

# The Law Relating to Landscape Architects

18.96 RCW  
308-13 WAC  
18.235 RCW



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# Chapter 18.96 RCW

## LANDSCAPE ARCHITECTS

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*Public contracts for architectural services: Chapter 39.80 RCW.*

**18.96.010 Evidence of qualifications required.** In order to safeguard human health and property, and to promote the public welfare, any person in either public or private capacity practicing or offering to practice landscape architecture for hire shall be required to submit evidence that he or she is qualified so to practice and shall be licensed under the provisions of this chapter. [2009 c 370 § 2; 1969 ex.s. c 158 § 1.]

**Finding—2009 c 370:** "The legislature finds that in order to safeguard life, health, and property and to promote public welfare, it is necessary to regulate the practice of landscape architecture, based on the first action taken to regulate the profession in 1969, and subsequent review in year 1988 along with review and revisions in 2009." [2009 c 370 § 1.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** "Sections 1 through 16, 18, 20, and 21 of this act take effect July 1, 2010." [2009 c 370 § 24.]

**18.96.020 Use of titles, descriptions, and phrases—License or authorization required.** (1) It is unlawful for any person to practice or offer to practice in this state, landscape architecture, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description including the phrases "landscape architect," "landscape architecture," "landscape architectural," or language tending to imply that he or she is a landscape architect, unless the person is licensed or authorized to practice in the state of Washington under this chapter.

(2) A person may use the title "intern landscape architect" after graduation from an accredited degree program in landscape architecture and working under the direct supervision of a licensed landscape architect.

(3) This section does not affect the use of the phrases "landscape architect," "landscape architecture," or "land-

scape architectural" where a person does not practice or offer to practice landscape architecture. [2009 c 370 § 3; 1969 ex.s. c 158 § 2.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.030 Definitions.** The definitions in this section apply throughout this chapter, unless the context clearly requires otherwise.

(1) "Administration of the construction contract" means the periodic observation of materials and work to observe the general compliance with the construction contract documents, and does not include responsibility for supervising construction methods and processes, site conditions, equipment operations, personnel, or safety on the worksite.

(2) "Board" means the state board of licensure for landscape architects.

(3) "Certificate of licensure" means the certificate issued by the director to newly licensed landscape architects.

(4) "Department" means the department of licensing.

(5) "Design" means the conceiving, planning, delineation, siting, and arrangement of natural and built features. Where applied to the discussion of structures or utility systems, design does not include the act of engineering such features.

(6) "Director" means the director of licensing.

(7) "Engineer" means an individual who is registered as an engineer under chapter 18.43 RCW.

(8) "Engineering" means the "practice of engineering" as defined in RCW 18.43.020.

(9) "Landscape architect" means an individual who engages in the practice of landscape architecture.

(10) "Landscape architecture" means the rendering of professional services in connection with consultations, investigations, reconnaissance, research, planning, design, construction document preparation, construction administration, or teaching supervision in connection with the development of land areas where, and to the extent that, the dominant purpose of such services is the preservation, enhancement, or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, or natural drainage and erosion control. This practice includes the location, design, and arrangement of such tangible objects as pools, walls, steps, trellises, canopies, and such features as are incidental and necessary to the purposes in this chapter. Landscape architecture involves the design and arrangement of land forms and the development of outdoor space including, but not limited to, the design of public parks, trails, playgrounds, cemeteries, home and school grounds, and the development of industrial and recreational sites.

(11) "Licensed" means holding a currently valid certificate of licensure issued by the director authorizing the practice of landscape architecture.

(12) "Person" means any individual, partnership, professional service corporation, corporation, joint stock association, joint venture, or any other entity authorized to do business in the state.

(13) "Practice of landscape architecture" means the rendering of services where landscape architectural education, training, experience, and the application of mathematical, physical, and social science principles are applied in consultation, evaluation, planning, design including, but not limited to, the preparation and filing of plans, drawings, specifications, and other contract documents, and administration of contracts relative to projects principally directed at the functional and aesthetic use and preservation of land. [2009 c 370 § 4; 1979 c 158 § 73; 1969 ex.s. c 158 § 3.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.040 Licensure board for landscape architects—Members—Qualifications.** (1)(a) There is created a licensure board for landscape architects consisting of five members appointed by the governor.

(b) Four members shall be licensed landscape architects who are residents of the state and have at least eight years' experience in the practice of landscape architecture as registered or licensed landscape architects in responsible charge of landscape architectural work or responsible charge of landscape architectural teaching. One member shall be a public member, who is not and has never been a registered or licensed landscape architect and who does not employ and is not employed by or professionally or financially associated with a landscape architect.

(c) The term of each newly appointed member shall be six years.

(2)(a) Every member of the board shall receive a certificate of appointment from the governor. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of six years or until the next successor has been appointed.

(b) The governor may remove any member of the board for cause. Vacancies in the board for any reason shall be filled by appointment for the unexpired term.

(3) The board shall elect a chairman, a vice-chairman, and a secretary. The secretary may delegate his or her authority to the executive director.

(4) Members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060. [2009 c 370 § 5; 1993 c 35 § 1; 1985 c 18 § 1; 1969 ex.s. c 158 § 4.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

Additional notes found at [www.leg.wa.gov](http://www.leg.wa.gov)

**18.96.060 Board—Adoption of rules—Executive director.** (1) The board may adopt such rules under chapter

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34.05 RCW as are necessary for the proper performance of its duties under this chapter.

(2) The director may employ an executive director subject to approval of the board. [2009 c 370 § 6; 2002 c 86 § 234; 1969 ex.s. c 158 § 6.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**Effective dates—2002 c 86:** See note following RCW 18.08.340.

**Part headings not law—Severability—2002 c 86:** See RCW 18.235.902 and 18.235.903.

**18.96.070 Qualifications of applicants.** This section establishes the minimum evidence satisfactory to the board that the applicant is qualified for licensure as a professional landscape architect.

(1) A certificate of licensure shall be granted by the director to all qualified applicants who are certified by the board as having passed the required examination and as having given satisfactory proof of completion of the required education and work experience.

(2) An applicant for licensure as a landscape architect shall be of a good moral character, at least eighteen years of age, and shall possess one of the following qualifications:

(a) Have a professional landscape architectural degree from an institution of higher education accredited by the national landscape architecture accreditation board, or an equivalent degree in landscape architecture as determined by the board, and three years of practical landscape architectural work experience under the supervision of a registered or licensed landscape architect; or

(b) Have a high school diploma or equivalent and eight years' practical landscape architectural work experience, which may include landscape design as a principal activity and postsecondary education approved by the board. At least six years of work experience must be under the direct supervision of a registered or licensed landscape architect. An applicant may receive up to two years of practical landscape architectural work experience for postsecondary education courses in landscape architecture, landscape architectural technology, or a related field, including courses in a community or technical college, if the courses are equivalent to education courses in an accredited landscape architectural degree program. [2009 c 370 § 7; 1969 ex.s. c 158 § 7.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.080 Applications for licensure and examinations—Fees.** (1) Application for licensure shall be filed with the board as provided by rule.

(2) The application for examination shall be filed with the board as prescribed by rule.

(3) The application and examination fees shall be determined by the director under RCW 43.24.086. [2009 c 370 § 8; 1993 c 35 § 2; 1985 c 7 § 74; 1975 1st ex.s. c 30 § 85; 1969 ex.s. c 158 § 8.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.090 Examinations.** (1) Examinations of landscape architects for certificates of licensure shall be held at least annually at such time and place as the board determines.

(2) The board shall determine the content, scope, and grading process of the examination. The board may adopt an appropriate national examination and grading procedure.

(3) Applicants who fail to pass any section of the examination shall be permitted to retake the parts failed as prescribed by the board. If the entire examination is not successfully completed within five years, a retake of the entire examination is required.

(4) Applicants for licensure may begin taking the examination upon graduating from an accredited landscape architecture program if the applicant is employed under the supervision of a registered or licensed landscape architect.

(5) The director shall issue a certificate of licensure to qualified applicants as provided in RCW 18.96.150. [2009 c 370 § 9; 1993 c 35 § 3; 1985 c 18 § 2; 1969 ex.s. c 158 § 9.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

Additional notes found at [www.leg.wa.gov](http://www.leg.wa.gov)

**18.96.100 Reciprocity.** (1) The director may, upon receipt of the current licensure fee, grant a certificate of licensure to an applicant who is a licensed landscape architect in another state or territory of the United States, the District of Columbia, or another country, if that individual's qualifications and experience are determined by the board to be equivalent to the qualifications and experience required of a person licensed under RCW 18.96.070.

(2) A landscape architect licensed or registered in any other jurisdiction recognized by the board may offer to practice landscape architecture in this state if:

(a) It is clearly and prominently stated in any such offer that the landscape architect is not licensed to practice landscape architecture in Washington state; and

(b) Before practicing landscape architecture or signing a contract to provide landscape architectural services, the landscape architect obtains a certificate of licensure. [2009 c 370 § 10; 1993 c 35 § 4; 1985 c 7 § 75; 1975 1st ex.s. c 30 § 86; 1969 ex.s. c 158 § 10.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.110 Renewals.** (1) The renewal dates and fees for certificates of licensure shall be set by the director in accordance with RCW 43.24.086. Licensees who fail to pay the renewal fee within thirty days of the due date shall pay all delinquent fees plus a penalty fee equal to one-third of the renewal fee. A licensee who fails to pay a renewal fee for a period of five years may be reinstated under such circumstances as the board determines.

(2) Any licensee in good standing may withdraw from the practice of landscape architecture by giving written notice to the director, and may within five years thereafter resume active practice upon payment of the then-current renewal fee. A licensee may be reinstated after a withdrawal of more than five years under such circumstances as the board determines.

