

CHAPTER 27

NEW JERSEY STATE BOARD OF ARCHITECTS

Authority

N.J.S.A. 45:3-3.

Source and Effective Date

R.1995 d.101, effective February 21, 1995.
See: 26 N.J.R. 4952(a), 27 N.J.R. 716(a).

Executive Order No. 66(1978) Expiration Date

Chapter 27, New Jersey State Board of Architects, expires on February 21, 2000.

Chapter Historical Note

Chapter 27, New Jersey State Board of Architects, was filed and became effective prior to September 1, 1969. Chapter 27 was extensively revised by R.1987 d.12, effective January 5, 1987. See: 17 N.J.R. 2851(b), 19 N.J.R. 131(a). Pursuant to Executive Order No. 66(1978), Chapter 27 was readopted as R.1990 d.165, effective February 20, 1990. See: 22 N.J.R. 18(a), 22 N.J.R. 974(a). Subchapter 3, Scope of Architectural Services, was adopted as R.1994 d.169, effective April 4, 1994. See: 25 N.J.R. 5439(a), 26 N.J.R. 1517(a). Chapter 27 was repealed and new rules of the New Jersey State Board of Architects were adopted as R.1995 d.101. See: Source and Effective Date.

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SUBCHAPTER 1. PURPOSE AND SCOPE

13:27-1.1 Purpose

These rules define and establish guidelines for the practice of architecture in the State of New Jersey.

13:27-1.2 Scope

The practice of architecture is regulated by P.L. 1902, c.29, p. 54 as amended and supplemented (N.J.S.A. 45:3-1 et seq.) and by rules adopted in accordance with the New Jersey Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.).

SUBCHAPTER 2. ADMINISTRATION

13:27-2.1 Establishing Board name

In accordance with P.L. 1902, c.29, p. 54 as amended and supplemented (N.J.S.A. 45:3-1 et seq.) the name of this Board shall be the New Jersey State Board of Architects.

13:27-2.2 Office location

The offices of the Board are located at 124 Halsey Street, PO Box 45001, Newark, New Jersey 07101.

Case Notes

Engineer's designing of duplex held not an "engineering project" within exception to architect's licensing statute; nominal penalty assessed due to good faith belief in status as "engineering project" absent statutory definition of the term. *State Bd. of Architects v. North*, 197 N.J.Super 349, 484 A.2d 1297 (Ch.Div.1984).

13:27-2.3 Meetings of Board; quorum

(a) The Board shall hold an annual meeting at the Board office in July of each year.

(b) The meetings of the Board shall be held as scheduled and notice thereof shall be filed in accordance with the Open Public Meetings Act (P.L. 1975, c.231).

(c) A majority of the appointed membership of the Board shall constitute a quorum (N.J.S.A. 45:1-2.2(d)).

(d) Chronic absence and/or lack of participation by a member in Board activities, as documented by Board records, may be the basis for the submission of a request for replacement to the appropriate authority, as determined by a majority vote of the Board.

13:27-2.4 Election of officers; term; vacancies

(a) At its annual meeting, the Board shall elect from its members a President and a Vice President. These officers shall be elected by a quorum of the Board.

(b) The term of each officer so elected shall be for one year, but shall continue until a successor has been elected and qualified, unless such officer is removed for cause by vote of a quorum of the Board. In the event of a vacancy in an office, an officer shall be elected by a quorum of the Board to fill the unexpired term.

13:27-2.5 Duties of officers; committee appointments

(a) The President of the Board shall preside at all meetings, appoint all committees and chairpersons and shall perform all other duties ordinarily pertaining to the Office of the President or as may be directed by the Board.

(b) The Vice President shall perform the duties of the President during the absence or incapacity of the President. In the absence of both the President and Vice President, the Board member with seniority shall preside.

13:27-2.6 Executive Director; duties

(a) An Executive Director shall serve as chief administrative officer and official custodian of the records of the Board.

(b) The Executive Director shall, in a thorough and efficient manner, fulfill administrative duties, including, but not limited to, duties in connection with the keeping of minutes of meetings, examinations, correspondence, staff and records.

13:27-2.7 Roster; dissemination of statutes, rules and code data

A roster of architects and landscape architects registered in the State of New Jersey shall be issued every two years. The roster shall also include the laws and regulations pertaining to the practice of architecture and landscape architecture and shall list other appropriate codes relating to the practice of architecture and landscape architecture in New Jersey.

SUBCHAPTER 3. ARCHITECTURAL PRACTICE AND RESPONSIBILITY

13:27-3.1 Definitions

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

"Advertisement" means any communication to the public including, but not limited to, newspaper, periodical, journal, flyer, business card, radio, telephonic or television communication in which architectural services are offered or by which the availability of architectural services is made known.

“Advertiser” means a person offering architectural services in the State of New Jersey by way of an advertisement.

“Aesthetic principles” means the concepts of order, balance, proportion, scale, rhythm, color, texture, mass and form as used in the design process.

“Architect” means an individual who through education, training, and experience is skilled in the art and science of building design and has been licensed or registered by the New Jersey State Board of Architects to practice architecture in the State of New Jersey.

“Architectural services” or “practice of architecture” means the rendering of any of the following services in connection with the design, construction, enlargement, or alteration of a building or a group of buildings and the space within or surrounding those buildings, which have as their principal purpose human use or habitation. These services include site planning, providing preliminary studies, architectural designs, drawings, specifications, other technical documentation, and construction supervision for the purpose of determining compliance with construction documents.

“Architecture” means the art and science of building design and particularly the design of any structure for human use or habitation. Architecture, further, is the art of applying human values and aesthetic principals to the science and technology of building methods, materials and engineering systems as required to comprise a total building project with a coherent and comprehensive unit of structure and site.

“Board” means the New Jersey State Board of Architects.

“Certificate of Authorization” means a certificate issued by the Board to a general business corporation or a limited liability company to permit the practice of architecture pursuant to N.J.S.A. 45:3-18.

“Certificate of Registration” or “license” means official documents attesting to the fact that the individual has met the minimum requirements to practice architecture in the State of New Jersey. For the purposes of this chapter, the terms “licensed” and “registered” are used interchangeably.

“Closely allied professional” means and is limited to licensed architects, professional engineers, land surveyors, and professional planners.

“Construction documents” means all of the written, graphic, and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a construction project.

“Design services,” as provided by a builder or home improvement contractor, means conceptual drawings or sketches of floor plans or elevations and the rendering of price quotations or estimates all of which may be necessary

to develop the scope, character and potential cost of a one or two-family, detached home or improvement thereto.

“Diversified experience in architecture” means a wide spectrum of professional experience consistent with the elements defined by the National Council of Architecture Registration Boards (NCARB) through its Intern Development Program (IDP).

“Human use or habitation” means the activities of living, including, but not limited to, fulfilling domestic, religious, education, recreational, employment, assembly, health care, institutional, memorial, financial, commercial, industrial and governmental needs.

“Human values” means the social, cultural, historical, economic and environmental influences that have an impact on the quality of life.

“Limited liability company (LLC)” means a business corporation organized in compliance with the Limited Liability Company Act, N.J.S.A. 42:2B-1 et seq., to engage in and carry on any lawful business, purpose or activity. The LLC is considered a hybrid entity that combines the attributes of both corporation and partnership, and provides the limited liability generally associated with a corporation and the Federal tax treatment of a partnership.

