



# Missouri–Rules, Statutes and Ethics for Professional Engineers

Three (3) Continuing Education Hours  
Course #MO101

Approved Continuing Education for Licensed Professional Engineers

*EZ-pdh.com*  
*Ezekiel Enterprises, LLC*  
*301 Mission Dr. Unit 571*  
*New Smyrna Beach, FL 32170*  
*800-433-1487*  
*helpdesk@ezpdh.com*



### Course Description:

The Missouri Rules, Statutes, and Ethics course satisfies 3 of the 30 hours of continuing professional competency (CPC) required for Missouri licensed professional engineers.

The course is designed as a distance learning interactive course that enables the practicing professional engineer to examine the canons of ethics as well as keep up to date on the legal aspects that govern the practice of engineering in the state of Missouri.

### Objectives:

The primary objective of this course is to familiarize the student with the canons of ethics and familiarize the student with the laws and rules regulating the practice of engineering in the state of Missouri.

Upon successful completion of the course, the student will have increased understanding of ethical practices and be well versed with the MO state laws and board rules.

### Grading:

Students must achieve a minimum score of 70% on the online quiz to pass this course.

The quiz may be taken as many times as necessary to successfully pass and complete the course.

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# Missouri Code of State Regulations

## Chapter 1—Organization 20

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### 20 CSR 2030-1.010 General Organization

*PURPOSE: This rule describes organization of board and procedure for public to obtain information and submit requests.*

(1) The intent and purpose of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects is to protect the inhabitants of this state in the enjoyment of life, health, peace, and safety, and to protect their property from damage or destruction through dangerous, dishonest, incompetent, or unlawful architectural, professional engineering, professional land surveying, or professional landscape architectural practice and generally to conserve the public welfare.

(2) The board shall meet at times necessary to adequately perform its statutory obligations. Notices of meetings will be posted in compliance with Chapter 610, RSMo.

(3) The board meetings will normally consist of reviewing applications, interviewing applicants, reviewing complaints, and overseeing the proper conduct and management of its affairs.

(4) Any person may contact the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, (573) 751-0047 for information and/or application forms or to register a complaint involving the architectural, professional engineering, professional land surveying, or professional landscape architectural professions

### 20 CSR 2030-1.020 Board Compensation

*PURPOSE: This rule fixes the compensation for the members of the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects in compliance with the mandates of section 327.051.4., RSMo.*

(1) Each member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects is authorized to receive as compensation the sum of seventy-five dollars (\$75) for each day that the member devotes to the affairs of the board.

(2) In addition to compensation fixed, each member is entitled to reimbursement of his/her expenses necessarily incurred in the discharge of his/her official duties.

(3) Requests for the compensation provided may be processed for payment only when sufficient funds are available for that purpose within the appropriations for this board

## 20 CSR 2030-1.030 Procedural Rules

*PURPOSE: This rule insures that no one division of the board will adopt a course of action or a policy that could affect the position of the entire board unless such course of action or policy has been approved by the entire board.*

(1) In accordance with section 327.041, RSMo, an interpretation of Chapter 327, RSMo may be made by the board if considered by the entire board, or quorum as provided by law, and adopted by an affirmative vote of the board or quorum, and so certified by the board chairman.

(2) When an interpretation of Chapter 327, RSMo and rules of the board adopted pursuant thereto affects only one (1) division of the board the division so affected shall prepare the facts pertaining to the matter under consideration and adopt a division recommendation by majority vote. Upon referral of the facts and division recommendation to the full board or quorum, the board may take such action the board deems appropriate under applicable law and rules adopted by the board.

## Chapter 2—Code of Professional Conduct

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### 20 CSR 2030-2.010 Code of Professional Conduct

*PURPOSE: This rule establishes a professional code of conduct for architects, professional engineers, professional land surveyors, and landscape architects.*

(1) Definitions.

(A) Board—The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects.

(B) Licensee—Any person licensed as an architect, professional engineer, professional land surveyor, or professional landscape architect under the provisions of Chapter 327, RSMo.

