- A. A professional limited liability company holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the board, within 30 days of its adoption, a certified true copy of any amendment to the articles of organization, operating agreement or certificate of organization.
- B. In the event there is a change of professional limited liability company managers or members, whether the change is temporary or permanent and whether it may be caused by death, resignation or otherwise, the certificate of authority shall be automatically modified to be limited to that professional practice permitted by those pertinent licenses or certificates held by the remaining managers or members of the professional limited liability company. Unless otherwise provided, in the event that such change results in noncompliance with these regulations and applicable statutes, the certificate of authority shall be automatically suspended until such time as the professional limited liability company comes into compliance with these regulations. The professional limited liability company shall notify the board within 30 days of any such change.

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

- C. Any change of name (including assumed names), address, place of business in Virginia, registered agent or person(s) in responsible charge of the profession(s) practiced or offered shall be reported to the board within 30 days of such an occurrence.

18 VAC 10-20-625. Renewal of Branch Offices.

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

PART X

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

18 VAC 10-20-630. Fee schedule.

All fees are nonrefundable and shall not be prorated.

Application	\$ 40
Designation for branch office	15
Renewal	20
Renewal of branch office	20
Reinstatement of branch office	25
Dishonored check	25

18 VAC 10-20-640. Application requirements.

- A. In accordance with §54.1-411 of the Code of Virginia, applicants shall register with the board on a form approved by the board.
- B. If a partnership, a copy of the partnership agreement shall be included with the application.
- C. If a corporation, the application shall include certified true copies of the articles of incorporation, bylaws and charter, and if a foreign corporation, a certificate of authority issued by the State Corporation Commission.
- D. If a limited liability company, the application shall include a certified true copy of the certificate of organization issued by the State Corporation Commission, and, if a foreign limited liability company, a certified true copy of the certificate of authority issued by the State Corporation Commission.
- E. If professional services are offered or rendered in a branch office, a separate branch office designation form shall be completed for each branch office located in Virginia. Persons in responsible charge shall be designated in accordance with this chapter.
- F. The name of the business and any assumed, fictitious, trading as, or doing business as names of the firm shall be disclosed on the application.

18 VAC 10-20-650. Registration certification.

The application shall contain an affidavit by an authorized official in the corporation, partnership, sole proprietorship, limited liability company, or other entity unit that the practice of architecture, professional engineering, land surveying or certified landscape architecture to be done by that entity shall be under the direct control and personal supervision of the licensed or certified full-time employees identified in the application as responsible for the practice. In addition, the licensed or certified employees responsible for the practice shall sign their names indicating that they are full-time employees and in responsible charge, and that they understand and shall comply with all statutes and regulations of the board.

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

Any changes of status, including but not limited to change in entity, name (including assumed names), address, place of business or persons in responsible charge of the professions practiced or offered at each place of business, shall be reported to the board within 30 days of such an occurrence.

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

18 VAC 10-20-665. Renewal of Branch Offices.

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

PART XI

RENEWAL AND REINSTATEMENT

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

- A. Prior to the expiration date shown on the license, certificate or registration, licenses, certificates or registrations shall be renewed for a two-year period upon completion of a renewal application and payment of a fee established by the board. An applicant must certify continued compliance with the Standards of Practice and Conduct as established by the board. Registrations for professional corporations, professional limited liability companies and business entities shall expire on December 31 of each odd-numbered year. Branch offices may not renew until the main office registration is properly renewed.
- B. Failure to receive a renewal notice and application shall not relieve the regulant of the responsibility to renew. If the regulant fails to receive the renewal notice, a copy of the license, certificate or registration may be submitted with the required fee as an application for renewal, accompanied by a signed statement indicating that the applicant continues to comply with the Standards of Practice and Conduct of the board under whose authority the license, certificate or registration is issued.
- C. Board discretion to deny renewal. The board may deny renewal of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.
- D. If the renewal fee is not received by the board within 30 days following the expiration date noted on the license, certificate or registration, a late renewal fee equal to the regular fee plus \$25 shall be required, unless a reinstatement fee is otherwise noted.