“Limited liability partnership (LLP)” means an association of two or more persons to carry on as owners of a business for profit, which partnership is formed pursuant to an agreement governed by the laws of this State, registered pursuant to N.J.S.A. 42:1-44 and in compliance with N.J.S.A. 42:1-45.

“Office of a registered architect in private practice” means an organization which offers architectural service, is in the responsible charge of a registered architect(s) who is/are the principal owner or owners of the organization, and has no affiliate engaged in construction activities.

“Organization or affiliate ‘engaged’ in construction” means one which: undertakes to provide labor and/or material for all or any portion of a construction project, whether on lump sum, cost plus or other basis of compensation; and agrees to guarantee to a property owner the maximum construction cost for all or any significant portion of a construction project.

“Person” means any individual or any business associations or entity.

“Principal” means a registered architect who is an owner in whole or in part of any business entity authorized by law to offer or render architectural services.

“Responsible charge” means the rendering of regular and effective supervision by a competent licensed architect to those individuals performing services which directly and

materially affect the quality and competence of architectural services rendered by the licensee.

Administrative Correction.

See: 27 N.J.R. 2009(a).

Amended by R.1998 d.417, effective August 17, 1998.

See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In "Certificate of Authorization", added "or a limited liability company" preceding "to permit"; and added new "Limited liability company (LLC)" and "Limited liability partnership (LLP)" definitions.

13:27-3.2 Scope of architectural service; advertising

(a) No person, except an architect licensed in the State of New Jersey, shall use the title "architect" or its substantial equivalent or otherwise represent to the public that the person is licensed to practice architecture in this State.

(b) No advertisement shall include the terms "architect," "architectural," "architect on staff," "architectural services" or the substantial equivalent thereof unless the advertiser is a business association authorized to render architectural services pursuant to N.J.S.A. 45:3-17 or 45:3-18. Specifically, such services shall be rendered only by the following: a sole proprietorship of a licensed architect; a partnership, including a limited liability partnership, of licensed architects; a partnership, including a limited liability partnership, of closely allied professionals as defined by N.J.S.A. 45:3-1.1(f), including at least one licensed architect; a professional service corporation of closely allied professionals, including at least one licensed architect, established pursuant to the "Professional Service Corporation Act" (N.J.S.A. 14A:17-1 et seq.); a general business corporation holding a Certificate of Authorization from the Board of Architects issued pursuant to N.J.S.A. 45:3-18; or a limited liability company holding a Certificate of Authorization, established pursuant to the "Limited Liability Company Act" (N.J.S.A. 42:2B-1 et seq.), which complies with N.J.S.A. 45:3-18(a) or (b).

(c) A builder registered pursuant to the "New Home Warranty and Builder's Registration Act" (N.J.S.A. 46B-1 et seq.) or a home improvement contractor may advertise, or offer to perform "design services" either in the construction of one- to two-family homes or in connection with the demolition, enlargement or alteration thereto. A builder or home improvement contractor shall render such services only to the owner-occupant of such dwellings.

(d) An advertisement for design services by a builder or home improvement contractor pursuant to (c) above shall not in any way be limited except as set forth in (e) below, and may contain the following terms or their substantial equivalent:

1. Construction design services;
2. Design;
3. Design services;
4. Design/build;

5. Design/build services; and/or

6. Building design services.

(e) Builders and home improvement contractors shall not advertise, offer or perform design services that involve the preparation of construction documents, which consist of, but are not limited to, those drawings or specifications necessary to support an application for building or other construction permits.

(f) It shall be permissible for a person not authorized to render architectural services to utilize the terms "space planning," "interior design," "interior design services" or the substantial equivalent thereof provided that the design services advertised, offered or performed:

1. Are limited to the function of the interior space within an existing or proposed building;
2. Do not affect the means of egress and life safety of the building, nor involve any alteration or modifications of the building's existing or proposed structure, seismic integrity, or partitions that affect the means of egress and life safety, or its electrical, mechanical, HVAC (heating, ventilation and air conditioning) or plumbing systems;
3. Do not require or involve the skill, training or expertise of a licensed architect; and
4. Do not include the production of construction documents, which consist of, but are not limited to, those drawings or specifications necessary to support an application for a building or other construction permit.

(g) Nothing in this section shall prohibit any person or entity authorized by law to render professional engineering services from utilizing the terms set forth in (d) above in connection with the advertising of professional engineering services.

Amended by R.1998 d.417, effective August 17, 1998.

See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

Rewrote (b).

13:27-3.3 Single family exemption

(a) In accordance with N.J.S.A. 45:3-10, any person in this State may act as a designer of a detached single family dwelling and appurtenances thereto to be constructed by that person solely as a residence for that person or member of that person's immediate family.

(b) A person may design the dwelling and all appurtenances thereto, prepare the construction drawings and file the construction drawings with an affidavit indicating the name of the person who drew the construction drawings.

(c) In lieu of personally preparing the construction drawings, a person may utilize pre-prepared (commercially published, available to the public) construction drawings which bear a certification that they were originally prepared by an architect licensed in any United States' jurisdiction, provided these construction documents are reviewed, signed, sealed and adapted to the specific site by a New Jersey licensed architect. By signing and sealing these construction documents, the New Jersey licensed architect assumes full responsibility for said construction documents, just as if the construction documents were prepared under the direct supervision of the architect.

(d) A person, in lieu of personally constructing the residence, may engage others to perform the work.

13:27-3.4 Impersonal names

(a) Impersonal names shall not be used by individuals, firms, partnerships, associations or any other entities unless they have formed either a professional service corporation established in accordance with N.J.S.A. 14A:17-1, or a general business corporation, or a limited liability company which qualifies for and holds a Certificate of Authorization as provided for in accordance with N.J.S.A. 45:3-18 and issued by the Board of Architects.

(b) The name of a professional service corporation shall contain the full or last names of one or more of the licensed shareholders, or a name descriptive of the type of professional service which will be provided by the professional service corporation.

(c) The name of a general business corporation or a limited liability company which holds a Certificate of Authorization shall contain the surname of one or more licensed shareholder(s), or a term which describes the professional service which will be provided.

Amended by R.1998 d.417, effective August 17, 1998.
See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In (a), added "or a limited liability company" preceding "which qualifies" and deleted "have formed" preceding "a general business"; and rewrote (c).

13:27-3.5 Restrictions in titles

(a) A sole proprietorship shall not be conducted under a title which designates or suggests the existence of more than a single principal.

(b) The term "Associates," when used officially in the title of a firm, shall refer only to more than one individual licensed in this State as architects or in a closely allied licensed profession.

(c) When any partner, shareholder, associate, member or other licensed professional whose name is used in the title ceases to be a member of a firm or partnership for any reason including death or disability, then the title of the firm shall be changed within two years of this disassociation.

This requirement does not apply to an organization established as a professional service corporation pursuant to N.J.S.A. 14A-17.1, or a general business corporation or a limited liability company authorized to practice architecture following issuance of a Certificate of Authorization pursuant to N.J.S.A. 45:3-18.

Amended by R.1998 d.417, effective August 17, 1998.

See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In (c), added "member" following "associate" in the first sentence and rewrote the last sentence.