(3) A licensed landscape architect must demonstrate continuing professional education activities since the landscape architect's last renewal or initial licensure, as the case may be; the board shall by rule describe the professional development activities required by the board. The board may decline to renew a license if the landscape architect's continuing professional education activities do not meet the standards in the board's rules. In the application of this subsection, the board shall strive to ensure that rules are consistent with the continuing professional education requirements in use by the national professional organizations representing landscape architects and in use by other cohort states. Cohort states are those other United States determined by the board to be comparable to Washington in natural factors and landscape architecture licensure. [2009 c 370 § 11; 1993 c 35 § 5. Prior: 1985 c 18 § 3; 1985 c 7 § 76; 1975 1st ex.s. c 30 § 87; 1969 ex.s. c 158 § 11.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

Additional notes found at [www.leg.wa.gov](http://www.leg.wa.gov)

**18.96.120 Unprofessional conduct—Grounds for disciplinary action.** The board may impose any action in RCW 18.235.110 upon the following grounds:

(1) Offering to pay, paying, or accepting, either directly or indirectly, any substantial gift, bribe, or other consideration to influence the award of professional work;

(2) Being willfully untruthful or deceptive in any professional report, statement, or testimony;

(3) Having a financial interest in the bidding for or the performance of a contract to supply labor or materials for or to construct a project for which employed or retained as a landscape architect except with the consent of the client or employer after disclosure of such facts; or allowing an interest in any business to affect a decision regarding landscape architectural work for which retained, employed, or called upon to perform;

(4) Signing or permitting a seal to be affixed to any drawings or specifications that were not prepared or reviewed by the landscape architect or under the landscape architect's personal supervision by persons subject to the landscape architect's direction and control; or

(5) Willfully evading or trying to evade any law, ordinance, code, or regulation governing site or landscape construction. [2009 c 370 § 12; 2002 c 86 § 235; 1997 c 58 § 827; 1969 ex.s. c 158 § 12.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**Effective dates—2002 c 86:** See note following RCW 18.08.340.

**Part headings not law—Severability—2002 c 86:** See RCW 18.235.902 and 18.235.903.

**Effective dates—Intent—1997 c 58:** See notes following RCW 74.20A.320.

Additional notes found at [www.leg.wa.gov](http://www.leg.wa.gov)

**18.96.140 Reissuance of lost or destroyed certificates.** A new certificate of licensure to replace any certificate lost or destroyed, or mutilated may be issued by the director, and a charge determined by the director as provided in RCW

43.24.086 shall be made for such issuance. [2009 c 370 § 13; 2002 c 86 § 236; 1985 c 7 § 77; 1975 1st ex.s. c 30 § 88; 1969 ex.s. c 158 § 14.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**Effective dates—2002 c 86:** See note following RCW 18.08.340.

**Part headings not law—Severability—2002 c 86:** See RCW 18.235.902 and 18.235.903.

**18.96.150 Certificates of licensure—Issuance—Contents—Seal.** (1) The director shall issue a certificate of licensure to any applicant who has, to the satisfaction of the board, met all the requirements for licensure upon payment of the licensure fee as provided in this chapter. All certificates of licensure shall show the full name of the licensee, have the license number, and shall be signed by the chair of the board and by the director. The issuance of a certificate of licensure by the director is prima facie evidence that the person named therein is entitled to all the rights and privileges of a licensed landscape architect.

(2) Each licensee shall obtain a seal of the design authorized by the board bearing the landscape architect's name, license number, the legend "Licensed Landscape Architect," and the name of this state. Drawings prepared by the licensee shall be sealed and signed by the licensee when filed with public authorities. It is unlawful to seal and sign a document after a licensee's certificate of licensure or authorization has expired, been revoked, or is suspended. A landscape architect shall not seal and sign technical submissions not prepared by the landscape architect or his or her regularly employed subordinates or individuals under his or her direct control, or if prepared by a landscape architect licensed in any jurisdiction recognized by the board, reviewed and accepted as the sealing landscape architect's own work; a landscape architect who signs or seals drawings or specifications that he or she has reviewed is responsible to the same extent as if prepared by that landscape architect. [2009 c 370 § 14; 1993 c 35 § 6; 1969 ex.s. c 158 § 15.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.180 Certificate of licensure suspension—Non-compliance with support order—Reissuance.** The board, through the director, shall immediately suspend the certificate of licensure to practice landscape architecture of a person who has been certified under \*RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order or a residential or visitation order. If the person has continued to meet other requirements for reinstatement during the suspension, reissuance of the certificate shall be automatic upon the director's receipt of a release issued by the department of social and health services stating that the individual is in compliance with the order. [2009 c 370 § 15; 1969 ex.s. c 158 § 18.]

**\*Reviser's note:** RCW 74.20A.320 was amended by 2009 c 408 § 1, deleting language referring to certification. RCW 74.20A.324 appears to be the more appropriate reference.

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.190 Certificate of licensure suspension—Non-payment or default on educational loan or scholarship.** The board, through the director, shall suspend the certificate of licensure of any person who has been certified by a lending agency and reported to the board for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. Before the suspension, the agency must provide the person an opportunity for a brief adjudicative proceeding under RCW 34.05.485 through 34.05.494 and issue a finding of nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. The person's certificate of licensure shall not be reissued until the person provides the board a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency. If the person has continued to meet all other requirements for certification of licensure during the suspension, reinstatement shall be automatic upon receipt of the notice and payment of any reinstatement fee the director may impose. [2009 c 370 § 16; 1996 c 293 § 15.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

Additional notes found at [www.leg.wa.gov](http://www.leg.wa.gov)

**18.96.200 Uniform regulation of business and professions act.** The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter. [2002 c 86 § 237.]

**Effective dates—2002 c 86:** See note following RCW 18.08.340.

**Part headings not law—Severability—2002 c 86:** See RCW 18.235.902 and 18.235.903.

**18.96.210 Landscape architects' license account.** The landscape architects' license account is created in the custody of the state treasurer. All receipts from fees under this chapter must be deposited into the account. Expenditures from the account may be used only for administrative and operating purposes under this chapter. Only the director or the director's designees may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2009 c 370 § 17.]

**Effective date—2009 c 370 §§ 17 and 19:** "Sections 17 and 19 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2009." [2009 c 370 § 23.]

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.220 Application—Professions and activities not affected.** This chapter does not affect or prevent:

(1) The practice of architecture, land surveying, engineering, geology, or any recognized profession by persons not licensed as landscape architects;

(2) Drafters, clerks, project managers, superintendents, and other employees of landscape architects from acting

under the instructions, control, or supervision of their employers;

(3) The construction, alteration, or supervision of sites by contractors or superintendents employed by contractors or the preparation of shop drawings in connection therewith;

(4) Owners or contractors under chapter 18.27 RCW from engaging persons who are not landscape architects to observe and supervise site construction of a project;

(5) Qualified professional biologists as referenced in chapter 36.70 RCW from providing services for natural site areas that also fall within the definition of the practice of landscape architecture without a violation of this chapter;

(6) The preparation of construction documents including planting plans, landscape materials, or other horticulture-related elements;

(7) Individuals from making plans, drawings, or specifications for any property owned by them and for their own personal use;

(8) The design of irrigation systems; and

(9) Landscape design on residential properties. [2009 c 370 § 18.]

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**18.96.900 Severability—1969 ex.s. c 158.** If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected. [1969 ex.s. c 158 § 19.]

**18.96.901 Construction—Chapter applicable to state registered domestic partnerships—2009 c 521.** For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships. [2009 c 521 § 48.]



# Chapter 308-13 WAC

## BOARD OF LICENSURE FOR LANDSCAPE ARCHITECTS

<b>WAC</b>			
308-13-005	Definitions.		
308-13-010	What does the state board of licensure do?		
308-13-013	What are the board member rules of conduct?		
308-13-020	How do I get a license?		
308-13-031	Law review.		
308-13-050	How can I get a license through reciprocity?	308-13-032	Licensing examination. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-032, filed 2/15/07, effective 3/18/07; 93-16-009, § 308-13-032, filed 7/22/93, effective 8/22/93; 92-10-030, § 308-13-032, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060 and 18.96.090. 88-12-018 (Order PM 726), § 308-13-032, filed 5/24/88. Statutory Authority: RCW 18.96.060. 85-23-045 (Order PL 567), § 308-13-032, filed 11/18/85; 85-04-029 (Order PL 511), § 308-13-032, filed 1/31/85.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.
308-13-055	Do I need a stamp or seal?		
308-13-065	What are the standards of practice and conduct?		
308-13-150	What are the landscape architect fees and charges?		
308-13-160	How do I renew my license?		
308-13-165	How do I reactivate my inactive license?		
308-13-175	Do I need ongoing professional development to maintain my license?		
308-13-185	What activities qualify as professional development?		
308-13-195	How do I record and report my professional development activities?		
308-13-205	How does the board verify I have completed my professional development?	308-13-035	Qualifications for reexamination. [Order PL-135, § 308-13-035, filed 11/13/72; Order 2472, § 308-13-035, filed 12/16/69.] Repealed by 85-23-045 (Order PL 567), filed 11/18/85. Statutory Authority: RCW 18.96.060.
308-13-215	Are there any exemptions from the professional development requirement?		
308-13-225	How do I obtain retired status?	308-13-036	Supplemental application after successful completion of examination. [Statutory Authority: RCW 18.96.060. 02-07-047, § 308-13-036, filed 3/14/02, effective 4/14/02.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.
308-13-230	Conduct of brief adjudicative proceedings.		
308-13-240	Reinstatement of suspended certificates, eligibility for registration, or denied renewals.		
308-13-250	Brief adjudicative proceedings.		
308-13-260	Records required for the brief adjudicative proceeding.	308-13-040	Review of examinations. [Statutory Authority: RCW 18.96.060. 92-10-030, § 308-13-040, filed 4/30/92, effective 5/31/92; 86-16-013 (Order PM 607), § 308-13-040, filed 7/25/86; 85-04-029 (Order PL 511), § 308-13-040, filed 1/31/85; 80-05-141 (Order PL-343), § 308-13-040, filed 5/7/80; Order 2472, § 308-13-040, filed 12/16/69.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.
<b>DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER</b>			
308-13-011	The seal/stamp. [Statutory Authority: RCW 18.96.060. 08-22-027, § 308-13-011, filed 10/28/08, effective 11/28/08.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-055.	308-13-041	Appeal of examination score. [Statutory Authority: RCW 18.96.060. 86-16-013 (Order PM 607), § 308-13-041, filed 7/25/86.] Repealed by 92-10-030, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060.
308-13-012	Standards of practice and conduct. [Statutory Authority: RCW 18.96.060. 08-22-027, § 308-13-012, filed 10/28/08, effective 11/28/08.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-065.	308-13-042	Board procedure on examination grading appeals. [Statutory Authority: RCW 18.96.060. 86-16-013 (Order PM 607), § 308-13-042, filed 7/25/86.] Repealed by 92-10-030, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060.
308-13-015	Powers and duties of the board. [Statutory Authority: RCW 18.96.060. 96-10-013, § 308-13-015, filed 4/19/96, effective 5/20/96; 86-16-013 (Order PM 607), § 308-13-015, filed 7/25/86; 85-04-029 (Order PL 511), § 308-13-015, filed 1/31/85; Order 2472, § 308-13-015, filed 12/16/69.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.	308-13-045	Initial license. [Statutory Authority: RCW 18.96.060 and 43.24.086. 99-23-025, § 308-13-045, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 43.24.086 and 18.96.110. 97-06-065, § 308-13-045, filed 2/27/97, effective 3/30/97.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.
308-13-022	Reexamination. [Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-022, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.	308-13-060	Registration of exemption. [Order 2472, § 308-13-060, filed 12/16/69.] Repealed by Order PL-135, filed 11/13/72.
308-13-024	Application for examination. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-024, filed 2/15/07, effective 3/18/07; 02-07-047, § 308-13-024, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-024, filed 4/19/96, effective 5/20/96; 93-16-009, § 308-13-024, filed 7/22/93, effective 8/22/93.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.	308-13-070	Applicant's qualifications. [Order 2472, § 308-13-070, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.
308-13-025	Proctoring. [Statutory Authority: RCW 18.96.060 and 18.96.070. 88-15-041 (Order PM 746), § 308-13-025, filed 7/15/88. Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-025, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.	308-13-080	Certificates, seals. [Statutory Authority: RCW 18.96.060. 80-05-141 (Order PL-343), § 308-13-080, filed 5/7/80; Order 2472, § 308-13-080, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.
		308-13-090	Withdrawal of registrant. [Order 2472, § 308-13-090, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