18 VAC 10-20-680. Reinstatement.

- A. If the license, certificate or registration has expired for six months or more, but less than five years, the regulant shall be required to submit a new application, which shall be evaluated by the board to determine if the applicant meets the renewal requirements. In addition, a reinstatement fee equal to the regular renewal fee plus \$100 shall be required.
- B. If the license, certificate or registration has expired for five years or more, the regulant will be required to submit a new application, meet current entry requirements, and submit a reinstatement fee equal to the regular renewal fee plus \$250. In addition, the board may require the applicant to submit to an examination.
- C. Board discretion to deny reinstatement. The board may deny reinstatement of a license, certificate or registration for the same reasons as it may refuse initial licensure, certification or registration or discipline a regulant.
- D. The date the renewal application and fee are received in the office of the board shall determine whether a license, certificate or registration shall be renewed without late renewal or reinstatement, or shall be subject to reinstatement application procedures.
- E. A license, certificate or registration that is reinstated shall be regarded as having been continuously licensed without interruption. Therefore, the license, certificate or registration

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

PART XII

STANDARDS OF PRACTICE AND CONDUCT

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

The primary obligation of the professional is to the public. If the professional judgment of the regulant is overruled under circumstances when the safety, health, property and welfare of the public are endangered, the professional shall inform the employer or client of the possible consequences and notify appropriate authorities.

18 VAC 10-20-700. Public statements.

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

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

- A. The professional shall promptly and fully inform an employer or client of any business association, interest, or circumstance or circumstances which may influence the professional's judgment or the quality of service.
- B. The professional 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 in writing to all parties of current interest.
- C. The professional shall neither solicit nor accept financial or other valuable consideration from suppliers for specifying their products or services.
- D. The professional shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the professional is responsible.

18 VAC 10-20-720. Solicitation of work.

In the course of soliciting work:

1. The professional shall not bribe.
2. The professional shall not falsify or permit misrepresentation of the professional's work or an associate's academic or professional qualifications, nor shall the professional misrepresent the degree of responsibility for prior assignments. Materials used in the solicitation of employment shall not misrepresent facts concerning employers, employees, associates, joint ventures or past accomplishments of any kind.

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

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

18 VAC 10-20-740. Professional responsibility.

- A. The professional shall not knowingly associate in a business venture with, or permit the use of the professional's name or firm name by any person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.
- B. A professional who has direct knowledge that another individual or firm may be violating any of these provisions, or the provisions of Chapters 1 through 4 of Title 54.1, or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, shall immediately inform the secretary of the board in writing and shall cooperate in furnishing any further information or assistance that may be required.
- C. The professional shall, upon request or demand, produce to the board, or any of its agents, any plan, document, book, record or copy thereof in his possession concerning a transaction covered by this chapter, and shall cooperate in the investigation of a complaint filed with the board against a licensee or certificate holder.
- D. A professional shall not utilize the design, drawings or work of another professional without the knowledge and written consent of the professional or organization of ownership that originated the design, drawings or work. In the event that the professional who generated the original document is no longer employed by the design firm retaining ownership of the original documents or is deceased, another professional who is a partner or officer in the

design firm retaining ownership of the original documents may authorize utilization of the original documents by another professional or firm.

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

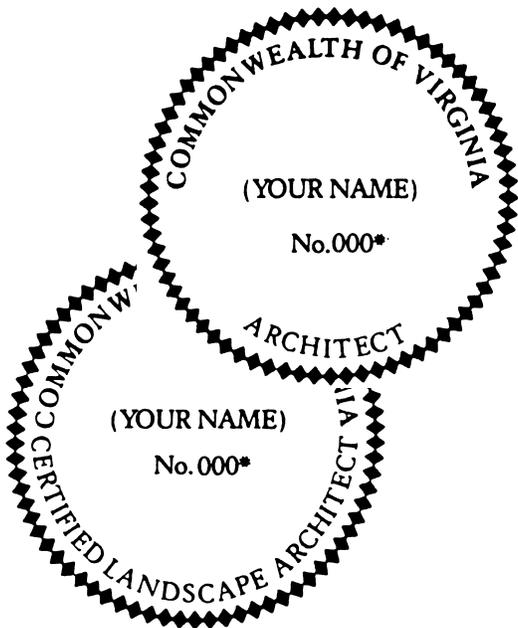
18 VAC 10-20-750. Good standing in other jurisdictions.