13:27-3.6 Notification of change of address; service of process

(a) A licensed architect shall notify the Board in writing of any change from the address currently registered with the Board and shown on the most recently issued certificate. Such notice shall be sent to the Board by certified mail, return receipt requested, no later than 30 days following the change of address. Failure to notify the Board of any change of address may result in disciplinary action in accordance with N.J.S.A. 45:1-21(h).

(b) Service of an administrative complaint or other Board-initiated action at a licensee's address which is currently on file with the Board shall be deemed adequate notice for the purposes of N.J.A.C. 1:1-7.1 and the commencement of any disciplinary proceedings.

SUBCHAPTER 4. LICENSING PROCEDURES

13:27-4.1 Requirements for admission to examination

(a) No applicant shall be entitled to consideration for admission to the examination for licensure, or shall be permitted to take the examination, while a formal complaint is pending in which the individual is charged with the illegal practice of architecture or while penalties for violations of the Board's statutes and regulations remain unsatisfied.

(b) No later than 60 days prior to the examination, an applicant shall present evidence to the satisfaction of the Board that:

1. The applicant is 18 or more years of age and of good moral character, as established by references from individuals, schools and other records acceptable to the Board;
2. Except as set forth in N.J.A.C. 13:27-4.2, the applicant holds a professional degree in architecture from a college or university whose degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation; and
3. The applicant has either completed the Intern Development Program (IDP) administered by the National

Council of Architect Registration Boards (NCARB) or earned three years of training credits prior to January 1, 1998 pursuant to the provisions of N.J.A.C. 13:27-4.3 through 4.6. At least one of the three years shall consist of diversified training in the office of a registered architect in private practice and shall be under the direct supervision of a registered architect, who need not be the principal in the firm. The Board retains discretion to approve other forms of professional training experience, based on a review of the candidate's work product and areas of architectural work experience.

13:27-4.2 Applicant with a degree from a foreign college or university

(a) An applicant with a degree from a foreign college or university shall obtain, at his or her own expense, and submit to the Board, either:

1. A "Detailed" evaluation by Education Credential Evaluators, Inc., or other evaluation services recognized by the Board certifying that the degree is the equivalent in level, scope and intent of a bachelor or a master degree of architecture that would be accredited in the United States; or

2. If the "Detailed" evaluation does not certify equivalency, a "Comprehensive" evaluation outlining specific academic deficiencies. The application will not be considered until those academic requirements are completed.

13:27-4.3 Training requirements; prerequisites

(a) Training credits shall accrue only after the following educational requirements have been met:

1. After the third full year in an NAAB-approved professional degree program;

2. After one year in an NAAB-approved professional master's degree program; or

3. After 96 semester credit hours in an NAAB-approved professional degree program, of which no more than 60 semester credit hours shall be in the general education category.

13:27-4.4 Training requirements prior to January 1, 1998

(a) Prior to January 1, 1998, training credits may be acquired in the following ways:

Item	Description of Training	Percent Credit Allowed	Maximum Credit Allowed
A	Diversified experience in architecture as an employee in the office of a registered architect in private practice under the direct supervision of a registered architect.	100%	No Limit

Item	Description of Training	Percent Credit Allowed	Maximum Credit Allowed
B	Diversified experience in architecture as an employee of an organization, other than offices of a registered architect in private practice, when the experience is under the direct supervision of a registered architect. Three years of credit will be granted if the Board has pre-approved an organization's intern development program that is comparable to NCARB/IDP.	100%	2 years
C	Experience directly related to architecture, under the direct supervision of a licensed professional engineer (practicing as a structural, civil, mechanical or electrical engineer in the field of building construction); certified landscape architect; or licensed professional planner.	50%	1 year
D	Experience directly related to on-site building construction operations or experience involving physical analyses of existing buildings.	50%	6 mos.
E	A post-professional degree in architecture or teaching or research in a NAAB-accredited architectural program obtained subsequent to a professional degree as defined in N.J.A.C. 13:27-4.1(b)2	100%	1 year

13:27-4.5 Training prior to January 1, 1998; public or private non-profit institutions

Training credits may be earned in a public or private non-profit institution, under the direct supervision of a registered architect, provided that the documentation submitted by that agency or institution demonstrates that it provides diversity of experience comparable in scope to that offered by a private architectural office. In deciding if training represents "diversified experience in architecture," the Board will compare the training provided by the agency or institution with the training requirements mandated by the Board. Such entities shall submit documentation of these training programs to the Board prior to the implementation of the training program.

13:27-4.6 Training prior to January 1, 1998; non-traditional settings

(a) A candidate may receive a maximum of two years of IDP training credits while working under the supervision of a registered architect when both the architect and the intern are employees of a firm or corporation that is not an architectural firm in private practice but which meets all of the following criteria:

1. The firm or corporation does not engage in construction other than for its own use and occupancy; and

2. The proposed IDP program of the firm or corporation has been examined and approved by the New Jersey State Board of Architects prior to such time as the IDP training program can commence in that firm or corporation.

13:27-4.7 Training requirements subsequent to January 1, 1998

(a) Effective January 1, 1998, the Intern Development Program (IDP) training criteria and value units as administered by the National Council of Architectural Boards shall be mandatory for all applicants for registration.

(b) Applications for registration submitted after January 1, 1998 shall present evidence of successful completion of the Intern Development Program (IDP) administered by the National Council of Architectural Registration Boards. The IDP training shall be at least three years in duration and shall include at least one year of training in the office of a registered architect in private practice as defined in N.J.A.C. 13:27-3.1.

13:27-4.8 Architect Registration Examination: subjects covered

(a) The subjects covered in the written examination are based on the examinations recommended by the National Council of Architectural Registration Boards and reviewed and approved by the Board as follows:

Divisions:

Pre-Design
Site Planning
Building Planning

Building Technology:

General Structures
Lateral Forces
Mechanical and Electrical Systems
Materials and Methods
Construction Documents and Services

(b) Each division successfully passed will be credited to the record of the candidate and may be carried over without limitation.

Amended by R.1999 d.142, effective May 3, 1999.

See: 31 N.J.R. 111(a), 31 N.J.R. 1200(b).

Rewrote (a).

13:27-4.9 Eligibility of licensed professional engineer for licensure as an architect by limited examination

A professional engineer licensed in the State of New Jersey in good standing, holding an accredited degree in engineering, and without restriction of complaint or charge of illegal practice of architecture, shall be eligible for licensure upon successful completion of the following Divisions of the Architect Registration Examination (ARE): Pre-

Design; Site Planning—Written and Graphic; Building Planning; and Building Technology.

Administrative correction.

See: 27 N.J.R. 2009(a).

Amended by R.1999 d.142, effective May 3, 1999.

See: 31 N.J.R. 111(a), 31 N.J.R. 1200(b).

Changed Division references at the end.