(2) The Missouri Rules of Professional Conduct for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Preamble reads as

follows: Pursuant to section 327.041.2, RSMo, the board adopts the following rules, referred to as the rules of professional conduct. These rules of professional conduct are binding for every licensee. Each person licensed pursuant to Chapter 327, RSMo, is required to be familiar with Chapter 327, RSMo, and the rules of the board. The rules of professional conduct will be enforced under the powers vested in the board. Any act or practice found to be in violation of these rules of professional conduct may be grounds for a complaint to be filed with the Administrative Hearing Commission.

(3) In practicing architecture, professional engineering, professional land surveying, or professional landscape architecture, a licensee shall—

(A) Act with reasonable care and competence and apply the technical knowledge and skill which are ordinarily applied by architects, professional engineers, professional land surveyors, or professional landscape architects of good standing, practicing in Missouri. In the performance of professional services, licensees hold their primary responsibility to the public welfare which should not be compromised by any self-interest of the client or the licensee.

(B) Undertake to perform architectural, professional engineering, professional land surveying, and professional landscape architectural services only when they are qualified by education, training, and experience in the specific technical areas involved.

(C) In the conduct of their practice, not knowingly violate any state or federal criminal law.

(D) Comply with state laws and regulations governing their practice. In the performance of architectural, professional engineering, professional land surveying, or professional landscape architectural services within a municipality or political subdivision that is governed by laws, codes, and ordinances relating to the protection of life, health, property, and welfare of the public, a licensee shall not knowingly violate these laws, codes, and ordinances.

(E) Recognize that their primary obligation is to protect the safety, health, property, or welfare of the public. If the professional judgment is overruled under circumstances where the safety, health, property, or welfare of the public are endangered, they are to notify their employer or client and other authority as may be appropriate.

(F) Not assist non-licensees in the unlawful practice of architecture, professional engineering, professional land surveying, or professional landscape architecture.

(G) Not assist in the application for licensure of a person known by the licensee to be unqualified in respect to education, training, experience, or other relevant factors.

(H) Truthfully and accurately represent to others the extent of their education, training, experience, and professional qualifications and not misrepresent or exaggerate the scope of their responsibility in connection with prior employment or assignments.

(I) Not accept compensation, financial or otherwise, from more than one (1) party, for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties. The disclosure and agreement shall be in writing.

(J) Make full disclosure, suitably documented, to their employers or clients of potential conflicts of interest, or other circumstances which could influence or appear to influence their judgment on significant issues or the unbiased quality of their services.

(K) Not offer, give, solicit, or receive, either directly or indirectly, any commission, contributions, or valuable gifts, in order to secure employment, gain an unfair advantage over other licensees, or influence the judgment of others in awarding contracts for either public or private projects. This provision is not intended to restrict in any manner the rights of licensees to participate in the political process; to provide reasonable entertainment and hospitality; or to pay a commission, percentage, or brokerage fee to a bona fide employee or bona fide established commercial or marketing agency retained by the licensee.

(L) Not solicit or accept financial or other valuable consideration, either directly or indirectly, from contractors, suppliers, agents, or other parties in return for endorsing, recommending, or specifying their services or products in connection with work for employers or clients.

(M) Not attempt to, directly or indirectly, injure the professional reputation, prospects of practice or employment of other licensees in a malicious or false manner, or both.

(N) Not reveal confidential, proprietary, or privileged facts or data, or any other sensitive information obtained in a professional capacity without the prior consent of the client or employer except as authorized or required by law or rules of this board.

(4) Licensees having knowledge of any alleged violation of this Code shall cooperate with the proper authorities in furnishing information or assistance as may be required.