A professional licensed or certified to practice architecture, professional engineering, land surveying, landscape architecture or interior design in other jurisdictions shall be in good standing in every jurisdiction where licensed or certified, and shall not have had a license or certificate suspended, revoked or surrendered in connection with a disciplinary action or who has been the subject of discipline in another jurisdiction.

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

- A. The application of a professional seal shall indicate that the professional has exercised complete direction and control over the work to which it is affixed. Therefore, no regulant shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person or firm unless such work was performed under the direction and supervision of the regulant while under the regulant's contract or while employed by the same firm as the regulant. If a regulant is unable to seal completed professional work, such work may be sealed by another regulant only after thorough review and verification of the work has been accomplished to the same extent that would have been exercised if the work had been done under the complete direction and control of the regulant affixing the professional seal.
- B. A principal or authorized licensed or certified employee shall apply a stamp or preprinted seal to final and complete original cover sheets of plans, drawings, plats, technical reports and specifications and to each original sheet of plans, drawings or plats, prepared by the regulant or someone under his direct control and personal supervision.
 - 1. All seal imprints on final documents shall bear an original signature and date. "Final Documents" are completed documents or copies submitted on a client's behalf for approval by authorities or recordation. In such cases, the cover sheet of the documents or copies shall contain a list of drawings included in the set on which a seal, original signature and date will be affixed for all regulated disciplines. Every page of the submission, other than the cover, may be reproduced from originals which contain the seal, original signature and date by each discipline responsible for the work. A seal, original signature and date is only required on the cover sheet.
 - 2. Incomplete plans, documents and sketches, whether advance or preliminary copies, shall be so identified and need not be sealed or signed.

3. All plans, drawings or plats prepared by the regulant shall bear the regulant's name or firm name, address and project name.
4. The seal of each regulant responsible for each profession shall be used and shall be on the originals, including the document cover sheet, for which that professional is responsible, including exempted work, for which licensure or certification is not required, prepared under the regulant's direction.
5. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.
6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:



* The number referred to is the six digit number as shown on the license or certificate. The number is permanent.

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

Nothing shall be contained in the name, letterhead or other styling of a professional practice implying a relationship, ability or condition which does not exist.

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

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

- A. Corporations, partnerships, firms, sole proprietorships, other legal entities and the professional in responsible charge maintaining a place of business in the Commonwealth of Virginia for the purpose of offering to provide architectural, engineering, land surveying, or certified landscape architectural services practiced at more than one location shall have an authorized full-time Virginia licensed architect, professional engineer, land surveyor, or certified landscape architect in responsible charge of the respective profession being offered in each place of business.
- B. Corporations, partnerships, firms, sole proprietorships, other legal entities and the professional in responsible charge maintaining any place of business in the Commonwealth of Virginia for the purpose of practicing architecture, engineering, land surveying, or certified landscape architecture at that location, shall have in responsible charge at each place of business a full-time Virginia licensed architect, professional engineer, land surveyor, or certified landscape architect in residence exercising supervision and control of work in each profession being practiced.

18 VAC 10-20-790. Sanctions.

- A. No license, certificate, or registration shall be suspended or revoked, nor shall any regulant be fined unless a majority of the members of the entire board and a majority of the board members of the profession involved, who are eligible to vote, vote for the action. The board may suspend or revoke any license, certificate, certificate of authority or registration, or fine any regulant, if the board finds that:
 - 1. The license, certification or registration was obtained or renewed through fraud or

misrepresentation;

2. The regulant has been found guilty by the board, or by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted, pleaded guilty or found guilty, regardless of adjudication or deferred adjudication, of any felony or misdemeanor which, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline;
 3. The regulant is guilty of professional incompetence or negligence;
 4. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
 5. The regulant violates any standard of practice and conduct, as defined in this chapter; or
 6. The regulant violates or induces others to violate any provision of Chapters 1 through 4 of Title 54.1 or Chapters 7 and 13 of Title 13.1 of the Code of Virginia, or any other statute applicable to the practice of the professions herein regulated, or any provision of this chapter.
- B. If evidence is furnished to the board which creates doubt as to the competency of a regulant to perform professional assignments, the board may require the regulant to prove competence by interview, presentation or examination.