13:27-4.10 Registration by reciprocity

(a) Any person registered or licensed to practice architecture in another jurisdiction of the United States or one of its territories or possessions may be granted registration provided that:

1. The applicant is 18 or more years of age and of good moral character, as established by references from individuals, schools, and other records acceptable to the Board;

2. The applicant is not charged by the New Jersey State Board of Architects or any other jurisdiction with a violation of any law or regulation relating to the practice of architecture or any violation which would indicate a lack of good moral character as required by statute or regulation; or, having been found guilty of a violation, has not satisfied the penalty imposed;

3. The education, training and examination requirements in such other jurisdiction are substantially equal to those required in this State, under current law; and

4. The applicant has provided satisfactory evidence of competency as the Board, in its discretion, may require, including, but not limited to:

i. Exhibits of three architectural projects illustrated in construction documents and photographs;

ii. Oral examination by the Board; and/or

iii. Satisfactory completion of such portion(s) of the Architect Registration Examination (ARE) as the Board may deem necessary.

(b) In cases where the applicant has been granted registration in another United States jurisdiction on the basis of less experience than the three years required for registration in this State, the Board in its discretion may accept, in lieu of the deficiency, periods of experience in the "practice of architecture," as defined in N.J.A.C. 13:27-3.1, gained subsequent to registration as an architect in that jurisdiction.

(c) In cases where the applicant has been granted registration in another United States jurisdiction on the basis of education or examination qualifications that are not equal to the requirements of this State, the Board may grant registration upon presentation by the applicant of evidence satisfactory to the Board of at least five years of responsible "practice of architecture," as defined under N.J.A.C. 13:27-3.1, while holding a valid license as an architect.

13:27-4.11 Fees

(a) The following fees shall be charged by the Board:

1. Application Fee	\$ 50.00
2. Initial License Fee	
i. If paid during the first year of a biennial renewal period	160.00
ii. if paid during the second year of a biennial renewal period	80.00
3. Biennial Renewal Fee	160.00
4. Reciprocity Application Fee (plus initial license fee)	75.00
5. Replacement or Duplicate Seal Press	40.00
6. Duplicate wall certificate	25.00
7. Late Fee	50.00
8. Verification of Licensure	30.00
9. Reinstatement Fee	100.00
10. Roster	15.00

(b) The "Roster of Architects" shall be issued without charge to State, county and municipal government agencies and to all architects and landscape architects listed therein.

(c) Certificate of Authorization fees shall be as follows:

1. Application fee	\$100.00
2. Initial registration	
i. If paid in the first year of a biennial renewal period	500.00
ii. If paid in the second year of a biennial renewal period	250.00
3. Biennial Renewal	500.00

Administrative Correction.
See: 27 N.J.R. 2009(a).

SUBCHAPTER 5. RULES OF PROFESSIONAL CONDUCT

13:27-5.1 Competence

(a) An architect shall at all times recognize the primary obligation to protect the health, safety and welfare of the public in the performance of professional duties, shall act with reasonable care and competence, and shall apply the technical knowledge and skill which are ordinarily applied by architects of good standing, practicing in the same locality.

(b) An architect shall take into account all of the applicable Federal, state, county and municipal laws, regulations and ordinances including, but not limited to, New Jersey Uniform Construction Code Regulations (N.J.A.C. 5:23); zoning ordinances; master plans and site plan regulations. While an architect may rely on the advice of other professionals (for example: attorneys, other architects, engineers, landscape architects and other qualified persons) as to the intent and meaning of such statutes and regulations, once having obtained such advice, an architect shall not knowingly proceed in violation of such statutes and regulations.

(c) An architect shall undertake to perform professional services only when he or she, together with those whom the architect may engage as consultants, are qualified by education, training, and experience in the specific scope of contractual obligations and technical areas involved.

(d) No person shall practice architecture if such person is incapable, for medical or any other good cause, of discharging the functions of a licensee in a manner consistent with the public health, safety and welfare.

13:27-5.2 Duty to report and cooperate

(a) If, in the course of his or her work on a project, an architect becomes aware of a decision taken by his or her employer or client, against the architect's advice, which violates applicable Federal, state, county or municipal building laws and regulations and which would, in the architect's exercise of reasonable judgment, materially and adversely affect the health, safety and welfare of the public, the architect shall:

1. Report the decision to the local municipal construction official charged with the enforcement of the applicable Federal, state, county or municipal building laws and regulations, and to the Department of Community Affairs, Director, Division of Codes and Standards, PO Box 802, Trenton, N.J. 08625-0802;
2. Refuse to consent to the decision; and
3. In circumstances where the architect reasonably believes that other such decisions will be taken notwithstanding his or her objection, terminate his or her services with reference to the project.

(b) An architect who knows that another architect has violated these rules or any act administered by the Board shall report the violation to the Board when the architect reasonably believes that the violation constitutes a threat to the public health, safety and welfare.

(c) An architect shall not deliberately make a false statement or fail deliberately to disclose a material fact requested in connection with his or her application for registration or renewal, or any other official request for information made by the Board.

(d) An architect shall not assist the application for registration of a person known by the architect to be unqualified in respect to education, training, experience, or character.

(e) An architect shall not impede the application of a registrant for licensure by failure to cooperate with the Board in its request for information.

13:27-5.3 Conflict of interest

(a) An architect shall provide professional services to the client competently and independently through contractual arrangements with the client which safeguard the exercise of unprejudiced judgment of the architect.

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

(c) An architect shall not solicit or accept compensation, goods or services from material or equipment manufacturers or suppliers in return for specifying or endorsing their products.

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

13:27-5.4 Full disclosure

(a) An architect making public statements on architectural questions shall disclose when he or she is being compensated for making such statements.

(b) An architect shall accurately disclose to a prospective or existing client or employer his or her qualifications and the scope of his or her responsibility in connection with work for which he or she is claiming credit.

13:27-5.5 Professional practice and procedures

(a) Each office maintained for the purpose of providing architectural services or other professional work shall have an architect in responsible charge, as defined in N.J.S.A. 45:3-1.1(l).

1. A licensee engaged in any of the following acts or practices shall be deemed not to be in responsible charge:

i. The regular and continuous absence from principal office premises from which professional services are rendered, except for performance of field work or presence in a field office maintained exclusively for a specific project;

ii. The failure to personally inspect or review the work of subordinates where necessary and appropriate;

iii. The rendering of a limited, cursory or perfunctory review of plans for a building or structure in lieu of an appropriate detailed review; and/or

iv. The failure to be personally available on a reasonable basis or with adequate advance notice for consultation and inspection where circumstances require personal availability.

(b) Except as set forth in N.J.A.C. 13:27-3.3(c), an architect shall not sign or seal drawings, construction documents, reports or other professional work for which he or she does not have direct professional knowledge and direct supervisory control; provided, however, that in the case of the portions of such professional work prepared by the architect's consultants, registered under this or another professional registration law of this jurisdiction, the architect may

sign or seal that portion of the professional work if the architect has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

(c) An architect shall not aid nor abet an unlicensed individual or entity in the practice of architecture by permitting his or her name, seal, and/or signature to be used in connection with an individual, firm or corporation not authorized by law to practice architecture.

(d) An architect shall neither offer nor make any gifts with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

SUBCHAPTER 6. CERTIFICATES; SEALS; TITLE BLOCKS

13:27-6.1 Issuance of Certificates

Upon approval by the Board and payment of all fees, an architect shall be issued a certificate and seal press as proof of licensure and authorization to practice.

13:27-6.2 Renewals of license and Certificate of Authorization

(a) A licensee shall renew his or her license and/or a Certificate of Authorization on or prior to its expiration date as indicated on the biennial renewal notice.

