

32 §220. LICENSING REQUIREMENTS

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1. Architects.

A. A person may not practice architecture or profess to practice architecture inside the State or use the title or profess to be an "architect" or "licensed architect" or display or use any words, letters, figures, titles, sign, card advertisement or other symbol or device indicating or tending to indicate that the person is an architect or is practicing architecture, or sign technical submissions unless the person is duly licensed by the board.

As used in this chapter, the practice of architecture consists of rendering or offering to render service to clients by consultations, investigations, technical submissions and a coordination of structural factors concerning the aesthetic or structural design and administration of construction contracts or any other service in connection with the designing or administration of construction contracts for buildings located inside the State that have as their principal purpose human occupancy or habitation, regardless of whether the persons are performing one or all of these duties, or whether they are performed in person or as the directing head of an office or organization performing them.

As used in this chapter, the term "technical submissions" includes the preliminary studies, plans, designs, drawings, specifications and contract documents, as well as other documents, prepared in the course of practicing architecture or landscape architecture.

The practice of architecture does not include the practice of landscape architecture as defined in this chapter. A licensed architect may do landscape architectural work as is incidental to the architect's work. [2007, c. 402, Pt. F, §10 (AMD).]

B. Qualifications.

(1) To be qualified for admission to the examination to practice architecture in this State an applicant must submit evidence to the board that:

(a) The applicant has completed a course of study in a school or college of architecture approved by the board, with graduation evidenced by a diploma setting forth a satisfactory degree, and 3 years of practical experience under the supervision of an experienced architect or architects engaged in the practice of architecture as a profession; or

(b) The applicant has training or practical experience, or a combination of both, that in the opinion of the board is fully equivalent to that required in division (a).

(2) An applicant for licensure as an architect in this State who has a current and valid license from another jurisdiction and a certificate from the National Council of Architectural Registration Boards or its successor or other organization approved by the board may offer to render architectural services in this State prior to licensure by the board if the applicant first notifies the board in writing that the applicant will be present in this State to offer to render architectural services. The applicant may not render architectural services until duly licensed by the board. [2007, c. 402, Pt. F, §11 (AMD).]

C. Corporations and partnerships.

(1) A corporation or partnership may not be licensed to practice architecture in this State, but it is lawful for a corporation or partnership to practice architecture in this State if:

(a) At least 1/3 of the directors, if a corporation, or 1/3 of the partners, if a partnership, are licensed under the laws of any state to practice architecture;

(b) The practice of architecture is under the direct supervision of a director or partner who is licensed to practice architecture under this chapter; and

(c) An additional 1/3 of the directors or partners are licensed under the laws of any state to practice engineering, architecture or landscape architecture.

If the total number of directors or partners is not divisible by 3, the number of directors or partners required to satisfy the requirements of this subparagraph is determined by dividing the total number of directors or partners by 3 and rounding to the nearest whole number.

Any corporation or partnership authorized to practice architecture under this chapter shall, upon written request from the board, submit information concerning the organization and activities of the corporation or partnership.

(2) A corporation or partnership authorized under this chapter to practice architecture in the State may offer to render and may practice landscape architectural services beyond those landscape architectural services that are incidental to the rendering of architectural services if:

- (a) The person who is rendering landscape architectural services is a licensed landscape architect under this chapter; and
- (b) The landscape architectural services offered are rendered by or under the direct supervision of a licensed landscape architect.

(3) A corporation or partnership that may not otherwise offer to render architectural services may offer to render those services if:

- (a) An architect licensed in the State or otherwise permitted to offer to render architectural services participates substantially in all material aspects of the offering and supervises directly the architectural services provided;
- (b) The corporation or partnership provides written disclosure at the time of the offering that the architect is engaged by and responsible contractually to the corporation or partnership; and
- (c) The corporation or partnership provides written notice to any person who engages the corporation or partnership to receive the architectural services offered, prior to termination of the architect involved in the offering. [1991, c. 396, §11 (NEW).]

[2007, c. 402, Pt. F, §§10, 11 (AMD) .]

2. Landscape architects. Landscape architects are subject to the provisions of this section.

A. A person may not use the title "landscape architect" or profess to be a landscape architect or sign drawings or specifications as a landscape architect unless that person is duly licensed by the board.