- 308-13-100 Reinstatement of delinquent, suspended, or revoked licenses. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-100, filed 2/15/07, effective 3/18/07; 02-07-047, § 308-13-100, filed 3/14/02, effective 4/14/02; 93-16-009, § 308-13-100, filed 7/22/93, effective 8/22/93; 85-04-029 (Order PL 511), § 308-13-100, filed 1/31/85; Order 2472, § 308-13-100, filed 12/16/69.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.
- 308-13-110 Landscape architect listings. [Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-110, filed 1/31/85; Order PL 169, § 308-13-110, filed 6/19/74; Order PL-135, § 308-13-110, filed 11/13/72.] Repealed by 96-10-013, filed 4/19/96, effective 5/20/96.
- 308-13-120 Landscape architects—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-13-120, filed 9/25/80; Order PL 206, § 308-13-120, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-13-150.
- 308-13-170 Retired status certificate of registration. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-170, filed 2/15/07, effective 3/18/07.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-225.
- 308-13-180 Board member rules of conduct—Activities incompatible with public duties—Financial interests in transactions. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-180, filed 2/15/07, effective 3/18/07.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-013.
- 308-13-210 Application of brief adjudicative proceedings. [Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-210, filed 4/30/97, effective 5/31/97.] Repealed by 07-05-039, filed 2/15/07, effective 3/18/07. Statutory Authority: RCW 18.96.060.
- 308-13-220 Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-220, filed 4/30/97, effective 5/31/97.] Repealed by 07-05-039, filed 2/15/07, effective 3/18/07. Statutory Authority: RCW 18.96.060.

**WAC 308-13-005 Definitions.** (1) "CLARB" means the National Council of Landscape Architectural Registration Boards, of which the Washington board is a member.

(2) "Entire examination" as referred to in RCW 18.96.090 means the written and graphic examination approved by the board.

(3) "Examination" or "L.A.R.E." means the Landscape Architect Registration Examination for landscape architects.

(4) "Institution of higher education" as used in RCW 18.96.070 means a college or school recognized by the Landscape Architectural Accreditation Board (LAAB) as having accredited programs in landscape architecture.

(5) Professional development equivalents:

(a) One professional development hour (PDH) is equal to no less than fifty minutes of instruction.

(b) One continuing education unit (CEU) is equal to ten PDHs.

(c) For professional development through an institution of higher education:

(i) One semester hour equals forty-five PDHs.

(ii) One quarter hour equals thirty PDHs.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-005, filed 6/2/10, effective 7/3/10; 02-07-047, § 308-13-005, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-005, filed 4/19/96, effective 5/20/96; 85-04-029 (Order PL 511), § 308-13-005, filed 1/31/85.]

**WAC 308-13-010 What does the state board of licensure do?** The Washington state board of licensure for landscape architects, hereinafter called the board, will hold quarterly regular public meetings each year.

At its regular meeting during the second quarter of the calendar year, the board shall elect a chair, a vice-chair, and a secretary for the upcoming year. The secretary may delegate his or her responsibilities in all or in part to the executive director.

The board shall:

(1) Determine the qualifications for examination.

(2) Review applications to determine eligibility for licensure by applicants who do not have a degree, referring qualified candidates to CLARB for administration of the examination.

(3) Review and act on applications for licensure by reciprocity.

(4) Provide application instructions for reissuance of license to persons whose license has been suspended or revoked in accordance with RCW 18.96.120, 18.96.180, 18.96.190 and chapter 18.235 RCW.

(5) Provide reinstatement instructions to persons whose license is delinquent in accordance with RCW 18.96.110.

(6) Provide guidelines for qualifying professional development activities.

(7) Audit and enforce professional development activities.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-010, filed 6/2/10, effective 7/3/10; 08-22-027, § 308-13-010, filed 10/28/08, effective 11/28/08; 85-04-029 (Order PL 511), § 308-13-010, filed 1/31/85; 80-05-141 (Order PL-343), § 308-13-010, filed 5/7/80; Order 2472, § 308-13-010, filed 12/16/69.]

**WAC 308-13-013 What are the board member rules of conduct?** (1) When a member of the board either owns a beneficial interest in or is an officer, agent, employee, or member of an entity, or individual which is engaged in a transaction involving the board, the member shall:

(a) Recuse oneself from the board discussion regarding the specific transaction;

(b) Recuse oneself from the board vote on the specific transaction; and

(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific transaction.

(2) The prohibition against discussion and voting set forth in subsection (1)(a) and (c) of this section shall not prohibit the member of the board from using his or her general expertise to educate and provide general information on the subject area to the other members.

(3)(a) "Transaction involving the board" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the member in question believes, or has reason to believe:

(i) Is, or will be, the subject of board action; or

(ii) Is one to which the board is or will be a party; or

(iii) Is one in which the board has a direct and substantial proprietary interest.

(b) Does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a member; or a claim, case, lawsuit, or similar matter if the member did not participate in the underlying transaction involving the board that is the basis for the claim, case, or lawsuit. Rule making is not a "transaction involving the board."

(4) "Board action" means any action on the part of the board, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(5) The following are examples of possible scenarios related to board member rules of conduct.

(a) **EXAMPLE 1:**

The board of licensure for landscape architects disciplines licensed landscape architects in Washington. The board is conducting an investigation involving the services provided by a licensed landscape architect. One of the members of the board is currently serving a subcontractor to that landscape architect on a large project. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to disciplinary actions arising from licensed landscape architect services.

(b) **EXAMPLE 2:**

The board of licensure for landscape architects makes licensing decisions on applications for licensure. An applicant for licensure owns a school construction business which employs licensed landscape architects, including one of the board members. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to his or her employer's application for licensure.

(c) **EXAMPLE 3:**

The board of licensure for landscape architects makes licensing decisions on applications from licensed landscape architects in another state or territory of the United States, the District of Columbia, or another country. The board can grant licensure if that individual's qualifications and experience are equivalent to the qualifications and experience required of a person registered under Washington law. An out-of-state applicant is employed as a landscape architect by a multinational corporation that is planning to build its world headquarters in Washington and has hired a board member's firm as the landscape architect for the project. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to the sufficiency of the out-of-state landscape architect's qualifications and experience.

(6) Recusal disclosure. If recusal occurs pursuant to subsection (1) of this section, the member of the board shall disclose to the public the reasons for his or her recusal from any board action whenever recusal occurs. The board staff shall record each recusal and the basis for the recusal.

[Statutory Authority: RCW 18.96.060, 10-12-116, amended and recodified as § 308-13-013, filed 6/2/10, effective 7/3/10; 07-05-039, § 308-13-180, filed 2/15/07, effective 3/18/07.]

**WAC 308-13-020 How do I get a license?** You need to fulfill three general requirements before getting your license: Education, examination, and experience.

The board adopts the CLARB's "Standards of Eligibility for Council Certification" as the standard for the education and experience requirements for applicants with a degree. The board does not require a CLARB council certificate for licensure.

Subject to the provisions of RCW 18.96.090, the board adopts the landscape architectural registration examination and grading procedure prepared by CLARB as the state examination for licensure. CLARB will administer the entire examination for Washington candidates, and will collect examination and reexamination fees accordingly.

(1) To register for the examination.

(a) If you have a degree:

(i) Apply directly to CLARB. Your materials will be evaluated using CLARB's "Standards of Eligibility for CLARB Test Center Candidates."

(ii) Contact CLARB to register for the Landscape Architect Registration Examination (LARE).

(iii) CLARB will register you and administer the exam. You will pay the fees for examination and reexamination directly to CLARB.

(b) If you do not have a degree:

(i) You must have a high school diploma or equivalent and at least eight years practical landscape architectural work experience.

(A) At least six years of work experience must be under the direct supervision of a licensed landscape architect.

(B) The remaining two years can be any combination of the following as approved by the board:

(I) Postsecondary education courses in landscape architecture, landscape architectural technology or a related field, if the courses are equivalent to education courses in an accredited landscape architectural degree program.

With a passing grade, thirty-two semester credit hours or forty-five quarter hours is considered to be one year. Any fraction, one-half year or greater, will be counted one-half year, and less than one-half year will not be counted.

(II) Work experience in landscape design as a principal activity.

(C) Work experience will receive credit if it is as follows:

(I) At least thirty-five hours per week for at least two continuous months - 100%.

(II) At least twenty hours per week for at least four continuous months - 50%.

(ii) Submit the following to the board office:

(A) The board's official application form and application fee. The application fee is not refundable.

(B) Evidence of your qualifications and experience as shown by:

(I) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(II) The following materials:

- An official sealed transcript showing any applicable courses you have taken from a community college, technical college, or university. The transcript must be sent directly from the college or university to the board office.

- Verification by at least two licensed landscape architects who have reviewed and provided written acknowledgment of your work.

(iii) If your application is approved, it will be sent to CLARB and CLARB will register you and administer the exam. You will pay the fees for examination and reexamination directly to CLARB.

(2) To obtain a license, submit the following to the board office:

(a) If you have a degree:

(i) The board's official application form with the application fee. The application fee is not refundable;

(ii) Evidence of your qualifications and experience as shown by:

(A) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(B) The following materials:

(I) Verification of successful completion of the exam; and

(II) Statements of previous employers covering full-time employment for a minimum of three years of diversified experience in landscape architecture based on CLARB's Standards of Eligibility for Council Certification;

(iii) The initial license fee;

(iv) A written review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031;

(b) If you don't have a degree:

(i) Evidence of your qualifications and experience as shown by:

(A) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(B) Verification of successful completion of the exam;

(ii) The initial license fee;

(iii) A written review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031.

