

HCS SCS SB 809 -- ARCHITECTS, ENGINEERS, AND SURVEYORS

This bill changes the laws regarding the licensure of architects, professional engineers, professional land surveyors, and professional landscape architects. In its main provisions, the bill:

- (1) Changes the term "landscape architect" to "professional landscape architect" and adds definitions for the terms "design coordination," "design survey," "incidental practice," and "responsible charge" (Section 327.011, RSMo);
- (2) Changes the name of the board regulating these professionals in the Department of Insurance, Financial Institutions and Professional Registration to the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects (Section 327.031.1);
- (3) Requires a person appointed to the board to have been engaged in the practice of the specified field as a Missouri licensee for at least 10 consecutive years immediately preceding the appointment. When a vacancy occurs on the board and the vacancy to be filled requires the appointment of an architect, the president of the American Institute of Architects/Missouri must submit to the Director of the Division of Professional Registration a list of five names to fill the vacancy (Sections 327.031.5 and 327.031.7);
- (4) Repeals the provisions regarding the abolishment of the Landscape Architectural Council (Section 327.031.9);
- (5) Increases the maximum compensation for a board member from \$50 to \$75 for each day devoted to the affairs of the board (Section 327.051);
- (6) Requires professional architects, engineers, land surveyors, and landscape architects to be in responsible charge of specified work product that can affect the health, safety, and welfare of the public within their scope of practice (Sections 327.091.2, 327.181, 327.191, 327.272.3, and 327.603);
- (7) Specifies that licensing requirements must not apply to a person who renders architectural services when he or she renders the services in connection with a privately owned structure containing less than 2,000 square feet and which is not a part of a project which contains more than one structure. Currently, the requirements do not apply when a person renders architectural services in connection with a privately owned structure containing less than 20,000 cubic feet and which is not part of a project which contains more than one structure. The bill specifies that

the requirements will also not apply to a person who remodels or repairs a privately owned multiple family dwelling containing three or four families if the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building (Section 327.101);

(8) Updates the name of the Canadian certification organization from the Canadian Architectural Councils to the Canadian Architectural Licensing Authorities and changes the name of the agreement between it and the National Council of Architectural Registration Boards (NCARB) from the Inter-Recognition Agreement to the Mutual Recognition Agreement as the provisions apply to an applicant for a license as an architect in Missouri who holds a valid license to practice architecture in Canada (Section 327.106);

(9) Repeals the requirement that an applicant for licensure as an architect to have acquired at least three years of satisfactory architectural experience and requires the applicant to hold a certified Intern Development Program record with the National Council of Architectural Registration Boards and have taken and passed all divisions of the Architect Registration Examination (Section 327.131);

(10) Repeals provisions requiring the board to inform in writing each applicant for licensure as an architect, engineer, professional land surveyor, or professional landscape architect of the time and place for the examination if an examination must be given at least once in each calendar year (Sections 327.151, 327.241, 327.331, and 327.617.1);

(11) Allows an applicant who fails to make the specified grade to apply for reexamination, by division, in accordance with the guidelines established by the National Council of Architectural Registration Boards or its successor and repeals the current provision allowing the applicant to take another examination no sooner than six months after the date of the failed examination (Section 327.161);

(12) Specifies that a license for an architect, engineer, land surveyor, or landscape architecture must expire on the renewal date, but may, within three months of the certificate renewal date or at the discretion of the board, upon payment of the required fee, have his or her license renewed. Currently, an architect, engineering, land surveyor, or landscape architecture license that is not renewed within three months of the renewal date must be suspended automatically and expires within nine months if the licensee fails to pay the reinstatement fee (Sections 327.171, 327.261, 327.351, and 327.621);

(13) Specifies that the practice as a professional engineer in Missouri also includes construction observation (Section 327.181.1);

(14) Allows an applicant for licensure as a professional engineer or professional land surveyor who fails to make the necessary examination grade to apply for reexamination in accordance with the guidelines established by the National Council of Examiners for Engineering and Surveying or its successor (Sections 327.251 and 327.341);

(15) Specifies that the practice of professional land surveying also includes the preparation of property descriptions, the survey and location of rights-of-ways and easements, and design surveys (Section 327.272.1);

(16) Repeals obsolete provisions regarding the job experience required for an applicant as a land surveyor-in-training (Section 327.314);

(17) Repeals the current professional development requirements in order for a land surveyor who holds an inactive license to return to active status and specifies that if a professional land surveyor licensee is granted inactive status, he or she may return to active license status by notifying the board, paying the appropriate fees, and meeting all other established requirements of the board. If an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reactivation, he or she may be required to take the examination as the board deems necessary to determine his or her qualifications (Section 327.351);

(18) Repeals the provisions requiring the board to issue a license to any architect, professional engineer, professional land surveyor, or landscape architect who has been licensed in another state, in a territory or possession of the United States, or in another country if the board is satisfied by proof that the applicant's qualifications meet or exceed Missouri's requirements for initial licensure in Missouri at the time of the applicant's initial license and allows the board, in its discretion, to license one of these individuals when he or she has qualifications that are at least equivalent to Missouri's requirements for licensure (Section 327.381);

(19) Repeals provisions requiring the board to issue a professional land surveying license to an individual with 20 years of experience who has passed specified examinations (Section 327.391);

(20) Specifies that each architect, professional engineer, professional land surveyor, and professional landscape architect must affix his or her personal seal to all final technical submissions including, but not limited to, drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction prepared by the licensee or under the licensee's immediate personal supervision (Section 327.411);

(21) Defines "professional landscape architecture" as the performance of professional services in connection with the planning and design of land construction programs; master plans for land use and development; production of specified plans, construction details, specifications, and reports for land development, design coordination, construction observation; and the inspection of landscape architectural construction for compliance with drawings and specifications (Section 327.600);

(22) Requires an applicant for a professional landscape architect license to make a passing grade on each examination. The passing grade must be fixed by the board but must not exceed the current passing grade determined by the Council of Landscape Architectural Registration Boards (Section 327.617.3);

(23) Specifies that the provisions of the bill cannot be construed to require licensing of a person or corporation who is offering, but not performing or rendering, landscape architectural services if the person or corporation is licensed to practice landscape architecture in the state or country of residence or principal place of business (Section 327.629); and

(24) Repeals provisions allowing the board to license without examination any landscape architect certified in another state or territory of the United States if he or she has qualifications that are at least equivalent to the requirements in this state and provisions allowing the board to refuse to issue or renew a license of a landscape architect for specified causes (Sections 327.623 and 327.631).