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## **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

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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.

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## **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.

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- 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 ~~these regulations~~ this chapter.
- ~~G. National council information.~~

~~1. Applicants for architectural examination/license may obtain information concerning~~

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~~NCARB certification and the NCARB Intern Development Program (IDP) from:~~

~~\_\_\_\_\_ National Council of Architectural Registration Boards  
\_\_\_\_\_ (NCARB)  
\_\_\_\_\_ 1735 New York Avenue, N.W., Suite 700  
\_\_\_\_\_ Washington, DC 20006  
\_\_\_\_\_ (202) 783-6500~~

~~2. Applicants for architectural license may obtain information concerning NAAB  
accreditation from:~~

~~\_\_\_\_\_ National Architectural Accrediting Board, Inc.  
\_\_\_\_\_ (NAAB)  
\_\_\_\_\_ 1735 New York Avenue, NW  
\_\_\_\_\_ Washington, DC 20006  
\_\_\_\_\_ (202) 783-2007~~

~~3. Applicants for professional engineering and land surveying examination/license may  
obtain information concerning NCEES certificates from:~~

~~\_\_\_\_\_ National Council of Examiners for Engineering and Surveying  
\_\_\_\_\_ (NCEES)  
\_\_\_\_\_ P.O. Box 1686~~

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\_\_\_\_\_Clemson, South Carolina 29633-1686  
(803) 654-6824

4. ~~Applicants for professional engineer licensing may obtain information concerning~~  
~~ABET accreditation from:~~

\_\_\_\_\_Accreditation Board for Engineering and Technology, Inc.  
\_\_\_\_\_ (ABET)  
\_\_\_\_\_ 345 East 47th Street  
\_\_\_\_\_ New York, New York 10017-2397  
\_\_\_\_\_ (212) 705-7685

5. ~~Applicants for landscape architectural examination/certification may obtain~~  
~~information concerning CLARB registration from:~~

\_\_\_\_\_Council of Landscape Architectural Registration Boards  
\_\_\_\_\_ (CLARB)  
\_\_\_\_\_ Suite 110, 12700 Fair Lakes Circle  
\_\_\_\_\_ Fairfax, Virginia 22033  
\_\_\_\_\_ (703) 818-1300

- \_\_\_\_\_6. Applicants for interior design examination/certification may obtain information  
\_\_\_\_\_concerning NCIDQ examination and certification from:

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\_\_\_\_\_ National Council for Interior Design Qualification

\_\_\_\_\_ (NCIDQ)

\_\_\_\_\_ 50 Main Street

\_\_\_\_\_ White Plains, New York 10606-1920

\_\_\_\_\_ (914) 948-9100

**[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.]

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### **PART III.**

#### **QUALIFICATIONS FOR LICENSING OF ARCHITECTS.**

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

~~A. All applicants must obtain five years of professional education or equivalent education credits. Education credits shall be calculated in accordance with Table I.~~

~~B. A. On or after January 1, 1998, all 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. All applicants shall have three years of diversified training in the essential areas of architectural practice as defined below. Evidence shall be in the form of official records of a structured internship development program approved by the board, or incorporated in the candidate's application and verified by employers. Experience shall~~

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~~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.~~

~~B. A. The NCARB Intern-Architect 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, 1996-1997 1998-1999 Edition, ~~except that all applicants must have a minimum of 36 months training prior to submitting an application for examination.~~~~

~~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~~

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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 [registered licensed] architect prior to submitting an application for examination. An organization will be considered to be an office of a [registered 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 [registered licensed] architect in charge of an organization's architectural practice either alone or with other [registered licensed] architects, and the applicant works under the direct supervision of a [registered 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;

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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

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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 10-20-140. Examination.**

- A. All applicants for original licensure in Virginia are required to pass ~~an Architect Registration Examination (NCARB-ARE)~~ an NCARB prepared examination after meeting the education and ~~training~~ experience/training requirements as provided in ~~these regulations~~ 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 ~~administer~~ make available the NCARB ~~ARE~~ prepared examination.
- C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall ~~adopt~~ utilize the scoring procedures recommended by NCARB.