[Statutory Authority: RCW 18.96.060, 10-12-116, § 308-13-020, filed 6/2/10, effective 7/3/10; 07-05-039, § 308-13-020, filed 2/15/07, effective 3/18/07; 02-07-047, § 308-13-020, filed 3/14/02, effective 4/14/02; 93-16-009, § 308-13-020, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060 and 18.96.070, 88-05-025 (Order PM 707), § 308-13-020, filed 2/12/88. Statutory Authority: RCW 18.96.060, 85-04-029 (Order PL 511), § 308-13-020, filed 1/31/85; Order PL 246, § 308-13-020, filed 4/26/76; Order 2472, § 308-13-020, filed 12/16/69.]

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**WAC 308-13-031 Law review.** When you successfully complete the licensing examination, you must then satisfactorily complete the review of laws related to the practice of landscape architecture as determined by the board.

[Statutory Authority: RCW 18.96.060, 10-12-116, § 308-13-031, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-050 How can I get a license through reciprocity?** If you hold an active landscape architect license in another state or country, you can apply for a Washington license if your qualifications and experience meet the following criteria:

- If you have a degree, your qualifications will be evaluated using CLARB's Standard of Eligibility for Council Certification.

- If you do not have a degree, your qualifications and experience must be comparable to WAC 308-13-020.

Submit to the board office:

(1) The board's official application form and reciprocity application fee. The application fee is not refundable;

(2) The initial license fee;

(3) A written review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031;

(4) Evidence of your qualifications and experience as shown by:

(a) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(b) The following materials:

(i) Certification from the state of licensure, verifying you hold an active license and have successfully passed the national licensure exam. This certification must be sent directly from the issuing state to the Washington board office;

(ii) An official sealed transcript showing any applicable courses you have taken from a community college, technical college, or university. The transcript must be sent directly from the college or university to the board office; and

(iii) Verification of work experience as outlined in WAC 308-13-020 (1)(b).

[Statutory Authority: RCW 18.96.060, 10-12-116, § 308-13-050, filed 6/2/10, effective 7/3/10; 02-07-047, § 308-13-050, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-050, filed 4/19/96, effective 5/20/96; 85-04-029 (Order PL 511), § 308-13-050, filed 1/31/85; Order PL 206, § 308-13-050, filed 11/5/75; Order PL 169, § 308-13-050, filed 6/19/74; Order PL-135, § 308-13-050, filed 11/13/72; Order 2472, § 308-13-050, filed 12/16/69.]

**WAC 308-13-055 Do I need a stamp or seal?** If you were issued your license on or after July 1, 2010, you must have a seal/stamp of the design authorized by the board, bearing your name, license number and the legend "Licensed landscape architect, state of Washington." The seal/stamp may be used in a horizontal or vertical format provided it remains readable. Other deviations are not allowed. Examples of the board-authorized seal/stamp appear below.

If you were licensed before July 1, 2010, you may continue to use your existing registration stamp.



STATE OF  
WASHINGTON  
LICENSED  
LANDSCAPE ARCHITECT

(SIGNATURE)

NAME

LICENSE NO. 000  
EXPIRES ON (EXPIRATION DATE)



STATE OF  
WASHINGTON  
LICENSED  
LANDSCAPE ARCHITECT

(SIGNATURE)

NAME

LICENSE NO. 000  
EXPIRES ON (EXPIRATION DATE)

(1) Your seal/stamp must include your signature and your license expiration date.

(2) You must seal/stamp the following:

(a) All technical submissions required for building permits, regulatory approvals and/or construction drawings that are filed with authorities having jurisdiction;

(b) Drawings prepared by you on each sheet;

(c) Specifications and other technical submissions need only be sealed/stamped on the cover, title page, and all pages of the table of contents.

Your seal/stamp shall not be affixed to any drawings not prepared by you or your regularly employed subordinates, or not reviewed by you. If you seal/stamp drawings or specifications that you have reviewed, you shall be responsible to the same extent as if those drawings or specifications were prepared by you.

(6/2/10)

Without exception, these sealing/stamping requirements for landscape architects shall apply to all work prepared or supervised by the landscape architect.

(3) The terms "signature" or "signed" as used in chapter 18.96 RCW and this chapter, shall mean the following:

(a) A handwritten identification or a digital representation of your handwritten identification that represents the act of putting your name on a document to attest to its validity. The handwritten or digital identification must be:

(i) Original and written by hand, or a scanned image of an original, handwritten identification;

(ii) Permanently affixed to the document(s) being certified;

(iii) Applied to the document by the identified licensee;

(iv) Placed adjacent to the seal/stamp of the licensee;

(b) A digital identification that is an electronic authentication process attached to or logically associated with an electronic document. The digital identification may include a scanned or digitized signature. The digital identification must be:

(i) Unique to the licensee using it;

(ii) Capable of independent verification;

(iii) Under the exclusive control of the licensee using it;

(iv) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed.

[Statutory Authority: RCW 18.96.060, 10-12-116, amended and recodified as § 308-13-055, filed 6/2/10, effective 7/3/10; 08-22-027, § 308-13-011, filed 10/28/08, effective 11/28/08.]

**WAC 308-13-065 What are the standards of practice and conduct? (1) Competence.**

(a) In practicing landscape architecture, you shall act with reasonable care and competence and shall apply the technical knowledge and skill that is ordinarily applied by landscape architects of good standing practicing in the same locality.

(b) In designing a project, you shall take into account all applicable construction laws, zoning codes and other applicable laws or regulations. You shall not knowingly design a project in violation of such laws and regulations.

(c) You shall perform professional services only when you, together with those whom you engage as consultants, are qualified by education, training and experience in the specific technical areas involved.

(2) Conflict of interest.

(a) You shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(b) If you have any business association or direct or indirect financial interest that is substantial enough to influence your judgment in connection with the performance of professional services, you shall fully disclose this in writing to the client or employer. If your client or employer objects to such association or financial interest, you shall either terminate such association or interest or offer to give up the commission or employment.

(c) You shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(d) When acting as the interpreter of landscape contract documents and the judge of contract performance, you shall render decisions impartially, favoring neither party to the contract.

(3) Full disclosure.

(a) You shall disclose whenever you are being compensated for making public statements concerning landscape architectural issues.

(b) You shall accurately represent to a prospective or existing client or employer your qualifications and clearly define the scope of your responsibility in connection with work for which you are claiming responsibility.

(c) If you become aware of a decision made by your employer or clients against your advice that violates applicable construction laws, zoning codes or other applicable regulations and that will, in your judgment, materially and adversely affect the public health, safety and welfare, you shall:

(i) Report the decision to the local authorities or other public official charged with the enforcement of such laws and regulations;

(ii) Refuse to consent to the decision; and

(iii) In circumstances where you reasonably believe that other such decisions will be made notwithstanding your objection, then you shall terminate services with reference to the project. In the case of a termination in accordance with (3)(c)(iii) of this section, you shall have no liability to the client on account of such termination.

(d) You shall not deliberately make a materially false statement or deliberately fail to disclose a material fact requested in connection with an application for licensure or renewal.

(e) You shall not assist in the application for licensure of a person known by you to be unqualified in respect to education, examination, experience or character.

(4) Compliance with laws.

(a) You shall not, in the practice of landscape architecture, knowingly violate any criminal law.

(b) You shall neither offer nor make any payment or gift to any governmental official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which you are interested.

(c) You shall comply with the laws and regulations governing professional practice in any jurisdiction.

(5) Professional conduct. You shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which you are interested.

[Statutory Authority: RCW 18.96.060, 10-12-116, amended and recodified as § 308-13-065, filed 6/2/10, effective 7/3/10; 08-22-027, § 308-13-012, filed 10/28/08, effective 11/28/08.]

**WAC 308-13-150 What are the landscape architect fees and charges?** The following fees will be collected:

Title of Fee	Fee
Application fee	\$250.00
Renewal (2 years)	450.00

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Title of Fee	Fee
Late renewal penalty	150.00
Duplicate license	25.00
Initial license (2 years)	450.00
Reciprocity application fee	450.00
Replacement wall certificate	20.00

You will submit any examination fees directly to CLARB.

[Statutory Authority: RCW 18.96.060, 10-12-116, § 308-13-150, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.080, 18.96.090, 18.96.100, 18.96.110, 43.24.086, 09-15-124, § 308-13-150, filed 7/17/09, effective 8/17/09. Statutory Authority: RCW 18.96.060, 07-05-039, § 308-13-150, filed 2/15/07, effective 3/18/07. Statutory Authority: RCW 18.96.080 and 43.24.086, 05-17-004, § 308-13-150, filed 8/3/05, effective 9/3/05; 05-04-050, § 308-13-150, filed 1/28/05, effective 2/28/05; 04-17-026, § 308-13-150, filed 8/9/04, effective 9/9/04; 03-11-074, § 308-13-150, filed 5/20/03, effective 6/20/03; 02-16-018, § 308-13-150, filed 7/26/02, effective 8/26/02. Statutory Authority: RCW 18.96.060 and 43.24.086, 01-15-034, § 308-13-150, filed 7/12/01, effective 8/12/01; 01-04-002, § 308-13-150, filed 1/25/01, effective 2/25/01; 99-23-025, § 308-13-150, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 18.96.080 and 43.24.086, 96-11-132, § 308-13-150, filed 5/22/96, effective 6/22/96; 95-20-026, § 308-13-150, filed 9/27/95, effective 10/28/95. Statutory Authority: RCW 43.24.086, 94-23-031, § 308-13-150, filed 11/8/94, effective 12/9/94. Statutory Authority: RCW 18.96.080, 94-04-044, § 308-13-150, filed 1/27/94, effective 2/27/94. Statutory Authority: RCW 43.24.086 and 18.96.080, 91-23-021, § 308-13-150, filed 11/8/91, effective 12/9/91; 90-15-039, § 308-13-150, filed 7/13/90, effective 8/13/90. Statutory Authority: RCW 43.24.086, 90-03-031, § 308-13-150, filed 1/12/90, effective 2/12/90; 88-04-027 (Order PM 702), § 308-13-150, filed 1/26/88. Statutory Authority: 1983 c 168 § 12, 83-17-031 (Order PL 442), § 308-13-150, filed 8/10/83. Formerly WAC 308-13-120.]

