

TITLE 16. CALIFORNIA ARCHITECTS BOARD

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE NOTICE OF PROPOSED REGULATORY ACTION CONCERNING: Form of Examinations, § 2615 Education and Training Credits, § 2620

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest, below.

Public Hearing

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under Contact Person in this Notice.

Comment Period

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than **5:00 p.m. on Tuesday, June 22, 2021**, or must be received by the Board at the hearing, should one be scheduled.

Availability of Modifications

The Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as Contact Person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific sections 5650 and 5651 of the BPC, the Board is considering changes to sections 2615 and 2620 of article 1 of division 26 of title 16 of the California Code of Regulations (CCR).¹

¹ All CCR references are to Title 16 unless otherwise noted

Informative Digest:

BPC section 5630 authorizes the Board to adopt, amend, or repeal such rules and regulations as are reasonably necessary to govern the examinations of license applicants, establish criteria for approving schools of landscape architecture, establish rules of professional conduct that are not inconsistent with state or federal law, and carry out the provisions of the Landscape Architects Practice Act. BPC section 5650 authorizes any person over 18 years of age, who has had six years of training and educational experience in the actual practice of landscape architectural work, to take an examination for a license to practice landscape architecture. Section 5650 also provides that a degree from a school of landscape architecture approved by the Board shall be deemed equivalent to four years of training and educational experience in the actual practice of landscape architecture. BPC section 5651 requires the Board, by means of examination, to ascertain the professional qualifications of all landscape architect license applicants and requires the Board to issue a license to every person whom the Board finds to be qualified on payment of the initial license fee.

CCR section 2615, among other things, provides that a candidate who has a combination of six years of education and training experience, as specified, is eligible and may apply to take the Landscape Architect Registration Examination (LARE). Section 2615 also provides that a candidate who has a Board-approved degree in landscape architecture, as specified, or an extension certificate in landscape architecture from a Board-approved school, as specified, is eligible and may apply to take Sections 1 and 2 of the LARE. CCR section 2620 provides the Board's evaluation table of a candidate's training and educational experience and clarifies the educational and training credits accepted by the Board. CCR section 2620, subdivision (b) requires candidates to have at least one year of education credit and identifies qualifying educational programs. CCR section 2620, subdivision (c) requires candidates to have a minimum of two years of training/practice in landscape architecture, and section 2620, subdivision (a) lists the amount of credit given for various degree programs and specific training/practice settings.

The Joint Legislative Sunset Review Committee's (JLSRC) 2010 and 2014 Recommendations and the Landscape Architecture Technical Committee's (LATC) subsequent 2015-16 Strategic Plans directed the LATC to review the existing six-year training and education requirements for examination, identify eligibility issues, and propose solutions that not only protect the public health, safety, and welfare of the consumers, but also ensure that there are no unnecessary barriers to the landscape architect profession for qualified individuals.

Additionally, the 2017-2018 LATC Strategic Plan contained objectives to expand pathways to both initial and reciprocal licensure by exploring requirements for applicants who have degrees that are related to the field of landscape architecture, or training experience only.

At its June 15, 2017 meeting, the Board reviewed the current education and training requirements for licensure as a landscape architect and directed the LATC to develop a proposal that amends its reciprocal and initial licensure requirements to mirror those of the Board, where possible, which allow credit for related degrees and experience-only pathways.

In response to the directives given by both the JLSRC and the Board, the LATC is pursuing this regulatory proposal to expand experience and education pathways to licensure and reduce unnecessary barriers to the landscape architect profession for qualified individuals.

The Board is proposing the following changes:

Amend Title 16 CCR section 2615 – Form of Examinations

Under CCR section 2615, subdivision (a)(2), references to CCR section 2620, subdivision (a) need to be updated to reflect proposed amendments to CCR section 2620 addressed in this proposal, including clarifying a candidate who has a degree from an accredited program, instead of a “Board-approved” degree, has examination eligibility.