## 20 CSR 2030-2.040 Evaluation Criteria for Building Design

*PURPOSE: This rule provides the recipient and producer of professional architectural, engineering, and/or landscape architectural services assurances that all services are evaluated in accordance with the 2012 edition of the International Building Code.*

***PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.***

(1) For building design, the board shall use, in the absence of any local building code, the 2015 edition of the *International Building Code*, as the evaluation criteria in determining the appropriate conduct for any professional licensed or regulated by this chapter and being evaluated under section 327.441.2(5), RSMo. The International Code Council, 2015 Edition is incorporated herein by reference and may be obtained by contacting 500 New Jersey Ave NW, 6th Floor, Washington, DC 20001, by phone at (888) ICC-SAFE (422-7233), by fax at (202) 783-2348, or by their direct website at <http://www.iccsafe.org>. This rule does not incorporate any subsequent amendments or additions to the manual.

## 20 CSR 2030-2.050 Title Block

*PURPOSE: This rule clarifies the identity of the client and entity preparing and sealing all architectural, engineering, land surveying, and/or landscape architectural documents.*

(1) An architectural, engineering, land surveying, or landscape architectural entity shall incorporate a title block on all drawings, exhibits, plans, plats, maps, and surveys that are required to be signed and sealed by Chapter 327, RSMo, and these regulations.

(2) The title block must, at a minimum, contain the following information:

(A) The name of the licensee either as a sole proprietor, partnership, corporation, limited liability company, or other appropriate entity;

**(B) The licensee's address and phone number;**

(C) Name or identification of project;

(D) Address/location of project (city/county and state);

(E) Date prepared;

**(F) Space for the licensee's signature, date, and seal;**

(G) The printed name, discipline, and license number of the person sealing the document; and

(H) The printed name, discipline, and certificate of authority number of the corporation as defined in section 327.011, RSMo.

## Chapter 3—Seals

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### 20 CSR 2030-3.010 Official Seal of Board

*PURPOSE: This rule describes the official seal of the board.*

(1) The official seal of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects shall consist of the Great Seal of the State of Missouri, minus the words The Great Seal of the State of Missouri and in substitution for which words shall be the words Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, divided by the word Missouri, all the words engraved and surrounded by a cord-like circle within a fringed circle and of the dimensions of two and one-quarter inches (2 1/4") in diameter.

### 20 CSR 2030-3.060 Licensee's Seal

*PURPOSE: This rule describes the format for personal seal of an architect, a professional engineer, a professional land surveyor, and a landscape architect.*

(1) Each person licensed as an architect, professional engineer, professional land **surveyor, or professional landscape architect (not including interns or individuals "in-training") shall, at his/her own expense,** secure a seal one and three-quarters inches (1 3/4") in diameter of the following design: the seal shall consist of two concentric circles **between which appear in roman capital letters, the words, "State of Missouri" on the** upper part of the seal and **either "Architect," or "Professional Engineer," or "Professional Land Surveyor" or "Professional Landscape Architect," as the case may be, on the lower** part, and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letter(s) A for Architect, PE for Professional Engineer, PLS for Professional Land Surveyor or PLA for Professional Landscape Architect.

(A) The seal of an architect licensed prior to January 1, 2002 may display **“Registered Architect”** on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letter A.

(B) The seal of a professional engineer licensed prior to January 1, 2002 may display **“Registered Professional Engineer”** on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letter E.

(C) The seal of a professional land surveyor licensed prior to January 1, 2002 may display **“Registered Land Surveyor”** on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letters LS.

(D) The seal of a professional landscape architect licensed prior to January 1, 2015 may display **“Landscape Architect”** on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letters LA.

(2) The seal may be in the form of an embossing seal, a rubber stamp, or a computer-generated image, identical in size, design and content with the provisions of section (1) above.

(3) In addition to the personal seal, the licensee shall also affix his/her signature and place the date when the document was originally sealed, at the minimum, to the original of each sheet in a set of all final technical submissions that include, but are not limited to, drawings, specifications, exhibits, plats, reports, surveys, and certifications of construction prepared by the licensee or under his/her immediate personal supervision.

**The term “signature,” as used herein means the following:**

(A) For a hand drawing (e.g., paper, vellum, mylar), printed document or computer **generated hard copy media, a handwritten “wet signature”** identification containing the name of the person who applied it.