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- D. The ~~Architect Registration Examination (NCARB ARE)~~ 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 ~~ARE~~ 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 ~~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.
- 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 ~~examination papers, scores and answer sheets~~ documentation.
- ~~I. The Board, at its discretion, may schedule individual or group reviews of Division C~~

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~~Building Design of NCARB ARE to assist examinees in understanding the grading  
criteria for Division C.~~

- ~~J.I.~~ Should an applicant not pass the ~~ARE- NCARB prepared examination~~ within three years after being approved, the applicant must reapply ~~and meet all entry requirements current at the time of re-application.~~ [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.

~~[Applicants must submit a verified record of experience in accordance with 18 VAC~~

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~~10-20-120.~~ 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 ~~a province of~~ Canada may be granted a license in Virginia based on an NCARB certificate.

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TABLE I. REQUIREMENTS FOR ARCHITECTURAL LICENSURE (APPLICABLE ONLY TO INDIVIDUALS SPECIFIED IN 18 VAC 10-20-120.D)					
EDUCATION AND TRAINING REQUIREMENTS.	INTERN ARCHITECT DEVELOPMENT PROGRAM (IDP) APPLICANTS REFER TO NCARB FOR TRAINING REQUIREMENTS. (Complete information may be obtained from NCARB).				
	Education Credits			Training Credits	
	First 2 years	Succeeding years	Max Credit Allowed	Credit Allowed	Max Credit Allowed
A-1 First professional degree in architecture, or credits toward the first professional degree, where the degree program has been approved by the board not later than two years after graduation.	75%	100% <u>5 years</u>	5 years	See B-1.2	See B-1.2
A-2 First professional degree in architecture, or credits toward that degree, where the degree program has not been approved by the board.	75%	75%	4 years	See B-1.2	See B-1.2
A-3 Bachelor of Arts or Science degree in architecture or in building technology; or in civil, structural, mechanical, or electrical engineering, or credits toward that degree, each of the above being approved by the Board.	50%	75%	3 years	See B-1.2	See B-1.2
A-4 Any other bachelor degree.	0	0	2 years	See B-1.2	See B-1.2
A-5 <u>1</u> Diversified experience in architecture as an employee in the offices of licensed architects.	50%	50% <u>0</u>	5 years	100%	no limit
A-6 <u>2</u> Diversified experience in architecture as a principal practicing in the office of a licensed architect with a verified record of substantial practice.	50%	50% <u>0</u>	5 years	100%	no limit
A-7 <u>3</u> 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.	50%	50% <u>0</u>	4 years	100%	2 years
A-8 <u>4</u> 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	0	0	50%	1 year
A-9 <u>5</u> Experience, other than A-5 <u>1</u> , A-6 <u>2</u> , A-7 <u>3</u> or A-8 <u>4</u> experience, directly related to on-site building construction operations or experience involving physical analysis of existing buildings.	0	0	0	50%	6 months
A-10 <u>6</u> Other Education or Training Experience - See B-3.2 <u>2.2</u>					