**WAC 308-13-160 How do I renew my license?** The landscape architect license renewal period is two years. Your expiration date is your birthday. The department will send a courtesy renewal to your most recent address on file approximately eight weeks before the license expiration date. The renewal notice will show the due date, the amount of renewal fee, the penalty fee for late payment, professional development notice and other mailing instructions. You must notify the board in writing of any address changes.

You are responsible for renewing your license regardless of receiving a renewal notice from the department. If you fail to renew your license, your license is delinquent and you are prohibited from offering and/or providing professional landscape architect services until your license is reinstated.

(1) If your license has been delinquent less than five years, send to the department:

(a) A letter requesting reinstatement;

(b) Payment from the previous renewal cycle, the current renewal fee, and the late penalty fee;

(c) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities.

(2) If your license has been delinquent five or more years, send to the department:

(a) A letter requesting reinstatement;

(b) Payment from the previous renewal cycle, the current renewal fee, and the late penalty fee;

(c) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities;

(d) A resume of landscape architectural activities and projects showing you have been working in another jurisdiction since the date of your license expiration;

(e) A detailed explanation of the circumstances surrounding the failure to maintain current licensure;

(f) A review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031.

If your license has been delinquent five or more years, the board will review all of your reinstatement materials. They may request additional information if necessary.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-160, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060 and 43.24.086. 99-23-025, § 308-13-160, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 43.24.086 and 18.96.110. 97-06-065, § 308-13-160, filed 2/27/97, effective 3/30/97. Statutory Authority: RCW 18.96.080. 94-04-044, § 308-13-160, filed 1/27/94, effective 2/27/94. Statutory Authority: RCW 46.24.086 [43.24.086] and 18.96.110. 88-01-022 (Order PM 696), § 308-13-160, filed 12/9/87.]

**WAC 308-13-165 How do I reactivate my inactive license?** (1) If you are returning to active status from less than five years of inactive status, send to the department:

- (a) A letter requesting reactivation;
- (b) The current renewal fee;
- (c) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities.

(2) If you are returning to active status after five years of inactive status, send to the department:

- (a) A letter requesting reinstatement;
- (b) The current renewal fee plus the late penalty fee;
- (c) A review of laws related to the practice of landscape architecture;

(d) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 for qualifying activities.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-165, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-175 Do I need ongoing professional development to maintain my license?** (1) Starting July 1, 2010, to maintain active practice, you must accumulate twenty-four professional development hours (PDHs) for the upcoming two-year renewal period. Starting July 1, 2012, the PDHs you accumulate are subject to audit by the board.

(2) Up to twelve PDHs over the required hours can be carried forward from the second year of your previous renewal period including hours accumulated from July 1, 2009, forward.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-175, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-185 What activities qualify as professional development?** (1) You are responsible to seek out qualifying activities that can be demonstrated to the board as relevant to professional development.

- (a) Activities are not preapproved by the board.
- (b) Activities must be relevant to the practice of landscape architecture and may include technical, ethical or managerial content.

(i) At least eighteen PDHs must address public health, safety and welfare.

(ii) All activities must have a clear purpose and objective that will maintain, improve or expand skills and knowledge relevant to the practice of landscape architecture.

(2) The board is the final authority with respect to claimed qualifying activities and the respective PDH credit.

(3) The qualifying activity becomes eligible for credit upon completion of the given activity.

(4) Examples of qualifying activities:

<b>Activity (1 PDH is equal to no less than 50 minutes of activity)</b>	<b>Maximum PDHs</b>
One hour of preparation and subsequent presentation of a professional development program at seminars, professional/technical meetings, conventions or conferences. This credit does not apply to full-time faculty.	10 PDHs per year
For publication of an authored technical paper or article.	10 PDHs
For publication of an authored book.	30 PDHs
Professional boards or commissions: Serving as an elected officer or appointed chair of a committee of an organization in a professional society or organization. PDH shall not be earned until the completion of each year of service.	4 PDHs per organization
Boards or commissions related to the practice of landscape architecture: Serving as an elected officer or appointed member of a board or commission. PDH shall not be earned until the completion of each year of service.	4 PDHs per organization
Professional examination grading or writing: Serving as an exam grader or on a committee writing exam materials for a professional registration examination.	8 PDHs per biennium
Membership on the regulatory board for the practice of landscape architecture.	8 PDHs per year
One hour of attendance at meetings or hearings of the board. This credit does not apply to existing board members or to parties or witnesses in hearings before the board.	6 PDHs per year
One hour of work, outside normal duties of employment that involves participation in other recognized professional activities.	2 PDHs per year
One hour of self-study.	5 PDHs per year
One hour of participation in sessions or courses, sponsored by technical or professional societies, organizations or the board.	No limit
One hour of participation in organized courses, including employer provided courses, on environmental health topics/first aid/safety, technical or management skills.	No limit
One hour of attendance at professional or technical society meetings with an informational program.	5 PDHs per year

Activity (1 PDH is equal to no less than 50 minutes of activity)	Maximum PDHs
Pro bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the registrant. Four hours of service is equal to 1 PDH.	4 PDHs per year
One hour of participation in an activity involving substantial and organized peer interaction, excluding time spent during regular employment.	5 PDHs per year

(5) The following activities do not qualify as professional development:

- (a) Activities that were conditions of a board order;
- (b) Attendance or testimony at legislative hearings, at city or county council meetings/hearings, or at civil or criminal trials;
- (c) Time spent fund-raising for scholarships or other society purposes or lobbying for legislation;
- (d) Attendance at gatherings that are primarily social in nature;
- (e) Membership and/or attendance in service club meetings.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-185, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-195 How do I record and report my professional development activities?** (1) You must maintain the records of your professional development activities. The records must include the date of the activity, the instructor's name, a description of activity and its location and the number of PDHs.

(2) You must keep your records for the cumulative time in the current renewal period plus the three years before the last renewal (five years total).

(3) By renewing your professional landscape architect license, you attest you have completed the required professional development for that renewal period.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-195, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-205 How does the board verify I have completed my professional development?** (1) The board will audit between five and fifteen percent of the total number of licensees yearly. If you are selected for an audit, the board will provide instructions about how to respond.

(2) You may face disciplinary action for failing to complete your professional development requirement or falsifying your records.

(3) If an audit disqualifies credits that you reported to the board and results in you failing to complete the PDH requirements, the board may require the shortage to be made up over a period of time established by the board.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-205, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-215 Are there any exemptions from the professional development requirement?** (1) The board may allow a waiver from the professional development requirement only under the following circumstances. The waiver would only be in effect for the current renewal period. The board requires waiver requests to be in writing.

(a) Physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship, as determined by the board.

(b) Active military duty for at least one hundred twenty days.

(c) If you have been licensed for twenty-five or more consecutive years in a CLARB-recognized jurisdiction, you may meet the professional development requirement upon completing 4 PDHs per year. See WAC 308-13-185 regarding qualifying activities.

(2) You are exempted from the professional development requirements if you withdraw from active practice and place your license in retired status (see WAC 308-13-225) or inactive status (see RCW 18.96.110(2)). Under these statuses, you are not permitted to perform any landscape architectural activity, as provided for in RCW 18.96.030, unless said activity is under the direct supervision of a Washington state licensed landscape architect who has an active license in the records of the board.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-215, filed 6/2/10, effective 7/3/10.]

**WAC 308-13-225 How do I obtain retired status?** If you are a licensed landscape architect you may be eligible to obtain retired status if you are at least the age of sixty-five and have discontinued active practice. If granted, your ongoing licensing renewal fees are waived.

(1) To obtain retired status, submit a request in writing to the board office. If the board determines you are eligible, the retired status would become effective on the first scheduled license renewal date that occurs on or after you reach the age of sixty-five. You do not need to renew an expired license to be eligible for this status. The board will not provide refund of renewal fees if the application for retired status is made and granted before the date of expiration of the certificate of licensure.

(2) Privileges. In addition to the waiver of the renewal fee, as a retired licensee you are permitted to:

(a) Retain the board-issued wall certificate of licensure;

(b) Use the title landscape architect, provided you also use the term "retired," or the abbreviation "ret";

(c) Work as a landscape architect in a volunteer capacity, provided you do not create landscape architectural plans, and do not use your seal, except as provided for in (d) of this subsection;

(d) Provide experience verifications and references for persons seeking registration under chapter 18.96 RCW. If using your professional seal, you must place the word "retired" after your signature;

(e) Serve as a volunteer in an instructional capacity on landscape architectural topics;

(f) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to landscape architectural work you performed before you were granted retired status;

(g) Serve in a function that supports the principles of licensure and promotes the profession of landscape architect-

ture, such as members of commissions, boards or committees;

(h) Serve in a landscape architectural capacity as a "good samaritan," as set forth in RCW 38.52.195 and 38.52.1951, provided said work is otherwise performed in accordance with chapter 18.96 RCW.

(3) Restrictions. As a retired licensee, you are not permitted to:

(a) Perform any landscape architectural activity, as provided for in RCW 18.96.030, unless said activity is under the direct supervision of a Washington state licensed landscape architect who has an active license in the records of the board;

(b) Apply your professional stamp, as provided for in RCW 18.96.150, to any plan, specification, or report, except as provided for in subsection (2)(d) of this section.

(4) Certificate of licensure reinstatement. As a retired licensee, you may resume active landscape architectural practice upon written request to the board, payment of the current renewal fee, and providing evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities. At that time, you shall be removed from retired status and placed on active status in the records of the board. All rights and responsibilities of an active license status will be in effect. At the date of expiration of the reinstated certificate of licensure, you may elect to either continue active licensure or may again apply for retired status in accordance with the provisions of this chapter.

(5) Exemptions. Under no circumstances shall you be eligible for a retired registration if your certificate of licensure has been revoked, surrendered, or in any way permanently terminated by the board under chapter 18.96 RCW. If you have been suspended from practice and/or are subject to terms of a board order at the time you reach age sixty-five, you shall not be eligible for a retired status until such time that the board has removed the restricting conditions.

(6) Penalties for noncompliance. Any violations of this section shall be considered unprofessional conduct as defined in RCW 18.235.130 and are subject to penalties as provided for in RCW 18.235.110.

[Statutory Authority: RCW 18.96.060. 10-12-116, amended and recodified as § 308-13-225, filed 6/2/10, effective 7/3/10; 07-05-039, § 308-13-170, filed 2/15/07, effective 3/18/07.]

**WAC 308-13-230 Conduct of brief adjudicative proceedings.** (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the board chair. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-230, filed 4/30/97, effective 5/31/97.]