(B) For electronic or digital documents transmitted to others in their native file format (e.g., AutoCAD, Revit, Word, or Excel), a digital signature with an electronic authentication process attached to or logically associated with the document. The digital signature must be unique to, and under the sole control of the person using it; it must also be capable of verification and be linked to a document in such manner that the digital signature is invalidated if any data on the document is altered.

**(C) For electronic or digital documents transmitted to others in a "pdf" or similar format that has modified the native file so that it is not easily altered, a scanned signature is acceptable if it is an accurate depiction of the licensee's actual signature.**

(4) When revisions are made the licensee who made the revisions, or under whose immediate personal supervision the revisions were made, shall sign, seal, and date each sheet and provide an explanation of the revisions. Revisions to technical submissions which are not made or approved by the licensee are prohibited.

(5) In lieu of signing, sealing, and dating each page, the licensee(s) may sign, seal, and date the title page, an index page, or a seals page on bound multiple page documents not considered to be drawings, providing that the signed page clearly identifies all of the other pages comprising the bound volume. Provided further that any of the other pages which were prepared by, or under the immediate personal supervision of another licensee be signed, sealed, and dated as provided for, by the other licensee. Any additions, deletions, or other revisions are prohibited unless signed, sealed, and dated by the licensee who made the revisions or under whose immediate personal supervision the revisions were made.

(6) An original document which is sealed, signed, and dated (by hand or electronically) by the licensee may be reproduced by photocopy, traditional blue printing, faxing, **scanning in "pdf," publishing or printing to "pdf," or similar format.**

(7) Technical submissions shall be signed, sealed, and dated unless clearly designated preliminary or incomplete, not to be used for construction, or is a record drawing of asbuilt construction information provided by others. If the document is preliminary or incomplete, not to be used for construction, or is a record drawing of as-built **construction information provided by others, the phrase, "The information on this document is preliminary or incomplete, not for construction, recording purposes, or implementation" or similar disclaimer and notice to others shall be placed in an obvious location so that it is readily found, easily read, and not obscured by other markings.**

(8) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee shall seal, date, and sign those **documents, using the appropriate disclaimer for clarification of each licensee's responsibility.**

(9) The signing and sealing of technical submissions not prepared by the licensee or under his/her immediate personal supervision is prohibited.

(10) This rule supersedes any conflicting rules.

## Chapter 4—Applications

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### 20 CSR 2030-4.010 Filing Deadline— Architects, Professional Engineers, Professional Land Surveyors, Landscape Architects, Engineer Interns and Land Surveyors-in-Training

*PURPOSE: This rule sets filing deadline for applicants for examination and licensure as architects, professional engineers, professional land surveyors, landscape architects, engineer interns and land surveyors-in-training.*

(1) All applications for examination and licensure as an architect, professional engineer, professional land surveyor or landscape architect and all applications for examination and enrollment as an engineer intern or land surveyor-in-training shall be filed with the board prior to the established filing deadline.

### 20 CSR 2030-4.030 Deferring Action on Applications

*PURPOSE: This rule gives the board authority to defer action on applications.*

The board, on its own motion, may continue or defer action on any pending application and nothing in these regulations shall be construed as limiting the authority of the board in such matters.

### 20 CSR 2030-4.050 Criteria to File Application Under 327.391 and 327.392, RSMo

*PURPOSE: This rule requires that applications for licensure under sections 327.391 and 327.392, RSMo be subject to criteria established by the board.*

(1) All applications for licensure as a professional engineer under section 327.392.1, RSMo are subject to such criteria as established by the board. An applicant may apply for licensure under section 327.392.1, RSMo, who—

(A) Submits a complete application on forms prescribed by the board showing a minimum of twenty (20) years of satisfactory engineering experience;

**(B) Holds a degree at the bachelor’s level or higher in engineering; and**

(C) Passes the National Council of Examiners for Engineering and Surveying (NCEES) Principles and Practice of Engineering examination.