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EXPLANATION OF REQUIREMENTS	
<del>B-1</del>	<del>Education Credits. Education credits shall be subject to the following conditions:</del>
<del>B-1.1</del>	<del>No education credits may be earned prior to graduation from high school.</del>
<del>.2</del>	<del>Applicants with the 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. Applicants without the degree specified in A-1 or A-2 may not accumulate more than 3 years of education credits in the aggregate from all degree programs.</del>
<del>.3</del>	<del>32 semester credit hours or 48 quarter hours are considered to be 1 year. Fractions of a year of one-half or greater will be considered one-half year, and smaller fractions will not be counted.</del>
<del>.4</del>	<del>Foreign education credits will be granted only under classifications A-2 and A-4, unless certified as equivalent to a NAAB accredited degree, by an organization accepted by the board, in which case credit under classification A-1 will be considered. Any cost of translation and evaluation will be borne by the applicant.</del>
<del>B-2</del>	<del>Training Credits. Training credits shall be subject to the following conditions:</del>
<del>B-2.1</del>	<del>.1 Every applicant must earn at least one year of training credit under A-5.1 or A-6.2 and must earn it after earning five years of education credits.</del>
<del>.2</del>	<del>No credit used as an education credit may be used as a training credit.</del>
<del>.3</del>	<del>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.</del>
<del>.4</del>	<del>An organization (or an affiliate) is engaged in construction if it customarily engages in either of the following activities:</del>
<del>(a)</del>	<del>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.</del>
<del>(b)</del>	<del>Agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.</del>
<del>.5</del>	<del>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.</del>
<del>.6</del>	<del>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).</del>
<del>B-3</del>	<del>General Evaluation Criteria</del>
<del>B-3.2</del>	<del>.1 To earn full <del>education or</del> training credits under A-5.1, A-6.2, A-7.3, A-8.4 and A-9.5 an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under A-5.1 or six consecutive months under A-6.2, A-7.3, A-8.4 or A-9.5. An applicant may earn one-half of the credit specified under A-5.1 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-5.1.</del>
<del>.2</del>	<del>Other <del>education and</del> training may be substituted for the requirements outlined above, only insofar as the board considers them to be equivalent to the required qualifications.</del>
<del>.3</del>	<del>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 <del>technical education and</del> training requirements set forth above.</del>

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#### **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

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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) ~~designation~~" means ~~the designation~~ of 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
<del>Comity</del>	<del>[50 40]</del>
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

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Fundamentals of Engineering and \$160 for the Principles of Engineering to the candidate.

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

~~Applicants who are enrolled in an ABET accredited curriculum and are within 12 months of completion of degree requirements are eligible for the FE exam. Applications must be accompanied by a certificate of good standing from the dean of the engineering school.~~

~~—All other applicants must meet the eligibility requirements in 18 VAC 10-20-200 below.~~

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

~~—In order to be approved to sit for the Fundamentals of Engineering examination which, when passed, allows the applicant to utilize the Engineer In Training (EIT) designation, an applicant must meet one of the following requirements:~~

<del>#</del>	<del>EDUCATIONAL REQUIREMENTS</del>	<del># OF REQUIRED YEARS OF PROGRESSIVE, APPROVED PROFESSIONAL EXPERIENCE</del>
<del>1.</del>	<del>Graduated from an approved engineering or approved engineering technology curriculum of four years or more.</del>	<del>0</del>
<del>2.</del>	<del>Undergraduate engineering degree was obtained at an institution not located in the United States, but a graduate level engineering degree was obtained from an institution located in the United States that is ABET accredited at the undergraduate level.</del>	<del>0</del>
<del>3.</del>	<del>Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.</del>	<del>2</del>

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— #	— EDUCATIONAL — REQUIREMENTS	— # OF REQUIRED YEARS OF — PROGRESSIVE, APPROVED — PROFESSIONAL EXPERIENCE
— 4.	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 judgement of the board, has obtained the equivalent of such graduation as described by self study.	— 6

— The engineer-in-training (EIT) designation shall remain valid indefinitely.