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

18 VAC 10-20-795. Change of Address.

All regulants shall notify the board of any change of address, in writing, within 30 days of making the change. When submitting a change of address, any regulant holding more than one license, certificate or registration shall inform the Board of all licenses, certificates or registrations affected by the change.

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 1999 session. Any changes made during the 1999 session became effective July 1, 1999, 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.	54.1-405.	Examinations and issuance of licenses and certificates.
Architects, Engineers, Surveyors and Landscape Architects.	54.1-406.	License required.
	54.1-407.	Land surveying.
	54.1-408.	Practice of land surveying; subdivisions.
54.1-400. Definitions.	54.1-409.	Landscape architecture.
54.1-401. Exemptions.	54.1-410.	Other building laws not affected; duties of public officials.
54.1-402. Further exemptions from license requirements for architects and professional engineers.	54.1-411.	Organization for practice; registration.
54.1-402.1. State and local government employees; license exemptions for persons employed prior to March 8, 1992.	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.
54.1-404.1. Education and experience requirements continued.	54.1-413.	Examination.
	54.1-414.	Issuance of certification.
	54.1-415.	Waiver of examination.

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 his 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.

The "practice of architecture" means any service wherein the principles and methods of architecture are applied, such as consultation, investigation, evaluation, planning and design, and includes the responsible administration of construction contracts, 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.

"Certified landscape architect" means a person who, by reason of his special 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 certification as a landscape architect.

The "practice of landscape architecture" by a certified 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 supervision or administration of contracts relative to projects principally directed at the functional and aesthetic use of land.

"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, and water and wastewater treatment and distribution systems.

"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 his 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.

"Professional engineer" means a person who is qualified to practice engineering by reason of his special 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, transportation systems and work systems, including responsible administration of construction contracts. The term "practice of engineering" shall not include the service or maintenance of existing electrical or mechanical systems.

"Responsible charge" means the direct control and supervision of the practice of architecture, professional engineering, or land surveying.

§ 54.1-401. Exemptions.

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

1. Practice of professional engineering and land surveying by a licensed architect when such practice is incidental to what may be properly considered an architectural undertaking.
2. Practice of architecture and land surveying by a licensed professional engineer when such practice is incidental to an engineering project.
3. Practice as a professional engineer, architect or certified landscape architect in this Commonwealth by any person not a resident of and having no established place of business in this Commonwealth, or by any person resident in this Commonwealth whose arrival is recent, provided that such person is otherwise qualified for such professional service in another state or country and qualifies in Virginia and files prior to commencement of such practice an application, with the required fee, for licensure as a professional engineer or architect or certification as a landscape architect. The exemption shall continue until the Board has had sufficient time to consider the application and grant or deny licensure or certification.
4. 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, or engaging in the practice of land surveying as an employee under a licensed land surveyor; provided, that such practice shall not include responsible charge of design or supervision.
5. Practice of professional engineering, architecture or land surveying solely as an employee of the United States. However, the employee 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 or land surveying matters.
6. Practice of architecture or professional engineering by an individual, firm or corporation on property owned or leased by such individual, firm or corporation, unless the public health or safety is involved.
7. 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.

§ 54.1-402. Further exemptions from license requirements for architects and professional engineers.

- A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents and designs 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 multi-family dwellings, excluding electrical and mechanical systems, not exceeding three stories; 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
 4. 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
 5. Additions, remodeling or interior design 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
 6. 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:

- 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
7. 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 300ø F (150ø 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
8. 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 (i) will be reviewed by the licensed professional engineer or architect responsible for the project or (ii) are otherwise exempted; or
9. 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
10. Construction by a state agency or political subdivision not exceeding \$75,000 in value keyed to the January 1, 1991, Consumer Price Index (CPI) and not otherwise requiring a licensed architect, engineer, or land surveyor by an adopted code and maintenance by that state agency or political subdivision of water distribution, sewage collection, storm drainage systems, sidewalks, streets, curbs, gutters, culverts, and other facilities normally and customarily constructed and maintained by the public works department of the state agency or political subdivision.
- B. No person shall be exempt from licensure as an architect or engineer who engages in the preparation of plans, specifications, documents or designs for:
- 1. Any unique design of structural elements for floors, walls, roofs or foundations; or
 - 2. Any building or structure classified with respect to its use as high hazard (Use Group H).
- C. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings provided in the Uniform Statewide Building Code in effect on July 1, 1982, including any subsequent amendments.