**WAC 308-13-240 Reinstatement of suspended certificates, eligibility for registration, or denied renewals.** Where a person's certificate of licensure has been suspended, an applicant has been denied license renewal, or an applicant has been denied the ability to take the examination for certificate of licensure due to nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship, his or her certificate of licensure, license renewal or examination application will be reinstated when the person provides the board a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency, provided, the person shall pay any applicable reinstatement or renewal fee.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-240, filed 6/2/10, effective 7/3/10; 97-10-026, § 308-13-240, filed 4/30/97, effective 5/31/97.]

**WAC 308-13-250 Brief adjudicative proceedings.** (1) The board will conduct brief adjudicative proceedings as provided for in RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act. Brief adjudicative proceedings may be used whenever a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleges violations of chapters 18.96 and 18.235 RCW, administrative rules in Title 308 WAC or any statutes or rules that specifically govern the defined practices of landscape architects. Brief adjudicative proceedings may also be used in place of formal adjudicative hearings whenever the board issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act.

(2) Brief adjudicative proceedings may be used to determine the following issues, including, but not limited to:

(a) Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;

(b) Whether an applicant is eligible to sit for a professional licensing examination;

(c) Whether a sanction proposed by the board is appropriate based on the stipulated facts;

(d) Whether an applicant meets minimum requirements for an initial or renewal application;

(e) Whether an applicant has failed the professional licensing examination;

(f) Whether an applicant or licensee failed to cooperate in an investigation by the board;

(g) Whether an applicant or licensee was convicted of a crime that disqualifies the applicant or licensee from holding the specific license sought or held;

(h) Whether an applicant or licensee has defaulted on educational loans;

(i) Whether an applicant or licensee has violated the terms of a final order issued by the board or the board's designee;

(j) Whether a person has engaged in false, deceptive, or misleading advertising; or

(k) Whether a person has engaged in unlicensed practice.

(3) In addition to the situations enumerated in subsection (2) of this section, the board may conduct brief adjudicative proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.

[Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-250, filed 2/15/07, effective 3/18/07.]

**WAC 308-13-260 Records required for the brief adjudicative proceeding.** The records for the brief adjudicative proceeding shall include:

(1) Renewal or reinstatement of a license:

(a) All correspondence between the applicant and the board about the renewal or reinstatement;

(b) Copies of renewal notice(s) sent by the department of licensing to the licensee;

(c) All documents received by the board from or on behalf of the licensee relating to information, payments or explanations that have been provided to the board.

(2) Applicants for certification/licensing:

(a) Original complete application with all attachments as submitted by applicant;

(b) Copies of all supplementary information related to application review by staff or board member;

(c) All documents relied upon in reaching the determination of ineligibility;

(d) All correspondence between the applicant and the board about the application or the appeal.

(3) Default of student loan payments:

(a) Copies of notices to the board showing the name and other identification information of the individual claimed to be in default on student loan payments;

(b) Copies of identification information corresponding to the person who is certified/licensed by the board that relate to the identity of the individual in default;

(c) All documents received by the board from or on behalf of the licensee relating to rebutting such identification;

(d) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed student loan or service-conditional scholarship; or

(e) A written release, if any, issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

(4) Determination of compliance with previously issued board order:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

[Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-260, filed 2/15/07, effective 3/18/07.]

# Chapter 18.235 RCW

## UNIFORM REGULATION OF BUSINESS AND PROFESSIONS ACT

### Sections

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18.235.210	Application of chapter—January 1, 2003.
18.235.900	Short title.
18.235.901	Effective date—2002 c 86 §§ 101-123.
18.235.902	Part headings not law—2002 c 86.
18.235.903	Severability—2002 c 86.

**18.235.005 Intent.** It is the intent of the legislature to consolidate disciplinary procedures for the licensed businesses and professions under the department of licensing by providing a uniform disciplinary act with standardized procedures for the regulation of businesses and professions and the enforcement of laws, the purpose of which is to assure the public of the adequacy of business and professional competence and conduct.

It is also the intent of the legislature that all businesses and professions newly credentialed by the state and regulated by the department of licensing come under this chapter. [2007 c 256 § 10; 2002 c 86 § 101.]

**18.235.010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means those boards specified in RCW 18.235.020(2)(b).

(2) "Department" means the department of licensing.

(3) "Director" means the director of the department or director's designee.

(4) "Disciplinary action" means sanctions identified in RCW 18.235.110.

(5) "Disciplinary authority" means the director, board, or commission having the authority to take disciplinary action

against a holder of, or applicant for, a professional or business license upon a finding of a violation of this chapter or a chapter specified under RCW 18.235.020.

(6) "License," "licensing," and "licensure" are deemed equivalent to the terms "license," "licensing," "licensure," "certificate," "certification," and "registration" as those terms are defined in RCW 18.118.020. Each of these terms, and the term "appointment" under chapter 42.44 RCW, are interchangeable under the provisions of this chapter.

(7) "Unlicensed practice" means:

(a) Practicing a profession or operating a business identified in RCW 18.235.020 without holding a valid, unexpired, unrevoked, and unsuspended license to do so; or

(b) Representing to a person, through offerings, advertisements, or use of a professional title or designation, that the individual or business is qualified to practice a profession or operate a business identified in RCW 18.235.020 without holding a valid, unexpired, unrevoked, and unsuspended license to do so. [2007 c 256 § 11; 2002 c 86 § 102.]

**18.235.020 Application of chapter—Director's authority—Disciplinary authority.** (*Effective until July 1, 2011.*) (1) This chapter applies only to the director and the boards and commissions having jurisdiction in relation to the businesses and professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The director has authority under this chapter in relation to the following businesses and professions:

(i) Auctioneers under chapter 18.11 RCW;

(ii) Bail bond agents and bail bond recovery agents under chapter 18.185 RCW;

(iii) Camping resorts' operators and salespersons under chapter 19.105 RCW;

(iv) Commercial telephone solicitors under chapter 19.158 RCW;

(v) Cosmetologists, barbers, manicurists, and estheticians under chapter 18.16 RCW;

(vi) Court reporters under chapter 18.145 RCW;

(vii) Driver training schools and instructors under chapter 46.82 RCW;

(viii) Employment agencies under chapter 19.31 RCW;

(ix) For hire vehicle operators under chapter 46.72 RCW;

(x) Limousines under chapter 46.72A RCW;

(xi) Notaries public under chapter 42.44 RCW;

(xii) Private investigators under chapter 18.165 RCW;

(xiii) Professional boxing, martial arts, and wrestling under chapter 67.08 RCW;

(xiv) Real estate appraisers under chapter 18.140 RCW;

(xv) Real estate brokers and salespersons under chapters 18.85 and 18.86 RCW;

(xvi) Security guards under chapter 18.170 RCW;

(xvii) Sellers of travel under chapter 19.138 RCW;

(xviii) Timeshares and timeshare salespersons under chapter 64.36 RCW;

(xix) Whitewater river outfitters under chapter 79A.60 RCW; and

(xx) Home inspectors under chapter 18.280 RCW; and

(xxi) Body artists, body piercers, and tattoo artists, and body art, body piercing, and tattooing shops and businesses, under chapter 18.300 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The \*state board of registration for architects established in chapter 18.08 RCW;

(ii) The Washington state collection agency board established in chapter 19.16 RCW;

(iii) The state board of registration for professional engineers and land surveyors established in chapter 18.43 RCW governing licenses issued under chapters 18.43 and 18.210 RCW;

(iv) The funeral and cemetery board established in chapter 18.39 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

(v) The state board of licensure for landscape architects established in chapter 18.96 RCW; and

(vi) The state geologist licensing board established in chapter 18.220 RCW.

(3) In addition to the authority to discipline license holders, the disciplinary authority may grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered under RCW 18.235.110 by the disciplinary authority. [2009 c 412 § 22; 2009 c 370 § 20; 2009 c 102 § 5; 2008 c 119 § 21; 2007 c 256 § 12; 2006 c 219 § 13; 2002 c 86 § 103.]

**Reviser's note:** \*(1) The "state board of registration for architects" was changed to "the state board for architects" by 2010 c 129 § 3.

(2) This section was amended by 2009 c 102 § 5, 2009 c 370 § 20, and by 2009 c 412 § 22, each without reference to the other. All amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

**Short title—Implementation—2009 c 412:** See RCW 18.300.900 and 18.300.902.

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**Funeral directors and embalmers account and cemetery account abolished, moneys transferred to funeral and cemetery account—2009 c 102:** See note following RCW 18.39.810.

**Effective date—2006 c 219:** See note following RCW 46.82.285.

**18.235.020 Application of chapter—Director's authority—Disciplinary authority. (Effective July 1, 2011.)** (1) This chapter applies only to the director and the boards and commissions having jurisdiction in relation to the businesses and professions licensed under the chapters specified in this section. This chapter does not apply to any busi-

ness or profession not licensed under the chapters specified in this section.

(2)(a) The director has authority under this chapter in relation to the following businesses and professions:

(i) Auctioneers under chapter 18.11 RCW;

(ii) Bail bond agents and bail bond recovery agents under chapter 18.185 RCW;

(iii) Camping resorts' operators and salespersons under chapter 19.105 RCW;

(iv) Commercial telephone solicitors under chapter 19.158 RCW;

(v) Cosmetologists, barbers, manicurists, and estheticians under chapter 18.16 RCW;

(vi) Court reporters under chapter 18.145 RCW;

(vii) Driver training schools and instructors under chapter 46.82 RCW;

(viii) Employment agencies under chapter 19.31 RCW;

(ix) For hire vehicle operators under chapter 46.72 RCW;

(x) Limousines under chapter 46.72A RCW;

(xi) Notaries public under chapter 42.44 RCW;

(xii) Private investigators under chapter 18.165 RCW;

(xiii) Professional boxing, martial arts, and wrestling under chapter 67.08 RCW;

(xiv) Real estate appraisers under chapter 18.140 RCW;

(xv) Real estate brokers and salespersons under chapters 18.85 and 18.86 RCW;

(xvi) Security guards under chapter 18.170 RCW;

(xvii) Sellers of travel under chapter 19.138 RCW;

(xviii) Timeshares and timeshare salespersons under chapter 64.36 RCW;

(xix) Whitewater river outfitters under chapter 79A.60 RCW;

(xx) Home inspectors under chapter 18.280 RCW;

(xxi) Body artists, body piercers, and tattoo artists, and body art, body piercing, and tattooing shops and businesses, under chapter 18.300 RCW; and

(xxii) Appraisal management companies under chapter 18.310 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The \*state board of registration for architects established in chapter 18.08 RCW;

(ii) The Washington state collection agency board established in chapter 19.16 RCW;

(iii) The state board of registration for professional engineers and land surveyors established in chapter 18.43 RCW governing licenses issued under chapters 18.43 and 18.210 RCW;

(iv) The funeral and cemetery board established in chapter 18.39 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

(v) The state board of licensure for landscape architects established in chapter 18.96 RCW; and

(vi) The state geologist licensing board established in chapter 18.220 RCW.