(b) If the renewal application is submitted within 30 days after the expiration date, the licensee shall pay, in addition to the biennial renewal fee, the late fee set forth in N.J.A.C. 13:27-4.11.

(c) Failure to renew a license or Certificate of Authorization within 30 days of the expiration date of a biennial period will require payment of reinstatement fees and biennial renewal fees as set forth in N.J.A.C. 13:27-4.11.

13:27-6.3 Reinstatement of Certificates

(a) An architect whose license has expired and who seeks reinstatement shall provide the following to the Board prior to being considered for reinstatement of licensure:

1. Payment of the renewal fee for the current biennial period and the appropriate renewal fees for all biennial periods since the date the license expired;

2. Payment of the reinstatement fee set forth in N.J.A.C. 13:27-4.11; and

3. A notarized affidavit delineating the professional activities in which he or she has engaged since his or her license expired including a listing of all projects for which architectural services were performed.

(b) An applicant for reinstatement found to have practiced architecture in the State of New Jersey since the date the license expired shall be required to pay, in addition to the fees set forth above, a penalty for unlicensed practice as determined by the Board.

(c) A licensee may be denied reinstatement in the event that charges relating to the unlawful or improper practice of architecture are pending against the architect in any state or jurisdiction.

(d) The applicant for reinstatement shall be required to produce satisfactory evidence of competency such as the Board, in its discretion, may require.

1. Such evidence may consist of, but not be limited to, exhibits of three architectural projects illustrated by construction documents and photographs and may include oral examination.

2. The Board may require the applicant to demonstrate evidence of efforts to maintain and advance his or her knowledge of the art and science of architecture during the period of non-licensure.

13:27-6.4 Seals

(a) A registrant shall seal architectural documents only with seal presses purchased or exchanged through the Board.

(b) Rubber stamps shall not be used for the purpose of sealing documents.

(c) Upon the death of a registrant or upon forfeiture of a certificate, the seal shall be returned to the Board.

(d) The family of a deceased architect may petition the Board to retain an architect's seal press as a memento. The family shall be responsible for the safekeeping of the seal to prevent its use in the illegal practice of architecture.

(e) Failure to return a seal rendered invalid by non-payment of renewal fees shall subject the individual to such penalties as provided by law and may be grounds for refusal of the Board to reinstate a license.

13:27-6.5 Signing and sealing documents

(a) Construction drawings and the title pages of the specifications for filing with a public agency or for the owner's legal documentation requirements shall be dated, signed and sealed by the architect in responsible charge in one of two ways:

1. The architect shall sign and date the original documents, including tracings, reproducible drawings or those generated electronically, then affix the seal to opaque prints or reproductions of the originals; or

2. In lieu of signing and dating the original documents, the architect is permitted to sign, date, and seal the opaque copies of the originals.

(b) All certifications that amend, clarify or modify construction documents prepared by the architect in responsible charge shall be dated, signed and sealed prior to forwarding to a public agency.

Amended by R.1999 d.142, effective May 3, 1999.

See: 31 N.J.R. 111(a), 31 N.J.R. 1200(b).

Rewrote (a); and in (b), required certifications to be dated.

13:27-6.6 Title block on drawings; general requirements; form; removal

(a) A title block shall appear on all drawings and site plans. Title block information is not required on renderings. Similar information shall appear on the title page of all specifications which are prepared, signed and sealed by the architect in responsible charge.

(b) The title block shall be in such form as set forth in N.J.A.C. 13:27-6.7.

(c) The title block shall be distinct and separate from any other title block, box, plaque or any similar device of illustration or lettering included on the drawings or on the title page of the specifications.

(d) The title block shall be affixed on each drawing in such a manner as to reproduce clearly on all prints and reproductions thereof.

(e) No person shall remove a title block from any print, reproduction, or electronic media.

(f) A non-licensed person's name, other than the name of the owner or lessee of the building, shall not appear within the title block.

13:27-6.7 Title block contents; requirements by form of architectural practice

(a) When the architect practices as an individual or sole proprietor the title block shall contain:

1. The full name of the architect;

2. The title "architect";

3. The address of the architect;

4. A space for the name of the client and the location of the project; and

5. The name, license number, and space for the handwritten signature of the architect in responsible charge, and the date when signed.

(b) When two or more licensed architects practice architecture as a firm, partnership, or limited liability partnership, the title block shall contain:

1. The firm name, followed by the words "Limited Liability Partnership" or the abbreviation "L.L.P." or "LLP," if this designation is applicable;
2. The title "architects";
3. The address of the firm or partnership;
4. A space for the name of the client and the location of the project; and
5. The name, license number, and space for the handwritten signature of the architect in responsible charge, and the date when signed.

(c) When professionals practice architecture as a professional service corporation organized under N.J.S.A. 14A:17-1 et seq., the title block shall contain:

1. The professional service corporation name;
2. The title "architects," and titles of any other closely allied professionals;
3. The address of the professional service corporation;
4. A space for the name of the client and the location of the project; and
5. The name, license number, and space for the handwritten signature of the architect in responsible charge, and the date when signed.

(d) Title block contents for a general business corporation or limited liability company authorized to practice architecture under a Certificate of Authorization issued pursuant to N.J.S.A. 45:3-18 shall contain:

1. The name of the general business corporation or limited liability company, followed by the words "Limited Liability Company" or the abbreviation "L.L.C." or "LLC," if this designation is applicable, and Certificate of Authorization number and expiration date;
2. The title "architects" or titles of any other "closely allied professionals";
3. The address of the general business corporation or limited liability company;
4. The name and location of the project; and
5. The full name, license number, and space for the handwritten signature of the architect in responsible charge, and the date when signed.

(e) When an architect is a subcontractor on an engineering project pursuant to the Building Design Services Act (N.J.S.A. 45:4B-8), the architect shall include a secondary title block with all the information required in (a), (b), (c) or (d) above. Reference to the name and location of the project need not be repeated in the secondary title block.

(f) An architect practicing as an employee of a business entity which does not offer architectural services to the

public shall use a title block which contains the name of the entity as the "owner" and all other elements required by this section.

(g) The title block may contain the initials of the draftsman or checker, and dates, drawing numbers, revision numbers and such similar incidental items as are customarily used in the architects' offices.

Amended by R.1998 d.417, effective August 17, 1998.
See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In (b) and (d), inserted references to limited liability partnerships and limited liability companies.

13:27-6.8 Submission of title block form for approval

Any architect may submit a proposed form of title block to the State Board of Architects for approval.

SUBCHAPTER 7. PERMISSIBLE DIVISION OF RESPONSIBILITY IN SUBMISSION OF SITE PLANS AND MAJOR SUBDIVISION PLATS

13:27-7.1 General provisions

(a) All words, terms, and phrases used in this subchapter shall be as defined in the Municipal Land Use Act, N.J.S.A. 40:55D-1 et seq.

(b) Preparation and submission of the various elements of a preliminary or final site plan or major subdivision plat shall be within the professional scope of the various professions as listed in this subchapter.

13:27-7.2 Depiction of existing conditions on a site plan

(a) Showing existing conditions and exact location of physical features including metes and bounds, drainage, waterways, specific utility locations, and easements: By a land surveyor.