§ 54.1-402.1. State and local government employees; license exemptions for persons employed prior to March 8, 1992.

Any person engaged in the practice of engineering, architecture, or land surveying as those terms are defined in § 54.1-400 as a regular, full-time, salaried employee of the Commonwealth or any political subdivision of the Commonwealth on March 8, 1992, who remains employed by any state agency or political subdivision shall be exempt until June 30, 2010, from the licensure requirements of § 54.1-406 provided the employee does not furnish advisory service for compensation to the public or as an independent contracting party in this Commonwealth or any political subdivision thereof in connection with engineering, architectural, or land surveying matters. The chief administrative officer of any agency of the Commonwealth or political subdivision thereof employing persons engaged in the practice of engineering, architecture, or land surveying as regular, full-time, salaried employees shall have the authority and responsibility to determine the engineering, architecture, and land surveying positions which have responsible charge of engineering, architectural, or land surveying decisions.

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

A. The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects shall be composed of thirteen members as follows: three architects, three professional engineers, three land surveyors, two certified landscape architects and two certified interior designers. However, the two certified interior designer members initially appointed to the Board shall be qualified for certification pursuant to this chapter. Each interior designer appointment to the Board may be made from nominations submitted by the Council of Certified Virginia Interior Designers, who shall nominate three persons for each interior designer vacancy. In no case shall the Governor be bound to make any appointment from the nominees.

Board members shall have actively practiced or taught their professions for at least ten years prior to their appointments. The terms of Board members shall be four years unless otherwise provided in subsection B. The Board shall elect a president and vice-president from its membership.

Eight Board members, consisting of two engineers, two architects, two land surveyors, one certified landscape architect and one interior designer, shall constitute a quorum.

B. 1. Of the 1998 appointments, the terms shall be as follows: the landscape architect shall serve a one-year term, one interior designer shall serve a two-year term and one interior designer shall serve a four-year term. Of the 2000 appointments, the terms shall be as follows: one architect shall serve a three-year term, one architect shall serve a four-year term, one professional engineer shall serve a two-year term, one professional engineer shall serve a four-year term, one land surveyor shall serve a two-year term, and one land surveyor shall serve a three-year term. Of the 2001 appointments, the terms shall be as follows: the architect shall serve a four-year term, the professional engineer shall serve a four-year term, the land surveyor shall serve a three-year term, and the landscape architect shall serve a four-year term.

2. Any appointments to a term of less than four years as specified in subdivision 1 shall not be considered a full term pursuant to § 54.1-107.

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

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.

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 avoidance by professionals of conflicts of interests;
4. The prohibition of solicitation or acceptance of work by professionals on any basis other than their qualifications for the work offered;
5. The restriction by the professional in the conduct of his professional activity from association with any person engaging in illegal or dishonest activities; or
6. The limitation of professional service to the area of competence of each professional.

§ 54.1-404.1. Education and experience requirements continued.

All applicants for licensure as an architect shall be governed by the Board's rules and regulations effective February 1, 1992, except § 3.3 B of VR 130-01-2, until December 31, 1997.

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

The Board shall hold at least one examination each year at times and locations designated by the Board. A license to practice as a professional engineer, an architect, or a land surveyor, or a certificate to practice as 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 during the life of the holder unless revoked or

suspended by the Board. A license holder must register with the Board to practice in the Commonwealth. The licenses or certificates shall be signed by at least four members of the Board.

§ 54.1-406. License required.

A. Unless exempted by §§ 54.1-401, 54.1-402, or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

Unless exempted by § 54.1-401 or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of land surveying.