(2) All applications for licensure as a professional engineer under section 327.392.2, RSMo are subject to such criteria as established by the board. An applicant may apply for licensure under section 327.392.2, RSMo, who—

- (A) Submits a complete application on forms prescribed by the board showing a minimum of four (4) years of satisfactory engineering experience;
- (B) Holds a degree from an Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (ABET, Inc.) or its equivalent and a doctorate in engineering from an institution that offers Engineering Accreditation Commission programs; and
- (C) Passes the NCEES Principles and Practice of Engineering examination.

## 20 CSR 2030-4.055 Criteria to File Application under section 324.008.1., RSMo, for a Temporary Courtesy License

*PURPOSE: This rule states the requirements and procedures for a nonresident spouse of an active duty member of the military who is transferred to this state in the course of **the member's military duty to** obtain a temporary courtesy license to practice architecture, engineering, land surveying, or landscape architecture for one hundred eighty (180) days which may be extended, at the discretion of the board and upon receipt of an additional fee, for another one hundred eighty (180) days.*

(1) The board may grant a temporary courtesy license to practice architecture, professional engineering, professional land surveying, and/or professional landscape **architecture without examination to a "nonresident military spouse" as defined in section 324.008.1., RSMo, who provides proof that such applicant's qualifications meet** or are at least equivalent to the requirements for initial licensure in this state and who provides the board the following:

- (A) A completed application form;
- (B) A non-refundable application fee, as established by the board pursuant to rule, made payable to the board;
- (C) Verification sent directly to the board from the state, district, or territory from where the applicant holds a current and active license verifying that the applicant holds a current and active license;
- (D) Proof that the applicant has been engaged in active practice in the state, district, or territory of the United States in which the applicant is currently licensed for at least two (2) years in the five (5) years immediately preceding this application;
- (E) Verification sent directly to the board from the state, district, or territory of the United States in which the applicant was initially licensed verifying that—

1. The applicant is, or was at the time of licensure, in good standing;
2. The applicant has not committed an act in any jurisdiction that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice at the time the act was committed; and
3. The applicant has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding by a licensing or credentialing entity in another jurisdiction;

(F) If the board is unable to determine if the licensing requirements of the state, district, or territory in which the applicant was initially licensed are equivalent to **Missouri's licensing requirements, it may request** the applicant to submit documentation regarding the licensing requirements equivalency as a condition precedent to licensure;

(G) Any person applying for temporary licensure as a professional land surveyor may qualify for temporary licensure after taking and passing the written Land Surveyor Missouri Specific Examination covering Missouri surveying practice and Missouri statutes and rules relating to the practice of professional land surveying; and

(H) Such additional information as the board may request to determine eligibility for a temporary courtesy license.

## 20 CSR 2030-4.060 Evaluation—Comity Applications—Architects

*PURPOSE: This rule requires all individuals applying for licensure as an architect under section 327.381, RSMo to first obtain an NCARB certificate and file.*

(1) Individuals applying for licensure as an architect under section 327.381, RSMo who were originally licensed in another state, territory or possession of the United States or in another country shall be required to first obtain a National Council of Architectural Registration Board (NCARB) certificate and file.

(2) The board shall only consider comity licensure applications when accompanied by an NCARB file.

## 20 CSR 2030-4.070 Evaluation—Comity Applications—Engineers

*PURPOSE: This rule ensures that applicants for licensure as professional engineers meet the minimum requirements for initial licensure in Missouri.*

(1) Any person applying for licensure as a professional engineer under section 327.381, RSMo who was licensed, in another state, territory, or possession of the United States or in another country without being required to pass the National Council of Examiners for Engineering and Surveying (NCEES) examinations, that is, the Fundamentals of Engineering Examination and the Principles and Practice of Engineering Examination, will be required to pass the NCEES examination(s) which he/she was not required to pass to attain his/her subsequent licensure(s) except that if such person has been actively engaged in the practice of engineering for a period of twenty (20) years prior to the filing of his/her application for comity, such person need not take the NCEES Fundamentals of Engineering Examination.

(2) When a comity applicant is required to take one (1) or both of the NCEES Examinations, the applicant will not be licensed by comity until he/she passes all of the examinations required of the applicant.