1. Survey information may be transferred to the site plan if duly noted as to the date of the survey, by whom, and for whom. A signed and sealed copy of the survey shall be submitted to the reviewing governmental body with the site plan submission.

(b) Vegetation, general flood plain determination, or general location of utilities, buildings, or structures: By an architect, planner, engineer, land surveyor, certified landscape architect, or other person acceptable to the reviewing governmental body.

13:27-7.3 Preparation of site plan

(a) The location of proposed buildings and their relationship to the site and the immediate environs: By an architect or engineer.

(b) The locations of drives; parking layout; pedestrian circulation; and means of ingress and egress: By an architect, planner, engineer, or certified landscape architect.

(c) Drainage facilities for site plans of 10 acres or more; or involving stormwater detention facilities; or traversed by a water course: By an engineer only.

(d) Other drainage facilities: By an architect or engineer.

(e) Utility connections and on tract extensions: By an engineer or architect.

(f) Off tract utility extensions: By an engineer only.

(g) On site sanitary sewage disposal or flow equalization facilities: By an engineer only.

(h) Preliminary floor plans and elevation views of buildings illustrating the architectural design of a project: By an architect, except when the building is part of an engineering or industrial project, floor plans and elevation views may be by an engineer.

(i) Landscaping, signs, lighting, screening or other information not specified above: By an architect, planner, engineer, certified landscape architect, or other person acceptable to the reviewing governmental body.

(j) The general layout of a conceptual site plan for a multiple building project, showing the development elements including their relationship to the site and immediate environs: By an architect, planner, engineer, or certified landscape architect.

Petition for Rulemaking.
31 N.J.R. 1215(c), 31 N.J.R. 1385(b).

13:27-7.4 Preparation of a major subdivision plan

(a) The general location of facilities, site improvements, and lot layouts: By an architect, engineer, land surveyor, planner, or certified landscape architect.

(b) The design and construction details of all public improvements including street pavements, curbs, sidewalks, sanitary sewage, storm drainage facilities: By an engineer only.

(c) Final subdivision map with metes and bounds: By a land surveyor only.

Petition for Rulemaking.
31 N.J.R. 1215(c), 31 N.J.R. 1385(b).

13:27-7.5 Effect of local ordinances

(a) Informal site plans not required by local ordinances are excluded from this rule.

(b) No municipal or county ordinance, policy or action purporting to define the scope of professional activity of architects, engineers, land surveyors, planners, or certified landscape architects in the preparation of site plans or major subdivisions shall reduce or expand the scope of professional practice recognized by the Boards.

SUBCHAPTER 8. CERTIFIED LANDSCAPE ARCHITECTS

13:27-8.1 Definitions

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

“Board” means the New Jersey State Board of Architects.

“Certified landscape architect” means an individual who, by reason of his or her knowledge of natural, physical, and mathematical sciences, and the principles and methodology of landscape architecture and landscape architecture design acquired by professional education, practical experience, or both, is qualified to engage in the practice of landscape architecture and is certified by the Board as a landscape architect.

“Committee” means the Landscape Architect Examination and Evaluation Committee of the New Jersey State Board of Architects.

“Practice of landscape architecture” means any service in which the principles and methodology of landscape architecture are applied in consultation, evaluation and planning, including the preparation and filing of sketches, drawings, plans and specifications, and responsible administration of contracts relative to projects principally directed at the functional and aesthetic use of land. Nothing contained in this section shall be construed to restrict or otherwise affect the right of any person or corporation to engage in the practice of landscape architecture, but no person shall hold himself or herself out as, or use the title “landscape architect” or other similar nomenclature as provided by N.J.A.C. 13:27-8.20, unless he or she has been certified by the Board as a landscape architect.

13:27-8.2 Office of the Committee

The office of the Committee shall be that which is maintained by the Board pursuant to N.J.A.C. 13:27-2.2, Administration, under the supervision of the person selected to serve as executive director.

13:27-8.3 Committee organization

(a) The Committee shall, at an annual meeting to be held in July of each year, elect from its membership a chairperson and vice-chairperson.

(b) The Committee shall adopt annually a schedule of regular meetings. Special meetings may be held at the call of the chair or at the action of a quorum of the membership.

(c) A quorum of the committee shall consist of three members. No affirmative action at a meeting shall be taken without at least three affirmative votes.

(d) The Committee shall keep a record of its proceedings and a record of all applicants for certification, showing for each the date of application, name, age, education, and other qualifications, place of practice and place of residence, whether or not an examination was required, and whether the applicant was rejected or a certificate granted, and the date of that action.

13:27-8.4 Approval of landscape architecture curricula and credentials

(a) For purposes of this section, any educational program accredited by the Landscape Architectural Accreditation Board of the American Society of Landscape Architects shall be deemed an approved program.

(b) An applicant for certification as a landscape architect who is a graduate of a school or program not accredited by the Landscape Architectural Board shall provide to the Committee, in addition to a certified transcript of his or her courses, a true and accurate course description for each of the landscape architecture courses for which the candidate is seeking credit toward certification. The Committee shall, in its consideration of the academic program, compare the

degree to the standards promulgated by the Landscape Architecture Accreditation Board. Thereafter, the Committee may, in its discretion, require the candidate to appear before the Committee for a personal interview and to present representative samples of his or her landscape architecture work.

13:27-8.5 Application for initial certification; general requirements

(a) Each candidate for initial certification as a landscape architect shall apply to the Board on the form and in the manner prescribed by the Committee. The Board shall immediately refer each completed application to the Committee for appropriate action. Each applicant shall furnish evidence satisfactory to the Committee that he or she:

1. Is of good moral character;
2. Is the holder of a bachelor's or higher degree in landscape architecture from a college or university having a landscape architecture curriculum approved by the Committee;
3. Has engaged in landscape architectural work satisfactory to the Committee to an extent that his or her combined college study and practical experience total at least six years, four years of which must be college study with three years in a landscape architecture curriculum and two years of which must be practical landscape architecture experience approved by the Committee. The practical landscape architecture experience shall be obtained after the completion of the educational requirements; and

4. Has successfully completed the Landscape Architect Registration Examination (LARE) and an examination on New Jersey plant materials, soil types, geology and laws and regulations governing land use and planning, including the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

13:27-8.6 Certification of persons holding certificate from another state or authority

(a) All reciprocal applicants for certification as landscape architects in New Jersey shall take and pass an examination on New Jersey plant materials, soil types and geology, as well as laws and regulations governing land use and planning including the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

(b) The Committee shall issue a certificate to any applicant who holds a license or certificate in good standing as a landscape architect from a legally constituted agency in any other state, district or territory of the United States, provided that the requirements for licensure or certification of the issuing agency are substantially equal to those of the Committee and Board, and provided further that the applicant meets all applicable requirements of N.J.S.A. 45:3-1 et seq.

(c) Except as set forth in (d) below, the Committee shall exempt from examination an applicant who holds a current Council of Landscape Architectural Registration Board (CLARB) certification and who meets all other applicable requirements of N.J.S.A. 45:3-1 et seq. The applicant shall submit current CLARB certification records to the Committee for review.

(d) When the applicant has obtained CLARB certification based upon qualifications not substantially equal to those required by the State of New Jersey, the Committee shall require the applicant to:

1. Take the pertinent portion or portions of the LARE that test(s) the areas of landscape architecture education or experience in which the applicant is deficient; or
2. Demonstrate five years of experience in the practice of landscape architecture subsequent to licensure or certification in any jurisdiction where he or she is presently licensed.