B. Unless exempted by § 54.1-402, any person, partnership, corporation or other entity offering to practice architecture, engineering, or land surveying without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § 54.1-111 of this title.

C. Any person, partnership, corporation or other 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" or "land surveying" 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 or land surveying as defined in this chapter shall be subject to the provisions of § 54.1-111.

D. Notwithstanding these provisions, any state agency or political subdivision of the Commonwealth unable to employ a qualified licensed engineer, architect, or land surveyor 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.

E. Through June 30, 2002, any full-time, salaried employee of the Commonwealth or any political subdivision of the Commonwealth on June 30, 1992, who has graduated from an engineering, engineering technology, or related science curriculum of four years or more, and who has acquired a specific record of thirty years or more of approved progressive professional experience on engineering projects of a grade and character which the Board judges to be pertinent to acquiring professional skills, demonstrating that the individual is eminently qualified to practice engineering, shall qualify for an oral examination for licensure in accordance with the rules and regulations of the Board as adopted May 17, 1990.

F. Notwithstanding the provisions of this section, a contractor who is licensed pursuant to the provisions of Chapter 11 (§ 54.1-1100 et seq.) of this title shall not be required to be licensed or registered to practice in accordance with this chapter when negotiating design-build contracts or performing services other than architectural, engineering or land surveying services under a design-build contract. The architectural, engineering or land surveying services offered or rendered in connection with such contracts shall only be offered and rendered by an architect, engineer or land surveyor licensed in accordance with this chapter.

§ 54.1-407. Land surveying.

Notwithstanding the provisions of any regulation promulgated by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, a land surveyor shall not be required by Board regulations to set corner monumentation or perform a boundary survey on any property when (i) corner monumentation has been set or is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.2-2240 or subdivision 7 of § 15.2-2241, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty, or (ii) the purpose of the survey is to determine the location of the physical improvements on the said property only, if the prospective mortgagor or legal agent ordering the survey agrees in writing that such corner monumentation shall not be provided in connection with any such physical improvements survey. The provisions of this section shall apply only to property located within the Counties of Arlington, Fairfax, King George, Loudoun, Prince William, Spotsylvania and Stafford; and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas and Manassas Park.

§ 54.1-408. Practice of land surveying; subdivisions.

In addition to the work defined in § 54.1-400, 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 § 54.1-400. 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 § 54.1-400 shall be construed to include engineering design and the preparation of plans and specifications for construction.

§ 54.1-409. Landscape architecture.

Resulting plans and specifications, submitted under the seal, stamp or certification of a certified landscape architect, may be accepted 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. Nothing contained herein or in the definition of "practice of landscape architecture" in § 54.1-400 shall be construed to restrict or otherwise affect the right of any nurseryman, uncertified landscape architect, landscape designer, land planner, community planner, landscape gardener, golf course designer, turf maintenance specialist or any other similar person from engaging in such occupation, or from rendering any service in connection therewith that is not otherwise proscribed. No person shall hold himself out as, or use the title of, "certified landscape architect," unless he has been certified pursuant to the provisions of this chapter.

§ 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 § 36-97, 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, certified or authorized pursuant to this chapter in any case in which the exemptions contained in §§ 54.1-401, 54.1-402 or § 54.1-402.1 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 or certified pursuant to 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 or the offering of the title of certified landscape architecture 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 such organization shall limit the liability of any licensee or certificate holder for

damages arising from his acts or limit such corporation, partnership, sole proprietorship, limited liability company, or other entity from liability for acts of its employees or agents. 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, be prohibited from (i) purchasing or maintaining insurance against any such liability; (ii) entering into any indemnification agreement with respect to any such liability; or (iii) receiving indemnification as a result of any such liability.

B. Except for professional corporations holding a certificate of authority issued in accordance with § 13.1-549, professional limited liability companies holding a certificate of authority issued in accordance with § 13.1-1111, and sole proprietorships that do not employ other individuals for which licensing is required, any person, corporation, partnership, limited liability company, or other entity offering or rendering the practice of architecture, engineering, land surveying or offering the title of certified landscape architecture shall register with the Board. As a condition of registration, the entity shall name at least one licensed architect, professional engineer, land surveyor or certified landscape architect 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.