**18 VAC 10-20-210. — Requirements for professional engineering license.**

— In order to be approved to sit for the Principles and Practice of Engineering examination which, when passed, allows the applicant to become licensed as a Professional Engineer, an applicant must meet one [of] the following requirements:

— #	— EIT — DESIGNATION — REQUIRED?	— EDUCATIONAL — REQUIREMENTS	— # OF REQUIRED YEARS — OF PROGRESSIVE, — APPROVED — PROFESSIONAL — EXPERIENCE
— 1.	— YES	Graduated from an approved engineering curriculum of four years or more.	— 4
— 2.	— NO	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.	— 4
— 3.	— YES	Graduated from a nonapproved engineering curriculum, a related science curriculum of four years or more, or an approved engineering technology curriculum.	— 6
		Graduated from a nonapproved	

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<del>— #</del>	<del>— EIT — DESIGNATION — REQUIRED?</del>	<del>— EDUCATIONAL — REQUIREMENTS</del>	<del>— # OF REQUIRED YEARS — OF PROGRESSIVE, — APPROVED — PROFESSIONAL — EXPERIENCE</del>
<del>— 4.</del>	<del>— YES</del>	<del>engineering technology curriculum; or without graduation from an engineering or related science curriculum of four years or more.*</del>	<del>— 10</del>
<del>— 5.</del>	<del>— NO</del>	<del>Graduated from a nonapproved engineering, engineering technology or related science curriculum of four years or more.</del>	<del>— 20</del>

~~\* Any experience accepted by the board for educational equivalency shall not be used in satisfying the professional experience requirement.~~

**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:

	<u>EDUCATIONAL REQUIREMENTS</u>	<u>NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE</u>
<u>1.</u>	<u>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</u>	<u>0</u>

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	<p style="text-align: center;"><u>EDUCATIONAL REQUIREMENTS</u></p>	<p style="text-align: center;"><u>NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE</u></p>
	<p><u>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.</u></p>	
<p><u>2.</u></p>	<p><u>Graduated from an approved engineering or an approved engineering technology curriculum of four years or more.</u></p>	<p style="text-align: center;"><u>0</u></p>
<p><u>3.</u></p>	<p><u>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.</u></p>	<p style="text-align: center;"><u>0</u></p>
<p><u>4.</u></p>	<p><u>Graduated from a nonapproved engineering curriculum or a related science curriculum of four years or more.</u></p>	<p style="text-align: center;"><u>2</u></p>
	<p><u>Graduated from a nonapproved engineering technology curriculum or not graduated from an</u></p>	

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	<p style="text-align: center;"><u>EDUCATIONAL REQUIREMENTS</u></p>	<p style="text-align: center;"><u>NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE</u></p>
<p><u>5.</u></p>	<p><u>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.</u></p>	<p style="text-align: center;"><u>6</u></p>

**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:

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	<u>EDUCATIONAL REQUIREMENTS</u>	<u>EIT REQUIRED?</u>	<u>NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE</u>	
<u>1.</u>	<u>Graduated from an approved engineering curriculum of four years or more.</u>	<u>YES</u>	<u>4</u>	
<u>2.</u>	<u>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.</u>	<u>NO</u>	<u>4</u>	
<u>3.</u>	<u>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.</u>	<u>YES</u>	<u>6</u>	
<u>4.</u>	<u>Graduated from a nonapproved engineering technology curriculum of four years or more; or without graduation from an</u>	<u>YES</u>	<u>10</u>	

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	<u>EDUCATIONAL REQUIREMENTS</u>	<u>EIT REQUIRED?</u>	<u>NUMBER OF REQUIRED YEARS OF PROGRESSIVE, QUALIFYING ENGINEERING EXPERIENCE</u>
	<u>engineering or related science curriculum of four years or more.</u>		
<u>5.</u>	<u>Graduated from an engineering, engineering technology or related science curriculum of four years or more.</u>	<u>NO</u>	<u>20</u>

**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 10-20-230. 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

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

**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. ~~Such an~~ 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 ~~an eight-hour test period a~~ NCEES exam on the fundamentals of engineering, and is given ~~semiannually~~ at times designated by the board.
- C. The Principles and Practice of Engineering examination consists of ~~an eight-hour test~~

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~~period-a NCEES exam~~ on applied engineering and is given ~~semiannually~~ 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.