13:27-8.7 Certifications and renewals

(a) A Certificate holder shall renew his or her certificate on or prior to its expiration date as indicated on the biennial renewal notice.

(b) If the renewal application is submitted within 30 days after the expiration date, the licensee shall pay, in addition to the biennial renewal fee, the late fee set forth in N.J.A.C. 13:27-8.23.

(c) Failure to renew a certificate within 30 days of the expiration date of a biennial period will require payment of reinstatement fees and biennial renewal fees as set forth in N.J.A.C. 13:27-8.23.

13:27-8.8 Duplicate certificates

A duplicate certificate may be issued upon the presentation to the Board of the fee as provided in N.J.A.C. 13:27-8.23 with an affidavit or certified statement attesting that the original was either lost, destroyed, mutilated or is otherwise no longer in the custody of and cannot be recovered by the certified landscape architect; or attesting to the fact that the certified landscape architect is employed in more than one location.

13:27-8.9 Seal and signature

(a) Every certified landscape architect shall have a seal of a type recommended by the committee and approved and issued by the Board, which shall contain the name of the landscape architect, his or her certificate number, the legend "Certified Landscape Architect" and such other words or figures as the Committee may deem necessary.

(b) All construction documents prepared by the landscape architect or under his or her supervision shall be signed on the original with the personal signature of the landscape architect. Thereafter, all copies of such drawings and specifications shall be sealed prior to submission to the client or filing with a public agency.

(c) A certified landscape architect shall provide the following information in a title block which shall be placed on all construction contract drawings prepared under his or her direction. The information shall appear legibly on the construction contract drawings and shall be clearly reproducible.

1. The full name of the certified landscape architect as it appears on the certificate issued by the Board;
2. The signature of the certified landscape architect;
3. The license number and title: New Jersey Certified Landscape Architect; and
4. The date when signed.

(d) Other information may appear with or within the title block provided that the required information is distinct and the name of the certified landscape architect is readily discernible from the other information on the document.

13:27-8.10 Registration renewal; continuing education requirements

The Committee shall not issue a registration renewal application for any biennial period unless the applicant submits proof that he or she has completed courses of continuing professional education of the types and number of hours specified in this subchapter. Proof of completion

of the required number of continuing education hours shall be in the form outlined in N.J.A.C. 13:27-8.14. In the event a registrant fails to meet the continuing education requirements, the landscape architect certificate will not be renewed until all delinquent credit shall have been completed to the satisfaction of the Committee and Board and reinstatement and registration fees for each two years or portion thereof in which the holder is in arrears have been paid pursuant to N.J.S.A. 45:3A-12.

13:27-8.11 Credit hour requirements

(a) After the initial biennial registration period, each applicant for a renewal shall be required to complete, for each succeeding biennial period, a minimum of 30 credit hours of continuing education.

(b) A maximum of 15 credit hours in excess of the required 30 credit hours may be carried over into a succeeding biennial period.

(c) A registrant on inactive status who seeks to reactivate his or her registration shall submit satisfactory proof to the Committee of successful completion of continuing education credit hours in an amount equal to the amount required for an active biennial registration renewal.

13:27-8.12 Continuing education programs and other sources of continuing education

(a) The registrant may obtain continuing education credit units from the following:

1. Programs approved by the Committee, including, but not limited to, university-sponsored or university-level seminars, conferences and other programs offered for the purpose of keeping the registrant apprised of advancements and new developments in the profession. Suitable programs include, for example, any of the subjects tested in the Landscape Architect Registration Examination (LARE), such as professional practice, design (conceptual site design, planting design, comprehensive site design), or design implementation (grading construction details, layout);

2. Graduate course work beyond that required for professional licensure, at university-sponsored programs or at university-level, subject to Committee approval; and/or

3. Participation, other than as a student, in university-level education processes and programs, subject to Committee approval. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks or articles, or similar activities which are determined to be equivalent to obtaining continuing education.

(b) An individual, group or association seeking course or program approval may impose a reasonable differential in course or program fees based upon membership within a group or association. However, in no event shall a sponsoring individual, group or association completely exclude from the course or program any licensee who is not a member of the group or association.

(c) The Committee shall maintain a list of all approved programs, courses and lectures at the Committee offices and shall furnish this information to registrants upon request.

13:27-8.13 Continuing education credit unit calculations

(a) Credit for continuing education shall be granted as follows for each two-year period:

1. For attendance at programs approved by the Committee, one credit for each hour of attendance at an approved course. Credit will not be granted for courses which are less than three instructional hours long. Completion of an entire course or segment of course instruction is required in order to receive any continuing education credit.

2. For successful completion of graduate course work taken beyond that required for professional licensure, a maximum of nine hours of credit for each course.

3. For publication in a refereed professional journal of a copyrighted article related to the profession, nine credit hours per article to a maximum of 18 per biennial cycle.

4. For teaching and research appointments at a university level, nine hours for each new course, to a maximum of 18 hours per biennial cycle.

“New” means new to the person teaching it, that is, a course which the registrant has never taught before in any educational setting.

13:27-8.14 Reporting of continuing education units

(a) Prior to the expiration of a biennial registration, the Committee shall request each registrant to complete a renewal form listing the continuing education programs and credit hours completed during the previous registration cycle.

(b) Documentation of completed continuing education programs shall be maintained by each registrant for a period of no less than five years.

(c) All registrants shall be subject to audit by the Committee and shall submit documentation of completed continuing education programs upon request. Failure to provide requested documentation or falsification of any information submitted to the Committee may result in an appearance before the Committee, or a formal hearing followed by penalties and/or suspension of registration where appropriate.

(d) Documentation of continuing education requirements shall consist of the following:

1. For advance approval of attendance at seminars, conferences and other programs, a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours;
2. For subsequent approval of the events in (d)1 above, written verification by the sponsor of attendance;
3. For publication in a national professional journal, submission of the published article; and
4. For teaching or research appointments, a statement from the appropriate school authority verifying the appointment.

(e) Registrants may submit each documentation in (d) above to the Committee 60 days prior to enrollment or participation in any of the activities in (d) above, to confirm acceptability by the Committee of the anticipated credit hours.

13:27-8.15 Waiver of continuing education requirements

(a) The Committee may, at its discretion, waive or modify continuing education requirements on an individual basis for reasons of hardship, such as illness or disability which prevents attendance at or completion of continuing education, or other good cause as demonstrated by a licensee.

(b) Any registrant seeking a waiver of the continuing education requirements must apply to the Committee in writing and set forth with specificity the reasons for requesting the waiver. The registrant shall also provide the Committee with such additional information as it may reasonably request in support of the application.

13:27-8.16 Responsibilities of continuing education sponsors

(a) Prior to representing that a course or seminar has been approved, a sponsor of continuing education for landscape architects shall submit the following, for each course offered, for evaluation by the Committee:

1. A detailed description of course content and estimated hours of instruction which shall be consistent with the requirements of N.J.A.C. 13:27-8.12; and
2. A summary of qualifications of the lecturer.