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.

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.

§ 54.1-415. Waiver of examination.

A. Any person who used or was identified by the title of interior designer for at least five years prior to the

effective date of the initial regulations of the Board pertaining to interior designers and who would be eligible by education and experience in accordance with the requirements of § 54.1-414, or who has previously passed the examination of the National Council of Interior Design Qualification or an equivalent examination approved by the Board shall be entitled to apply to and secure from the Board, without written examination, a certificate pursuant to the provisions of this chapter, provided all other requirements of this chapter pertaining to interior designers are complied with and application is made on or before July 1, 1995.

B. Notwithstanding the provisions of § 54.1-414 and subsection A of this section, any person who (i) used or was identified by the title of interior designer for at least ten years prior to the effective date of the initial regulations of the Board pertaining to interior designers, (ii) is a graduate of a minimum four-year degree program, and (iii) can demonstrate to the Board satisfactory evidence of his professional competence, shall be entitled to secure from the Board, without written examination, a certificate pursuant to the provisions of this chapter, provided all other requirements of this chapter pertaining to interior designers are complied with and application is or has been made on or before July 1, 1995.

C. A person shall be deemed to have used or been identified by the title of interior designer within the meaning and intent of this section if during the period referred to in subsections A and B of this section he was, either on his own account or in the course of regular employment, rendering or offering to render to another person interior design services as defined in § 54.1-400 of this chapter, or was regularly engaged in the teaching of interior design at a college or university with an accredited program recognized by the Board leading to a degree in interior design. Any combination of rendering services and teaching during the applicable period shall satisfy the requirements of this section.

D. 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 the qualifications required are equal, in the opinion of the Board, to those required by the provisions of this chapter as of the date of application, and in which the applicant is the holder of a license or certificate in good standing. Upon receipt of such satisfactory evidence and provided all other 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, land surveyors and certified landscape architects.

A corporation rendering the services of architects, professional engineers, land surveyors and certified landscape architects, or any combination thereof, shall issue not less than two-thirds of its capital stock to individuals duly licensed or otherwise legally authorized to render the services of architect, professional engineer, land surveyor or certified landscape architect, and the remainder of said stock may be issued only to and held by individuals who are employees of the corporation whether or not such employees are licensed or otherwise authorized to render professional services. No other professional corporation may issue any of its capital stock to anyone other than an individual who is duly licensed or otherwise legally authorized to render the same specific professional services as those for which the corporation was incorporated. Notwithstanding the above limitations a professional corporation may issue its stock to a partnership each of the partners of which is duly licensed or otherwise legally authorized to render the same professional services as those for which the corporation was incorporated.

It is further provided, as an additional prerequisite for a corporation engaging in the practice of the professions of architecture, professional engineering, land surveying, or certified landscape architecture or any combination thereof, that 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 (§ 54.1-600 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 certified landscape architects.

Not less than two-thirds of the membership interests of a professional limited liability company rendering the services of architects, professional engineers, land surveyors and certified landscape architects, or any combination thereof, shall be held by individuals or professional business entities duly licensed or otherwise legally authorized to render the services of architects, professional engineers, land surveyors or certified landscape architects, 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 or otherwise authorized to render professional services. No other professional limited liability company 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 certified landscape architecture, 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 (§ 54.1-400 et seq.) of Title 54.1.

PUBLIC PARTICIPATION GUIDELINES

18 VAC 10-10-10. Definitions.

The following words, when used in this regulation, shall have the following meaning unless the context indicates otherwise:

“Agency” means any authority, instrumentality, officer, board, or other unit of the state government empowered by the basic laws to make regulations or decide cases.

“Person” means one or more individuals.

“Organization” means any one or more association, advisory council, committee, corporation, partnership, governmental body or legal entity.

18 VAC 10-10-20. Mailing list.

The agency will maintain a list of persons and organizations who will be mailed the following documents as they become available:

1. “Notice of Intended Regulatory Action” to promulgate, amend or repeal regulations.
2. “Notice of Comment Period” and public hearing.
3. Notice that the final regulations have been adopted.