As used in this chapter, the practice of landscape architecture consists of rendering or offering to render services to clients by consultations, investigations, technical submissions and administration of construction contracts for the purposes of public land development and enhancement projects involving site vehicular access and circulation, multi-vehicle parking areas, grading and drainage of such ways and areas and site grading that results in drainage flows that exceed the previously existing drainage capacity, when such project submissions require the stamp or seal of a licensed professional for permit or approval by a municipal land ordinance, site plan ordinance, zoning ordinance or state land development law. These services must apply artistic and scientific principles to the research, planning, design and management of both natural and built environments.

Practitioners of landscape architecture may collaborate in the design of buildings, roads, bridges and other structures with respect to the functional and aesthetic requirements of the landscape in which they are to be placed.

The practice of landscape architecture does not include the practice of architecture as defined in this chapter. A licensed landscape architect may do such architectural work as is incidental to the landscape architect's work.

A person licensed as a landscape architect pursuant to this subsection is entitled to practice within the scope of that person's knowledge, skill and abilities. This subsection may not be construed to affect or prevent the practice of architecture, engineering or any other legally recognized profession. [2007, c. 390, §1 (RPR) .]

B. A landscape architect must meet the qualifications established in this paragraph.

(1) To be qualified for admission to the examination to practice landscape architecture in this State, an applicant must submit evidence that:

(a) The applicant has completed a course of study in a school or college of landscape architecture approved by the board, with graduation evidenced by a diploma setting forth a satisfactory degree and 2 years of practical experience in landscape architectural work of a grade and character satisfactory to the board; or

(b) The applicant has training or practical experience, or a combination of both, that in the opinion of the board is fully equivalent to that required in division (a).

(2) An applicant for licensure as a landscape architect in this State who has a current and valid license from another jurisdiction and a certificate from a recognized council of landscape architectural registration boards may offer to render landscape architectural services in the State prior to licensure by the board as long as the applicant first notifies the board in writing that the applicant will be present in the State to offer to render landscape architectural services. The applicant may not render landscape architectural services until duly licensed by the board.

(3) An applicant for renewal of a license issued pursuant to this section shall submit evidence that the applicant meets the qualifications established by the board. [2009, c. 415, Pt. A, §16 (RPR).]

C. Corporations and partnerships are subject to the provisions of this paragraph.

(1) A corporation or partnership may not be licensed to practice landscape architecture in this State, but it is lawful for a corporation or partnership to practice landscape architecture in this State if:

(a) The practice of landscape architecture is under the direct supervision of a director or partner who is licensed to practice landscape architecture under this chapter; and

(b) At least 1/3 of the directors or partners of the corporation or partnership are licensed under the laws of any state to practice engineering, architecture or landscape architecture. If the total number of directors or partners is not divisible by 3, the number of directors or partners required to satisfy this requirement is determined by dividing the total number of directors or partners by 3 and rounding to the nearest whole number.

A corporation or partnership authorized to practice landscape architecture under this chapter shall, upon written request from the board, submit information concerning the organization and activities of the corporation or partnership.

(2) A corporation or partnership authorized under this chapter to practice landscape architecture in the State may offer to render architectural services beyond those architectural services that are incidental to the rendering of landscape architectural services if:

(a) The person who is rendering architectural services is a licensed architect under this chapter; and

(b) The architectural services offered are rendered by or under the direct supervision of a licensed architect.

(3) A corporation or partnership that may not otherwise offer to render landscape architectural services may offer to render those services if:

(a) A landscape architect licensed in the State or otherwise permitted to offer to render landscape architectural services participates substantially in all material aspects of the offering and supervises directly the landscape architectural services provided;

(b) The corporation or partnership provides written disclosure at the time of the offering that the landscape architect is engaged by and responsible contractually to the corporation or partnership; and

(c) The corporation or partnership provides written notice to any person who engages the corporation or partnership to receive the landscape architectural services offered, prior to termination of the landscape architect involved in the offering. [2007, c. 390, §1 (RPR).]

[2009, c. 415, Pt. A, §16 (AMD) .]

SECTION HISTORY

1977, c. 463, §3 (NEW). 1977, c. 564, §§118I,118J (AMD). 1987, c. 395, §A115 (AMD). 1991, c. 396, §11 (AMD). 1991, c. 824, §§A63,64 (AMD). RR 1991, c. 1, §44 (COR). 2007, c. 390, §1 (AMD). 2007, c. 402, Pt. F, §§10-12 (AMD). 2009, c. 415, Pt. A, §16 (AMD).

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