(3) In addition to the authority to discipline license holders, the disciplinary authority may grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also governs any investigation, hearing, or pro-

ceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered under RCW 18.235.110 by the disciplinary authority. [2010 c 179 § 18. Prior: 2009 c 412 § 22; 2009 c 370 § 20; 2009 c 102 § 5; 2008 c 119 § 21; 2007 c 256 § 12; 2006 c 219 § 13; 2002 c 86 § 103.]

**\*Reviser's note:** The "state board of registration for architects" was changed to "the state board for architects" by 2010 c 129 § 3.

**Severability—Effective date—2010 c 179:** See RCW 18.310.900 and 18.310.901.

**Short title—Implementation—2009 c 412:** See RCW 18.300.900 and 18.300.902.

**Effective date—2009 c 370 §§ 1-16, 18, 20, and 21:** See note following RCW 18.96.010.

**Finding—2009 c 370:** See note following RCW 18.96.010.

**Funeral directors and embalmers account and cemetery account abolished, moneys transferred to funeral and cemetery account—2009 c 102:** See note following RCW 18.39.810.

**Effective date—2006 c 219:** See note following RCW 46.82.285.

**18.235.030 Disciplinary authority—Powers.** The disciplinary authority has the power to:

(1) Adopt, amend, and rescind rules as necessary to carry out the purposes of this chapter, including, but not limited to, rules regarding standards of professional conduct and practice;

(2) Investigate complaints or reports of unprofessional conduct and hold hearings as provided in this chapter;

(3) Issue subpoenas and administer oaths in connection with any investigation, hearing, or proceeding held under this chapter;

(4) Take or cause depositions to be taken and use other discovery procedures as needed in an investigation, hearing, or proceeding held under this chapter;

(5) Compel attendance of witnesses at hearings;

(6) Conduct practice reviews in the course of investigating a complaint or report of unprofessional conduct, unless the disciplinary authority is authorized to audit or inspect applicants or licensees under the chapters specified in RCW 18.235.020;

(7) Take emergency action ordering summary suspension of a license, or restriction or limitation of the licensee's practice or business pending proceedings by the disciplinary authority;

(8) Appoint a presiding officer or authorize the office of administrative hearings, as provided in chapter 34.12 RCW, to conduct hearings. The disciplinary authority may make the final decision regarding disposition of the license unless the disciplinary authority elects to delegate, in writing, the final decision to the presiding officer;

(9) Use individual members of the boards and commissions to direct investigations. However, the member of the board or commission may not subsequently participate in the hearing of the case;

(10) Enter into contracts for professional services determined to be necessary for adequate enforcement of this chapter;

(11) Grant or deny license applications, secure the return of a license obtained through the mistake or inadvertence of the department or the disciplinary authority after providing the person so licensed with an opportunity for an adjudicative

proceeding, and, in the event of a finding of unprofessional conduct by an applicant or license holder, impose any sanction against a license applicant or license holder provided by this chapter;

(12) Designate individuals authorized to sign subpoenas and statements of charges;

(13) Establish panels consisting of three or more members of the board or commission to perform any duty or authority within the board's or commission's jurisdiction under this chapter; and

(14) Contract with licensees, registrants, endorsement or permit holders, or any other persons or organizations to provide services necessary for the monitoring or supervision of licensees, registrants, or endorsement or permit holders who are placed on probation, whose professional or business activities are restricted, or who are for an authorized purpose subject to monitoring by the disciplinary authority. If the subject licensee, registrant, or endorsement or permit holders may only practice or operate a business under the supervision of another licensee, registrant, or endorsement or permit holder under the terms of the law regulating that occupation or business, the supervising licensee, registrant, or endorsement or permit holder must consent to the monitoring or supervision under this subsection, unless the supervising licensee, registrant, or endorsement or permit holder is, at the time, the subject of a disciplinary order. [2002 c 86 § 104.]

**18.235.040 Director's authority.** The director has the following additional authority:

(1) To employ investigative, administrative, and clerical staff as necessary for the enforcement of this chapter, except as provided otherwise by statute;

(2) Upon request of a board or commission, to appoint not more than three pro tem members as provided in this subsection. Individuals appointed as pro tem members of a board or commission must meet the same minimum qualifications as regular members of the board or commission. While serving as a pro tem board or commission member, a person so appointed has all the powers, duties, and immunities, and is entitled to the entitlements, including travel expenses in accordance with RCW 43.03.050 and 43.03.060, of a regular member of the board or commission; and

(3) To establish fees to be paid for witnesses, expert witnesses, and consultants used in any investigation or adjudicative proceedings as authorized by RCW 34.05.446. [2007 c 256 § 13; 2002 c 86 § 105.]

**18.235.050 Statement of charges—Hearing.** (1) If the disciplinary authority determines, upon investigation, that there is reason to believe that a license holder or applicant for a license has violated RCW 18.235.130 or has not met a minimum eligibility criteria for licensure, the disciplinary authority may prepare and serve the license holder or applicant a statement of charge, charges, or intent to deny. A notice that the license holder or applicant may request a hearing to contest the charge, charges, or intent to deny must accompany the statement. The license holder or applicant must file a request for a hearing with the disciplinary authority within twenty days after being served the statement of charges or statement of intent to deny. The failure to request a hearing

constitutes a default, whereupon the disciplinary authority may enter a decision on the facts available to it.

(2) If a license holder or applicant for a license requests a hearing, the disciplinary authority must fix the time of the hearing as soon as convenient, but not earlier than thirty days after the service of charge, charges, or intent to deny. The disciplinary authority may hold a hearing sooner than thirty days only if the disciplinary authority has issued a summary suspension or summary restriction. [2007 c 256 § 14; 2002 c 86 § 106.]

**18.235.060 Procedures governing adjudicative proceedings.** The procedures governing adjudicative proceedings before agencies under chapter 34.05 RCW, the administrative procedure act, govern all hearings before the disciplinary authority. The disciplinary authority has, in addition to the powers and duties set forth in this chapter, all of the powers and duties under chapter 34.05 RCW, which include, without limitation, all powers relating to the administration of oaths, the receipt of evidence, the issuance and enforcing of subpoenas, and the taking of depositions. [2002 c 86 § 107.]

**18.235.070 Previous denial, revocation, or suspension of license.** The department shall not issue a license to any person whose license has been previously denied, revoked, or suspended by the disciplinary authority for that profession or business, except in conformity with the terms and conditions of the certificate or order of denial, revocation, or suspension, or in conformity with any order of reinstatement issued by the disciplinary authority, or in accordance with the final judgment in any proceeding for review instituted under this chapter. [2002 c 86 § 108.]

**18.235.080 Orders.** An order pursuant to proceedings authorized by this chapter, after due notice and findings in accordance with this chapter and chapter 34.05 RCW, or an order of summary suspension entered under this chapter, takes effect immediately upon its being served. The final order, if appealed to the court, may not be stayed pending the appeal unless the disciplinary authority or court to which the appeal is taken enters an order staying the order of the disciplinary authority, which stay shall provide for terms necessary to protect the public. [2007 c 256 § 15; 2002 c 86 § 109.]

**18.235.090 Appeal.** A person who has been disciplined or has been denied a license by a disciplinary authority may appeal the decision as provided in chapter 34.05 RCW. [2007 c 256 § 16; 2002 c 86 § 110.]

**18.235.100 Reinstatement.** A person whose license has been suspended or revoked under this chapter may petition the disciplinary authority for reinstatement after an interval of time and upon conditions determined by the disciplinary authority in the order suspending or revoking the license. The disciplinary authority shall act on the petition in accordance with the adjudicative proceedings provided under chapter 34.05 RCW and may impose such conditions as authorized by RCW 18.235.110. The disciplinary authority may require successful completion of an examination as a

condition of reinstatement. [2007 c 256 § 17; 2002 c 86 § 111.]

**18.235.110 Unprofessional conduct—Finding.** (1) Upon finding unprofessional conduct, the disciplinary authority may issue an order providing for one or any combination of the following:

- (a) Revocation of the license for an interval of time;
- (b) Suspension of the license for a fixed or indefinite term;
- (c) Restriction or limitation of the practice;
- (d) Satisfactory completion of a specific program of remedial education or treatment;
- (e) Monitoring of the practice in a manner directed by the disciplinary authority;
- (f) Censure or reprimand;
- (g) Compliance with conditions of probation for a designated period of time;
- (h) Payment of a fine for each violation found by the disciplinary authority, not to exceed five thousand dollars per violation. The disciplinary authority must consider aggravating or mitigating circumstances in assessing any fine. Funds received must be deposited in the related program account;
- (i) Denial of an initial or renewal license application for an interval of time; or
- (j) Other corrective action.

(2) The disciplinary authority may require reimbursement to the disciplinary authority for the investigative costs incurred in investigating the matter that resulted in issuance of an order under this section, but only if any of the sanctions in subsection (1)(a) through (j) of this section is ordered.

(3) Any of the actions under this section may be totally or partly stayed by the disciplinary authority. In determining what action is appropriate, the disciplinary authority must first consider what sanctions are necessary to protect the public health, safety, or welfare. Only after these provisions have been made may the disciplinary authority consider and include in the order requirements designed to rehabilitate the license holder or applicant. All costs associated with compliance with orders issued under this section are the obligation of the license holder or applicant.

(4) The licensee or applicant may enter into a stipulated disposition of charges that includes one or more of the sanctions of this section, but only after a statement of charges has been issued and the licensee has been afforded the opportunity for a hearing and has elected on the record to forego such a hearing. The stipulation shall either contain one or more specific findings of unprofessional conduct or a statement by the licensee acknowledging that evidence is sufficient to justify one or more specified findings of unprofessional conduct. The stipulations entered into under this subsection are considered formal disciplinary action for all purposes. [2007 c 256 § 18; 2002 c 86 § 112.]