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- 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 ~~30~~ 20 days of ~~receiving~~ 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 ~~may~~ will only be accepted ~~in accordance with board policy~~ 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 ~~a written-an~~ examination in another jurisdiction which is substantially equivalent to that ~~administered-approved~~ by the

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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.]

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**PART V.**

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

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

All fees are nonrefundable and shall not be prorated.

Application for Fundamentals of Surveying	\$ 45
Application for Principles of Surveying	50
Renewal	80
Application for Land Surveyor B	50
<u>Comity</u>	<u>50</u>
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 10-20-300. Requirements for land surveyor-in-training (LSIT).**

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

1. An applicant who has graduated from or is enrolled in a board-approved a surveying or surveying technology curriculum of four years or more approved by the board ~~as being of satisfactory standing shall be admitted to an eight-hour written examination in the~~ 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 ~~enrolled~~ as 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 ~~of four years or more~~ as approved by the board and with a specific record of ~~two years of progressive, one year of~~ approved land surveying experience shall be admitted to ~~an eight-hour examination in~~ the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled~~ as 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 ~~may be approved by the board~~ and with a specific record of ~~four~~ two years of approved progressive land surveying experience ~~of which three of these years shall be progressive~~. The applicant shall be admitted to ~~an eight-hour examination in~~

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the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled~~ as 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 ~~six-four~~ years of approved progressive land surveying experience ~~of which four of these years shall be progressive~~, shall be admitted to ~~an eight-hour written examination~~ in the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled~~ as 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 ~~eight-six~~ years of approved progressive land surveying experience ~~of which six of these years shall be progressive~~, shall be admitted to ~~an eight-hour written examination~~ in the Fundamentals of Land Surveying examination. Upon passing such examination, the applicant shall be ~~enrolled~~ as 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 ~~ten-eight~~ years of approved progressive land surveying experience ~~of which eight of these years shall be progressive~~, shall be admitted to ~~an eight-hour written examination~~

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in 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 ~~enrolled~~ as 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, ~~of which a minimum of three years of progressive experience has been on land surveying projects~~ under the supervision of a licensed land surveyor, shall be admitted to ~~a six-hour written~~ an examination in the Principles and Practice of Land Surveying and a ~~two-hour~~ 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.

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- B. An applicant shall also present satisfactory evidence of having passed ~~college-level~~ board-approved courses in hydraulics, ~~acceptable to the board and hydrology~~.
- C. An applicant shall pass an ~~eight-hour written~~ 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 10-20-350. Examinations; grading; reexamination.**

- A. The examination for land surveying under §54.1-400 of the Code of Virginia shall consist of two parts, ~~each part being of eight hours duration~~. Part I shall consist of ~~an eight-hour examination in~~ the Fundamentals of Land Surveying. Part II shall consist of ~~a six-hour~~ an examination in the Principles and Practice of Land Surveying and a ~~two-hour~~ 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

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Surveyor B) shall be ~~of eight hours duration and shall be~~ given ~~annually~~ at ~~a time~~ 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.

~~1. Part I of the written examination shall have a value of 100. The passing grade shall be 70 or above.~~

~~2. Each portion of the Part II of the written examination shall have a value of 100. The passing grade shall be 70 or above.~~

~~3. For the Land Surveyor B examination, each applicant must obtain a minimum passing grade of 75 out of 100 for the entire eight hour examination.~~

E. Upon payment of a reexamination fee, an applicant may retake parts of the written examination which the applicant may have ~~been~~ failed. Should the applicant not pass

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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.**

~~A person holding a license to engage in the practice of land surveying issued on comparable qualifications from a state, territory or possession of the United States and experience satisfactory to the board, will be given comity consideration. Full credit will be given to an applicant who has passed the NCEES examinations for surveyors in other jurisdictions as required in Virginia. 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 ~~of not less than two hours in duration.~~ The examination shall include questions on law, procedures and practices pertaining to land surveying in Virginia.