(b) The sponsor shall monitor the attendance at each approved course and furnish to each enrollee a verification of attendance, which shall include at least the following information:

1. The title, date and location of course offering;
2. The name and registration number of the attendee;

3. The number of hours awarded by the sponsor and, if known, the number of continuing education hours approved by the Committee; and

4. The name and signature of the officer or responsible party and seal of the organization.

(c) The sponsor shall solicit evaluations from both the participants and the instructors.

13:27-8.17 Continuing education credit by endorsement

(a) A New Jersey registrant who is authorized by licensure/certification/registration to practice landscape architecture in another state shall satisfy the credit hour requirements of N.J.A.C. 13:27-8.11 by submitting the following:

1. Certification from the appropriate governmental authority in that other state confirming that the person has satisfactorily completed all continuing education credits required for renewal of licensure/certification/registration in that state;

2. Proof that that state is the primary practice location of the New Jersey registrant; and

3. Proof that that state requires review and approval of continuing education of rigor and extent which are substantially equal to the requirements imposed by New Jersey.

13:27-8.18 Committee certificate for endorsement of continuing education credit hours

A registrant of this State who is in good standing may request of the Executive Director of the Board of Architects a document attesting that the official record confirms satisfactory completion of all New Jersey continuing education requirements. Good standing for this purpose means the registrant is currently registered, has paid all required fees, and is not the subject of any disciplinary complaint or under current disciplinary sanction.

13:27-8.19 Rules of professional conduct

(a) If in the course of his or her work on a project, a landscape architect becomes aware of a decision taken by his or her employer or client, against the landscape architect's advice, which violates applicable Federal, state, county or municipal building laws and regulations and which would, in the landscape architect's exercise of reasonable judgment, materially and adversely affect the health, safety and welfare of the public, the landscape architect shall notify the employer or the client of such consequences and such other public authority as may be appropriate in the situation.

(b) A landscape architect may accept an assignment or employment requiring education or experience outside of his or her field of competence, but only to the extent that the services are restricted to those phases of the project in which he or she may, without undue cost or hardship to the client, reasonably become qualified. All other phases of

such project shall be performed by qualified associates, consultants, or employees in conformance with the statutes and rules governing their respective professions.

(c) A landscape architect shall not affix a personal signature and/or seal to any plan or document dealing with subject matter in which there is a lack of competence by virtue of education or experience, nor to any such plan or document not prepared under his or her direct supervision and control.

(d) A landscape architect shall be completely objective and truthful in all professional reports, statements or testimony and shall include all relevant and pertinent information.

(e) When issuing any statements, criticisms or arguments on matters connected with public policy which are inspired or paid for by an interested party, or parties, a landscape architect shall preface such comments by explicit personal identification, by disclosing the identity of the party or parties on whose behalf he or she is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matters.

(f) A landscape architect shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to by, all interested parties.

(g) A landscape architect shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products unless such consideration is disclosed to the client.

(h) A landscape architect shall not solicit or accept gratuities or anything of value not related to work performed, directly or indirectly, from contractors, their agents, or other parties dealing with his or her client or employer in connection with work for which he or she is responsible.

(i) When in public service as a member, advisor or employee of a governmental body or department, a landscape architect shall not participate in considerations or actions with respect to services provided by the individual or the individual's professional organization in private practice.

(j) A landscape architect shall not solicit or accept a contract from a government body on which a principal or officer of his or her organization serves as a member.

(k) A landscape architect shall not offer to pay, either directly or indirectly, any commission, political contribution, gift or other consideration in order to secure or retain work, exclusive of securing positions through employment agencies.

(l) A landscape architect shall not falsify or permit misrepresentation of academic or professional qualifications. He or she shall not misrepresent or exaggerate degrees of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments with the intent and purpose of enhancing his or her qualifications and work.

(m) A landscape architect shall not knowingly associate with or permit the use of a personal name or firm name in a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature or is otherwise engaging in unlawful activities.

(n) All advertisements and public representations of certificate holders which make specific reference to service as a "landscape architect" shall list the name and certificate number of the landscape architect. If the certificate holder conducts the practice under a corporation or trade name, the advertisement/public representation may list the business name under which the practice is conducted but shall also conspicuously disclose the name and certificate number of at least one of the principal practitioners. This requirement applies to all advertising locations, including, but not limited to, listings in a telephone or other consumer information directory, the public media, commercial property, and motor vehicles.

1. Landscape architects, whose advertisements/listings in a telephone or other consumer information directory do not comply with this requirement, shall immediately notify the directory publisher of the additional data which shall be published in the next available directory in which the landscape architect intends to continue such advertisement/listing. The certificate holder, personally or through the business entity, shall retain a copy of the notification which shall be made available for inspection at Board request.

(o) If a landscape architect has knowledge or reason to believe that another person or firm may be in violation of any of these provisions, he or she shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

13:27-8.20 Nomenclature for non-certified persons

(a) Any individual who is not a certified landscape architect as defined by N.J.S.A. 45:3A-2 may advertise and offer services to the public provided that the description of the advertiser's title and services conforms to the requirements of (b) below.

(b) An individual who is not a certified landscape architect as defined in N.J.S.A. 45:3A-2 shall not, for example, use the following titles or description of services:

- TITLES**
 Landscape Architect
 Certified Landscape Architect
 Licensed Landscape Architect
 Registered Landscape Architect
 Professional Landscape Architect

- DESCRIPTIONS OF SERVICES**
 Landscape Architecture
 Landscape Architectural Design
 Landscape Architectural Construction
 Landscape Architectural Planting Design
 Landscape Architectural Service

(c) The titles and descriptions listed in (b) above are not meant to be all-inclusive.

13:27-8.21 Fees

(a) The following fees shall be charged by the Board of Architects for Landscape Architect Certification matters. Unless otherwise provided herein, all fees are nonrefundable.

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| 1. Application Fee | \$125.00 |
| 2. Examination fee for the New Jersey portion of the Landscape Architect Registration Examination (LARE) when Board administered: | \$ 35.00 |
| 3. Initial Certification Fee (including seal press) | |
| i. If paid during the first year of a biennial renewal period | \$160.00 |

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| ii. If paid during the second year of a biennial renewal period | \$ 80.00 |
| 4. Biennial Renewal Fee | \$160.00 |
| 5. Late Fee | \$ 50.00 |
| 6. Reinstatement Fee | \$100.00 |
| 7. Reciprocity Fee plus initial certification fee and application fee | \$ 75.00 |
| 8. Duplicate certificate fee | \$ 25.00 |
| 9. Replacement seal press | \$ 40.00 |
| 10. Verification of Certification | \$ 25.00 |
| 11. Roster of certified landscape architects (provided free to all registrants and public agencies) | \$ 15.00 |

13:27-8.22 Notification of change of address; service of process

(a) Landscape architects shall notify the Board in writing of any change from the address currently registered with the Board and shown on the most recently issued certificate. Such notice shall be sent to the Board by certified mail, return receipt requested, no later than 30 days following the change of address. Failure to notify the Board of any change of address may result in disciplinary action in accordance with N.J.S.A. 45:1-21(h).

(b) Service of an administrative complaint or other Board-initiated action at a licensee's address currently on file with the Board shall be deemed adequate notice for the purposes of N.J.A.C. 1:1-7.1 and the commencement of any disciplinary proceedings.