Failure of these persons and organizations to receive the documents for any reason shall not affect the validity of any regulations otherwise properly adopted under the Administrative Process Act.

18 VAC 10-10-30. Placement on the mailing list; deletion.

Any person wishing to be placed on the mailing list may do so by writing the agency. In addition, the agency at its discretion, may add to the list any person, organization, or publication it believes will serve the purpose of responsible participation in the formation or promulgation of regulations. Persons on the list will be provided all information stated in 18 VAC 10-10-20. Individuals and organizations periodically may be requested to indicate their desire to continue to receive documents or be deleted from the list. When mail is returned as undeliverable, individuals and organizations will be deleted from the list.

18 VAC 10-10-40. Petition for rulemaking.

Any person may petition the agency to consider or review any regulation. Any petition received shall appear on the next agenda of the agency. The agency shall consider and respond to the petition within 180 days. The agency shall have sole authority to dispose of the petition.

18 VAC 10-10-50. Notice of intent.

At least 30 days prior to the filing the “Notice of Comment Period” and proposed regulations as required by §9-4.14.7.1 of the Code of Virginia, the agency will publish a “Notice of Intended Regulatory Action.” This notice will provide for at least a 30 day comment period and shall state whether the agency intends to hold a public hearing. The agency is required to hold a hearing on the proposed regulation upon request by the [i] Governor or [ii] 25 or more persons. Further, the notice shall describe the subject matter and intent of the planned regulation. Such notice shall be transmitted to the Registrar of Regulations for inclusion in the Virginia Register of Regulations.

18 VAC 10-10-60. Informational proceedings or public hearings for existing rules.

Within two years of the promulgation of a regulation, the agency shall evaluate it for effectiveness and continued need. The agency shall conduct an informal proceeding, which may take the form of a public hearing, to receive public comment on existing regulation. Notice of such proceedings shall be transmitted to the Registrar for inclusion in the Virginia Register. Such proceedings may be held separately or in conjunction with other informational proceedings.

18 VAC 10-10-70. Notice of formulation and adoption.

At any meeting of the agency or a subcommittee where it is anticipated the formation or adoption of regulation will occur, the subject matter shall be transmitted to the Registrar for inclusion in the Virginia Register.

If there are one or more changes with substantial impact on a regulation, any person may petition the agency within 30 days from the publication of the final regulation to request an opportunity for oral or written submittals on the changes to the regulations. If the agency receives requests from at least 25 persons for an opportunity to make oral or written comment, the agency shall suspend the regulatory process for 30 days to solicit additional public comment, unless the agency determines that the changes made are minor or inconsequential in their impact.

If the Governor finds that one or more changes with substantial impact have been made to proposed regulation, he may suspend the regulatory process for 30 days to require the agency to solicit further public comment on the changes to the regulation.

A draft of the agency’s summary description of the public comment shall be sent by the agency to all public commenters on the proposed regulation at least five days before final adoption of the regulation.

18 VAC 10-10-80. Advisory committees.

The agency intends to appoint advisory committees as it deems necessary to provide adequate participation in the formation, promulgation, adoption, and review of regulations. Such committees are particularly appropriate when other interested parties may possess specific expertise in the area of the proposed regulation. The advisory committee shall only provide recommendations to the agency and shall not participate in any final decision making actions on a regulation.

When identifying potential advisory committee members the agency may use the following:

- a. directories or organizations related to the profession,

- b. industry, professional and trade associations' mailing lists,
- c. and lists of persons who have previously participated in public proceedings concerning this or a related issue.

18 VAC 10-10-90. Applicability.

18 VAC 10-10-20, 18 VAC 10-10-30, 18 VAC 10-10-40, 18 VAC 10-10-60, and 18 VAC 10-10-70 shall apply to all regulations promulgated and adopted in accordance with §9-6.14:9 of the Code of Virginia except those regulations promulgated in accordance with §9-6.14:4.1 of the Administrative Process Act.

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DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

**3600 West Broad Street
Richmond, Virginia 23230-4917**

NOTICE

PLEASE REFER TO FIRST PAGE OF BOOKLET FOR NOTES ON IMPORT