(3) If the applicant fails to pass the required examination(s), he/she will be permitted unlimited reexaminations in accordance with NCEES policy.

## 20 CSR 2030-4.080 Evaluation—Comity Applications—Land Surveyors

*PURPOSE: This rule outlines conditions under which the board will require a professional land surveying applicant under section 327.381, RSMo to take and pass an examination(s) as a prerequisite to licensure.*

(1) Any person applying for licensure as a professional land surveyor under section 327.381, RSMo, who was licensed in another state, territory, or possession of the United States or in another country without being required to pass the National Council of Examiners in Engineering and Surveying (NCEES) examinations, that is, the Fundamentals of Land Surveying Examination and the Principles and Practice of Land Surveying Examination; will be required to pass the NCEES examination(s) which he/she was not required to pass to attain his/her subsequent licensure(s) except that if such person has been actively engaged in the practice of land surveying for a period of at least twenty (20) years prior to the filing of his/her application for comity, such person need not take the NCEES Fundamentals of Land Surveying Examination.

(2) Any person applying for licensure as a professional land surveyor under section 327.381, RSMo, shall take and pass the Missouri Specific Examination covering Missouri surveying practice and Missouri statutes and rules relating to the practice of land surveying.

(3) When a comity applicant is required to take one (1) or both of the NCEES examinations as well as the Missouri Specific Examination, the applicant will not be licensed by comity until he or she passes all of the examinations required of the applicant.

## 20 CSR 2030-4.090 Evaluation—Comity Applications—Landscape Architects

*PURPOSE: This rule ensures that an applicant for licensure by comity meets the minimum requirement for initial licensure in Missouri.*

(1) Any person applying for licensure as a professional landscape architect under section 327.381, RSMo, who was licensed in another state, territory, or possession of the United States or in another country and has the qualifications which are at least equivalent to the requirements for licensure as a professional landscape architect in this state may apply for licensure by comity.

## Chapter 5—Examinations

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### 20 CSR 2030-5.010 Special Examinations Prohibited

*PURPOSE: This rule prohibits giving special examinations.*

Examinations administered by the board shall be given at times and places established by the board. No special examinations will be conducted.

### 20 CSR 2030-5.020 NCARB Examinations— Architects

*PURPOSE: This rule adopts the National Council of Architectural Registration Boards' examination for architects.*

(1) The architectural division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, having reviewed past examinations of the National Council of Architectural Registration Boards (NCARB) on architecture, finds that the examinations meet the requirements of section 327.151, RSMo, and, pursuant to the discretion vested by this statute, does adopt the examination prepared by that organization as that of the division as fully as if the division had prepared the examination, with the modifications as the division deems proper. The division reserves the right to revoke this approval at any time and to prepare and administer the examination as it deems proper.

## 20 CSR 2030-5.030 Standards for Admission to Examination— Architects

*PURPOSE: This rule sets out standards for admission to architectural examinations.*

***PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.***

(1) Every graduate from a curriculum fully accredited by the National Architectural Accreditation Board (NAAB), or other designated agencies as recognized by the National Council of Architectural Registration Boards (NCARB), who shall apply for architectural licensure shall submit with and as a part of the application documents as required in section 327.131, RSMo, a fully certified and completed Intern Development Program (IDP) record. A person participating in IDP through NCARB who has graduated with an NAAB accredited degree or equivalent degree from Canada or who has acquired a combined total of twelve (12) years of education, above the high school level pursuant **to section 327.131, RSMo, may use the term "Architectural Intern."**

(2) Prior to January 1, 2012, every nongraduate applying for architectural licensure shall submit with and as part of the application documents as required in section 327.131, RSMo, a weekly record or log of diversified architectural experience covering a period of not fewer than two hundred eight (208) weeks immediately prior to application. Every weekly record or log shall be witnessed by the signature of a licensed architect having direct personal supervision of that experience. In addition to the experience log, there also shall be included in the application a chronological list of the education and architectural experience the applicant claims prior to the period of the log which will furnish a total of eight (8) years of architectural experience.