**18.235.120 Payment of a fine.** Where payment of a fine is required as a result of a disciplinary action under RCW 18.235.060 or 18.235.150 and timely payment is not made as directed in the final order, the disciplinary authority may enforce the order for payment in the superior court in the county in which the hearing was held. This right of enforce-

ment is in addition to any other rights the disciplinary authority may have as to any licensee ordered to pay a fine but may not be construed to limit a licensee's ability to seek judicial review under RCW 18.235.090. In any action for enforcement of an order of payment of a fine, the disciplinary authority's order is conclusive proof of the validity of the order of a fine and the terms of payment. [2002 c 86 § 113.]

**18.235.130 Unprofessional conduct—Acts or conditions that constitute.** The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession or operation of the person's business, whether the act constitutes a crime or not. At the disciplinary hearing a certified copy of a final holding of any court of competent jurisdiction is conclusive evidence of the conduct of the license holder or applicant upon which a conviction or the final holding is based. Upon a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Except as specifically provided by law, nothing in this subsection abrogates the provisions of chapter 9.96A RCW. However, RCW 9.96A.020 does not apply to a person who is required to register as a sex offender under RCW 9A.44.130;

(2) Misrepresentation or concealment of a material fact in obtaining or renewing a license or in reinstatement thereof;

(3) Advertising that is false, deceptive, or misleading;

(4) Incompetence, negligence, or malpractice that results in harm or damage to another or that creates an unreasonable risk of harm or damage to another;

(5) The suspension, revocation, or restriction of a license to engage in any business or profession by competent authority in any state, federal, or foreign jurisdiction. A certified copy of the order, stipulation, or agreement is conclusive evidence of the revocation, suspension, or restriction;

(6) Failure to cooperate with the disciplinary authority in the course of an investigation, audit, or inspection authorized by law by:

(a) Not furnishing any papers or documents requested by the disciplinary authority;

(b) Not furnishing in writing an explanation covering the matter contained in a complaint when requested by the disciplinary authority;

(c) Not responding to a subpoena issued by the disciplinary authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing authorized access, during regular business hours, to representatives of the disciplinary authority conducting an investigation, inspection, or audit at facilities utilized by the license holder or applicant;

(7) Failure to comply with an order issued by the disciplinary authority;

(8) Violating any of the provisions of this chapter or the chapters specified in RCW 18.235.020(2) or any rules made by the disciplinary authority under the chapters specified in RCW 18.235.020(2);

(9) Aiding or abetting an unlicensed person to practice or operate a business or profession when a license is required;

(10) Practice or operation of a business or profession beyond the scope of practice or operation as defined by law or rule;

(11) Misrepresentation in any aspect of the conduct of the business or profession;

(12) Failure to adequately supervise or oversee auxiliary staff, whether employees or contractors, to the extent that consumers may be harmed or damaged;

(13) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession or operation of the person's business. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Except as specifically provided by law, nothing in this subsection abrogates the provisions of chapter 9.96A RCW. However, RCW 9.96A.020 does not apply to a person who is required to register as a sex offender under RCW 9A.44.130;

(14) Interference with an investigation or disciplinary action by willful misrepresentation of facts before the disciplinary authority or its authorized representatives, or by the use of threats or harassment against any consumer or witness to discourage them from providing evidence in a disciplinary action or any other legal action, or by the use of financial inducements to any consumer or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary action; and

(15) Engaging in unlicensed practice as defined in RCW 18.235.010. [2007 c 256 § 19; 2002 c 86 § 114.]

**18.235.140 Final order issued under RCW 18.235.130—Failure to comply.** If a person or business regulated by this chapter violates or fails to comply with a final order issued under RCW 18.235.130, the attorney general, any prosecuting attorney, the director, the board or commission, or any other person may maintain an action in the name of the state of Washington to enjoin the person from violating the order or failing to comply with the order. The injunction does not relieve the offender from criminal prosecution, but the remedy by injunction is in addition to the liability of the offender to criminal prosecution and disciplinary action. [2002 c 86 § 115.]

**18.235.150 Investigation of complaint—Cease and desist order/notice of intent to issue—Final determination—Fine—Temporary cease and desist order—Action/who may maintain—Remedies not limited.** (1) The disciplinary authority may investigate complaints concerning practice by unlicensed persons of a profession or business for which a license is required by the chapters specified in RCW 18.235.020. In the investigation of the complaints, the director has the same authority as provided the disciplinary authority under RCW 18.235.030.

(2) The disciplinary authority may issue a notice of intent to issue a cease and desist order to any person whom the disciplinary authority has reason to believe is engaged or is about to engage in the unlicensed practice of a profession or operation of a business for which a license is required by the chapters specified in RCW 18.235.020.

(3) The disciplinary authority may issue a notice of intent to issue a cease and desist order to any person whom the disciplinary authority has reason to believe is engaged or is about to engage in an act or practice constituting a violation of this chapter or the chapters specified in RCW 18.235.020(2) or a rule adopted or order issued under those chapters.

(4) The person to whom such a notice is issued may request an adjudicative proceeding to contest the allegations. The notice shall include a brief, plain statement of the alleged unlicensed activities, act, or practice constituting a violation of this chapter or the chapters specified in RCW 18.235.020(2) or a rule adopted or order issued under those chapters. The request for hearing must be filed within twenty days after service of the notice of intent to issue a cease and desist order. The failure to request a hearing constitutes a default, whereupon the disciplinary authority may enter a permanent cease and desist order, which may include a civil fine. All proceedings shall be conducted in accordance with chapter 34.05 RCW.

(5) If the disciplinary authority makes a final determination that a person has engaged or is engaging in unlicensed practice or other act or practice constituting a violation of this chapter or the chapters specified in RCW 18.235.020(2) or a rule adopted or order issued under those chapters, the disciplinary authority may issue a permanent cease and desist order. In addition, the disciplinary authority may impose a civil fine in an amount not exceeding one thousand dollars for each day upon which the person engaged in the unlicensed practice of a profession or operation of a business for which a license is required by one or more of the chapters specified in RCW 18.235.020. The proceeds of such a fine shall be deposited in the related program account.

(6) The disciplinary authority may issue a temporary cease and desist order if a person is engaged or is about to engage in unlicensed practice or other act or practice constituting a violation of this chapter or the chapters specified in RCW 18.235.020(2) or a rule adopted or order issued under those chapters if the disciplinary authority makes a written finding of fact that the public interest will be irreparably harmed by delay in issuing an order. The person receiving a temporary cease and desist order shall be provided an opportunity for a prompt hearing. A temporary cease and desist order shall remain in effect until further order of the disciplinary authority. The failure to request a prompt or regularly scheduled hearing constitutes a default, whereupon the disciplinary authority may enter a permanent cease and desist order, which may include a civil fine.

(7) The cease and desist order is conclusive proof of unlicensed practice or other act or practice constituting a violation of this chapter or the chapters specified in RCW 18.235.020(2) or a rule adopted or order issued under those chapters and may be enforced under RCW 7.21.060. This method of enforcement of the cease and desist order or civil fine may be used in addition to, or as an alternative to, any

provisions for enforcement of agency orders set out in chapter 34.05 RCW.

(8) The attorney general, a county prosecuting attorney, the director, a board or commission, or any person may, in accordance with the laws of this state governing injunctions, maintain an action in the name of the state of Washington to enjoin any person practicing a profession or business without a license for which a license is required by the chapters specified in RCW 18.235.020. All fees, fines, forfeitures, and penalties collected or assessed by a court because of a violation of this section shall be deposited in the related program account.

(9) The civil remedies in this section do not limit the ability to pursue criminal prosecution as authorized in any of the acts specified in RCW 18.235.020 nor do the civil remedies limit any criminal sanctions. [2007 c 256 § 20; 2002 c 86 § 116.]

**18.235.160 Violation of injunction—Contempt of court—Civil penalty.** A person or business that violates an injunction issued under this chapter may be found in contempt of court under RCW 7.21.010. Upon a finding by a court of competent jurisdiction that the person or business is in contempt, the court may order any remedial sanction as authorized by RCW 7.21.030. Further, the court may, in addition to the remedial sanctions available under RCW 7.21.030, order the person or business to pay a civil penalty to the state in an amount not to exceed twenty-five thousand dollars, which shall be deposited in the related program account. For the purposes of this section, the superior court issuing any injunction retains jurisdiction and the cause shall be continued, and in such cases the attorney general acting in the name of the state may petition for the recovery of civil penalties. [2002 c 86 § 117.]

**18.235.170 Misrepresentation—Gross misdemeanor.** A person who attempts to obtain, obtains, or attempts to maintain a license by willful misrepresentation or fraudulent representation is guilty of a gross misdemeanor. [2002 c 86 § 118.]

**18.235.180 Crime or violation by license holder—Disciplinary authority may give notification.** If the disciplinary authority has reason to believe that a license holder has committed a crime, or violated the laws of another regulatory body, the disciplinary authority may notify the attorney general or the county prosecuting attorney in the county in which the act took place, or other responsible official of the facts known to the disciplinary authority. [2002 c 86 § 119.]

**18.235.190 Immunity from suit.** The director, members of the boards or commissions, or individuals acting on their behalf are immune from suit in any action, civil or criminal, based on any disciplinary actions or other official acts performed in the course of their duties. [2002 c 86 § 120.]

**18.235.200 Use of records—Exchange of information—Chapter does not affect or limit.** This chapter does not affect the use of records, obtained from the director or the disciplinary authorities, in any existing investigation or

action by any public agency. Nor does this chapter limit any existing exchange of information between the director or the disciplinary authorities and other public agencies. [2002 c 86 § 121.]

**18.235.210 Application of chapter—January 1, 2003.**

(1) This chapter applies to any conduct, acts, or conditions occurring on or after January 1, 2003.

(2) This chapter does not apply to or govern the construction of and disciplinary action for any conduct, acts, or conditions occurring prior to January 1, 2003. The conduct, acts, or conditions must be construed and disciplinary action taken according to the provisions of law existing at the time of the occurrence in the same manner as if this chapter had not been enacted.

(3) Notwithstanding subsection (2) of this section, this chapter applies to applications for licensure made on or after January 1, 2003. [2007 c 256 § 21; 2002 c 86 § 122.]

**18.235.900 Short title.** This chapter may be known and cited as the uniform regulation of business and professions act. [2002 c 86 § 123.]

**18.235.901 Effective date—2002 c 86 §§ 101-123.**

Sections 101 through 123 of this act take effect January 1, 2003. [2002 c 86 § 124.]

**18.235.902 Part headings not law—2002 c 86.** Part headings used in this act are not any part of the law. [2002 c 86 § 402.]

**18.235.903 Severability—2002 c 86.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. [2002 c 86 § 404.]