**PART VI.**

**QUALIFICATIONS FOR CERTIFICATION OF LANDSCAPE ARCHITECTS.**

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

A. All applicants for original certification in Virginia are required to pass the Landscape

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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 disciplinary action.

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- 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.

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**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
<b>EXPLANATION OF REQUIREMENTS</b>					
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. <u>An applicant who has no education credits must earn at least four years of experience under category A-5.</u>					

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## **PART VII.**

### **QUALIFICATIONS FOR CERTIFICATION OF INTERIOR DESIGNERS**

#### **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 ~~or a professional program~~ approved by the board; have two years of monitored experience; and have passed the examination for certification as an interior designer.
2. ~~Diversified Experience shall be gained in accordance with this chapter.~~ Monitored experience gained under the supervision of a professional engineer shall be discounted at 50% with a maximum credit of six months. ~~Periods of self-employment shall be verified with a list of projects, dates, scope of work and letters of verification by at least three clients.~~

#### ~~18 VAC 10-20-500. References.~~

~~Applicants shall submit three references from persons who know of the applicant's work, and~~

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~~have known the applicant for at least one year. Persons supplying references shall be certified  
or licensed interior designers, architects or professional engineers.~~

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## **PART VIII.**

### **QUALIFICATIONS FOR REGISTRATION AS A PROFESSIONAL CORPORATION.**

#### **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

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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.

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- 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.
- F G. Branch offices. If professional services are offered or rendered in a branch ~~office(s)~~ 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 10-20-560. 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 ~~automatically modified to 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

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and is competent to render such professional services. ~~Unless otherwise provided, in~~ In  
the event that such change results in noncompliance with ~~these regulations~~ this chapter  
and applicable statutes, the certificate of authority shall be ~~automatically~~ suspended  
until such time as the corporation comes into compliance with ~~these regulations~~ 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.

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**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, and who is duly licensed or otherwise legally authorized to render the professional services of architecture, professional engineering, land surveying and landscape architecture in the Commonwealth of Virginia.~~

"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

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engineering, land surveying or landscape architecture.

**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 ~~two~~ 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

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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.

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- 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.

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**PART X.**

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

**18 VAC 10-20-640. 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. ~~Not less than 2/3 of the general partners shall be licensed professionals.~~
- 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.

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- E. If professional services are offered or rendered in a branch ~~office(s)~~ 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 ~~these regulations~~ 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.

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## **PART XI.**

### **RENEWAL AND REINSTATEMENT.**

#### **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

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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.

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## **PART XII.**

### **STANDARDS OF PRACTICE AND CONDUCT.**

#### **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

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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 ~~3~~ 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

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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 10-20-760. 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

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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

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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:

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l Engineers,  
l Designers,  
nd Regulations



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

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

- A. Corporations, partnerships, firms [~~or~~ , sole proprietorships,] other legal entities [and the

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professional in responsible charge maintaining a place of business in the Commonwealth of Virginia for the purpose of offering to provide architectural, ~~professional~~ engineering, land surveying[, or] certified landscape architectural [~~or certified interior design~~] services practiced at more than one location shall have an authorized [full-time] Virginia licensed architect, professional engineer, land surveyor[, or] certified landscape architect [~~or certified interior designer~~] in responsible charge [~~of the respective profession being offered~~] in each place of business.

- B. Corporations, partnerships, firms [~~or~~ 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, ~~professional~~ engineering, land surveying[, or] certified landscape architecture [~~or certified interior design~~] at that location, shall have in responsible charge at each place of business a [full-time] ~~resident~~ Virginia licensed architect, professional engineer, land surveyor[, or] certified landscape architect [~~or certified interior designer~~] 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

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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 ~~3~~ 4 of Title 54.1; or ~~Chapter~~ Chapters 7 and 13 of Title 13.1 of the Code of Virginia, or any other statute applicable to the practice of the



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