Amend Title 16 CCR Section 2620 – Education and Training Credits

This proposal would retain the Board’s existing education and training credits and add additional credits for accredited civil engineering degrees, four-year degrees, and training experience under the supervision of a licensed landscape contractor (as specified in existing subdivision (a) paragraphs (4), (5), and (15), respectively). The proposal would also increase both the amount of credit granted for accredited degrees in architecture from one to two years (as specified in subdivision (a)(3)), and the maximum amount of credit allowed for working as, or under the supervision of, an architect or civil engineer from one to three years (as specified in subdivision (a)(13)). By eliminating the one-year education credit requirement of current subdivision (b)(1) and increasing the amount of credit allowed for training/practice experience as, or under, a licensed landscape architect from five to six years (as specified in subdivision (a)(12)), this proposal also establishes an experience-only pathway to licensure. Non-substantive grammatical and format-related changes are also included throughout the proposal resulting in regulation language that is easier to read.

Policy Statement Overview/Anticipated Benefits of Proposal

The Board seeks to expand pathways to landscape architecture licensure by revising the years of education and training credits necessary for licensure examination. The Board anticipates that license applicants will benefit from removing unnecessary barriers to licensure for qualified candidates, and the public health, safety, and welfare will benefit from a larger pool of licensed landscape architects. Additionally, the Board anticipates that the various minor and technical revisions in the rulemaking will make

the examination, education, and training regulations easier for candidates to understand and provide a clear guide for candidates to determine if they have met the examination qualifications.

Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board has conducted a search of similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

Fiscal Impact Estimates

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: The Board estimates 10 additional initial license applications will be approved per year as a result of the proposed regulations. The Board indicates it takes approximately 3 hours of workload (1 hour – Office Technician (OT) and 2 hours – Staff Services Analyst) to process initial licensure with costs of approximately \$268 per license. Renewal licensure takes approximately 15 minutes of OT workload with costs of approximately \$69 per license.

The anticipates initial and renewal license fee revenues ranging from \$1,400 to \$17,400 per year and up to \$94,000 over a ten-year period.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal increases pathways to licensure, which may result in more licensed Landscape Architects and increase economic growth for landscape architecture businesses.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Board typically receives approximately 200 initial applications per year. By increasing the pathways to landscape architect licensure for qualified candidates, the Board estimates 10 additional license applicants will be granted licensure per year.

These licensees will be required initial license and examination fees as follows:

- Initial Application Fee - \$35
- Supplemental Examination Application Fee - \$35
- Supplemental Examination Fee - \$350
- Initial License Fee - \$400

Additionally, licensees will be required to renew their licenses every two years and pay a biennial renewal fee of \$400.

Effect on Housing Costs: None

Effect on Small Business

The Board has determined that the proposed regulations may have a positive impact on small business as the proposal increases pathways to licensure, which would increase the pool of licensed landscape architects, who may start their own small landscape architect business or be employed by one.

Results of Economic Impact Assessment/Analysis:

Impact on Jobs/Businesses:

Because the rulemaking is intended to decrease barriers to landscape architect licensure by expanding education and training pathways to licensure, the Board anticipates that landscape architect businesses may benefit from a larger pool of licensed landscape architects from which to hire, and some newly licensed landscape architects may create new businesses. The rulemaking will not create new business or eliminate existing businesses within the State of California because it is aimed at reducing barriers to landscape architect licensure and the Board does not regulate or collect information on landscape architect businesses.

This regulation may affect the expansion of businesses currently doing business within the State of California because the rulemaking is intended to decrease barriers to landscape architect licensure by expanding education and training pathways to licensure. However, the Board has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs in the State of California.

Benefits of Regulation:

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by expanding the pathways to landscape architect licensure and the number of individuals who are qualified to take examination and become landscape architects. By increasing the number of licensed landscape architects, the Board anticipates this may benefit worker safety and the state's environment.

Consideration of Alternatives

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 2420 Del Paso Road, Suite 105, Sacramento, California 95834.

Initial Statement of Reasons and Information

The Board has prepared an Initial Statement of Reasons for the proposed action and has made available all the information upon which the proposal is based.

Text of Proposal

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by contacting the Contact Person named below.

Availability and Location of the Final Statement of Reasons and Rulemaking File

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the Contact Person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the Contact Person named below (or by accessing the website listed below).

Contact Person

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Stacy Townsend
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7235
Fax No.: (916) 575-7283
E-Mail Address: stacy.townsend@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7231
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Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.