

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 44 LANDSCAPE ARCHITECTS
PART 5 CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS

16.44.5.1 ISSUING AGENCY: [~~Regulation and Licensing Department,~~] New Mexico Board of Landscape Architects, P.O. Box 25101, Santa Fe, NM 87504.
[16.44.5.1 NMAC - Rp 16NMAC 44.5.1, 10-05-02]

16.44.5.2 SCOPE: The provisions of 16.44.5 NMAC apply to all registered landscape architects who are applying to renew their license.
[16.44.5.2 NMAC - Rp 16NMAC 44.5.2, 10-05-02; A, 06-15-08]

16.44.5.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Landscape Architects Act, NMSA 1978 Sections 61-24B-11, 61-24B-15.
[16.44.5.3 NMAC - Rp 16NMAC 44.5.3, 10-05-02; A, 06-15-08]

16.44.5.4 DURATION: Permanent.
[16.44.5.4 NMAC - Rp 16NMAC 44.5.4, 10-05-02]

16.44.5.5 EFFECTIVE DATE: October 5, 2002, unless a later date is cited at the end of a section.
[16.44.5.5 NMAC - Rp 16NMAC 44.5.5, 10-05-02]

16.44.5.6 OBJECTIVE: The objective of 16.44.5 NMAC is to establish criteria for professional continuing education for landscape architects licensed in New Mexico.
[16.44.5.6 NMAC - Rp 16NMAC 44.5.6, 10-05-02]

16.44.5.7 DEFINITIONS: [Reserved.] [Refer to Part 1]

16.44.5.8 PURPOSE OF CONTINUING PROFESSIONAL EDUCATION:

A. The purpose of CPE requirements for registered landscape architects is to ensure that the licensees update and advance their skill such that the public shall benefit from the most current and effective standards of professional practice. To further the goal of public benefit, registered landscape architects are encouraged to fulfill a portion of their CPE requirements in the areas of ethics, professional conduct and public health, safety and welfare.

B. Timeframe of CPE: The board [~~will~~] requires every two (2) years a minimum of thirty (30) contact hours of CPE to be completed as a condition for renewal of any registration under the Landscape Architects Act. While [~~T~~] the license renewal shall be every year, with the CPE reporting every other year. The thirty (30) hours reporting period will begin July 1 of every odd-numbered year. During a biennial reporting period every registrant is required to obtain thirty (30) CPE hours as approved by the board. During a biennial reporting period the licensee shall submit to the board the report itemizing CPE contact hours for the applicable reporting period, every other year. If a registrant exceeds the minimum biennium requirement in any reporting cycle, credits may not be carried forward into the subsequent biennium.

C. Recordkeeping: Each registered landscape architect shall maintain:

- (1) a log showing the subject and type of activity claimed, the sponsoring organization, location, duration and instructor's or speaker's name;
- (2) documentation sufficient to prove completion of the activity claimed, such as attendance verification records, completion certificates or other documents;
- (3) records for at least three [~~3~~] 4 years, and throughout any period when registration is in an inactive status if applicable;
- (4) copies of all records that may be requested by the board for audit verification purposes, which shall include:
 - (a) a list showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and CPE hours earned; and
 - (b) attendance verification records in the form of completion certificates, paid receipts or other documents supporting evidence of attendance; these records must be maintained for a period of three (3) years and copies may be requested by the board for audit verification purposes.
- (5) a form as provided by the board in order to document CPE units.

16.44.5.9 PREAPPROVED PROGRAM CATEGORIES:

A. Listed below are pre-approved methods for acquiring CPE hours. Hours must be relevant to the design professions that are recognized as landscape architects, engineers, and architects. The conversion of hours or credit is as follows:

- (1) three college semester hours: 30 hours per biennium
- (2) three college quarter hours: 20 hours per biennium
- (3) each continuing education unit: 10 hours per biennium
- (4) professional development in course work, seminars, professional conventions, workshops related to design professions: hour per hour of lecture time per biennium
- (5) teaching credit (valid for teaching a course or seminar for the first time only): 15 hours per biennium
- (6) each published professionally related paper, article, or book: 10 hours per biennium
- (7) each professional presentation when presented at a national, state, regional or municipal program for the first time only: 3 hours per biennium
- (8) serving on federal, state or municipal boards and commissions as a design professional where one is elected or appointed: 1 hour per month of service not to exceed 24 hours per biennium
- (9) active participation in professional and technical societies and their committees: 4 hours per biennium
- (10) committee chair or elected official of a professional technical society: 8 hours per biennium
- (11) active participation in a public board specifically related to the practice of landscape architecture; licensee must not receive a salary and is only paid pursuant to the Per Diem and Mileage Act: 8 hours per biennium.
- (12) business related courses: 10 hours per biennium
- (13) self-improvement courses: 6 hours per biennium
- (14) short subjects for design professionals, i.e. CLARB, NCARB etc.: as established by sponsor

B. Determination of credit: The board has final authority with respect to approval of courses, credit, CPE value for courses, and other methods of earning credit.

- (1) Credit for college or community college approved courses will be based upon course credit established by the college.
- (2) Credit for seminars, workshops, professional conventions and course/activities may be as recommended by the professional societies.
- (3) Educational travel/independent study credit allowed shall not exceed 8 hours of occurrence with a maximum of 16 hours per biennium.

C. Exemptions: A registered landscape architect may be exempt, upon board review and approval, from CPE requirements in any of the following situations:

- (1) the new landscape architect's first renewal period is less than one year from the original date of licensure;
- (2) a landscape architect is called to active duty in the armed forces for a period of time exceeding 120 consecutive days in a calendar year; this individual may be exempt from obtaining one-half of the required CPE during the current biennium;
- (3) a landscape architect experiences physical disability^[7] or illness [~~or other extenuating circumstances~~] that prevents the landscape architect from practicing landscape architecture; the landscape architect shall provide supporting documentation for the board's review and approval; if the landscape architect elects to return to practice, the landscape architect shall complete all CPE hours required during the current biennium.

D. Audit: Upon request, each registered landscape architect shall provide proof of satisfying the CPE requirements. If the landscape architect fails to furnish the information to the board or if the information is not sufficient to satisfy the requirements, the licensee shall not be renewed.

E. Disallowance: If the board disallows one or more CPE activities claimed, the board may, at its discretion, allow the registered landscape architect up to 120 days after notification to substantiate the original claim or to complete other CPE activities sufficient to meet the minimum requirements.

F. Noncompliance: A registrant who does not satisfy the CPE requirement for registration renewal will be placed on probationary status and so notified by the board following the renewal date. The registrant must comply within six (6) months following the renewal date or the registration may be classified as suspended. The contact hours needed to fulfill the prior biennial period requirement shall not be included in the subsequent renewal

period. Failure of a registrant to satisfy the CPE requirements for registration renewal may be cause for the board to deny license renewal for the licensee.

[16.44.5.9 NMAC - Rp 16NMAC 44.5.9, 10-05-02; A, 06-15-08]

HISTORY OF 16.44.5 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

LAB 85-1, Rules and Regulations filed 11-27-85;

LAB 85-1, Rules and Regulations filed 12-02-85;

LAB 89-1, Rules And Regulations filed 05-05-89;

Rule 8 NMBLA, Failure to Renew filed 07-08-92;

Rule 9 NMBLA, Continuing Education filed 07-08-92.

History of Repealed Material:

16 NMAC 44.5, Renewal and Continuing Education - Repealed, 10-05-02