(3) The standard for satisfactory architectural experience shall be the criteria set forth **in the National Council of Architectural Registration Board's Circular of Information No. 1, Appendix A** dated 1990–1991, which is incorporated herein by reference. A copy of the information may be obtained by contacting the National Council of Architectural Registration Boards, 1801 K Street NW, Suite 1100, Washington DC 20006-1301. The referenced material does not include any later amendments or additions.

(4) The standard for satisfactory architectural education shall be the criteria set forth in **the National Council of Architectural Registration Board's Circular of Information No. 1**, Appendix A dated 1978, which is incorporated herein by reference. A copy of the information may be obtained by contacting the National Council of Architectural Registration Boards, 1801 K Street NW, Suite 1100, Washington DC 20006-1301. The referenced material does not include any later amendments or additions.

### 20 CSR 2030-5.050 Admission to Examination— Architects

*PURPOSE: This rule prohibits admission to the architectural examination of a candidate who has an application pending in another state, unless the candidate has moved to Missouri since filing his/her original application.*

(1) No person shall be admitted to the examination for licensure as an architect if s/he has an application pending for initial licensure in another state, unless the applicant has changed his/her residency to Missouri since filing the original application.

### 20 CSR 2030-5.055 Passing Grade—Architects

*PURPOSE: This rule sets the required passing grade on architectural examinations.*

The passing grade shall be seventy-five (75) on each portion of the architectural examination except for the design (graphic) portion of the examination. The passing grade for the design (graphic) portion of the examination, which is graded on a pass/fail basis, shall be pass.

### 20 CSR 2030-5.060 Reexamination—Architects

*PURPOSE: This rule permits unlimited opportunities for retake of the architectural examinations.*

(1) Applicants who fail to pass the architectural examinations will be allowed unlimited opportunities for reexamination in accordance with the rolling clock standards established by the National Council of Architectural Registration Boards (NCARB).

### 20 CSR 2030-5.070 NCEES Examinations— Engineers

*PURPOSE: This rule adopts the National Council of Examiners for Engineering and Surveying examination for engineers.*

(1) The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects, having reviewed past examinations of the National Council of Examiners for Engineering and Surveying (NCEES) on engineering, finds that the examination meets the requirements of section 327.241, RSMo and, pursuant to the discretion vested by this statute, does adopt the examination prepared

by that organization as that of the board as fully as if the board had prepared the examination, with modifications as the board deems proper. The board reserves the right to revoke this approval at any time and to prepare and administer the examination as it deems proper.

## 20 CSR 2030-5.080 Standards for Licensure— Engineers

*PURPOSE: This rule sets out standards for admission to engineering examinations.*

(1) Before being admitted to the examination, an applicant for licensure as a professional engineer shall have the knowledge, skills and experience as the board deems necessary to qualify the applicant for being placed in responsible charge of engineering work. The minimum length of experience required of the applicant, based **on education, is three (3) years for any applicant holding a master's degree in** engineering; however, an applicant will not be admitted to the examination sooner than four (4) years after the applicant has satisfied the educational requirements of sections 327.221 and 327.241, RSMo, provided, however, any applicant who shall have been **conferred a master's degree in engineering concurrently while acquiring three (3) years** of satisfactory engineering experience, as provided in this rule, shall be admitted to the **examination. The Engineers' Council for Professional Development (ECPD) has been** succeeded by the Accreditation Board for Engineering and Technology, Inc. (ABET). For purposes of evaluating engineering curricula at the baccalaureate level, the programs accredited by the Engineering Accreditation Commission (EAC) of ABET shall be the basis used for evaluation of programs not accredited by EAC of ABET.

(2) The board reserves the right to revoke this approval at any time and to prepare and administer the examination as it deems proper.

(3) Foreign-educated applicants holding an engineering degree not accredited by ECPD, ABET, or its successor organizations will be required to submit a favorable evaluation report completed by an evaluation service acceptable by the professional engineering division of the board certifying equivalency to an ABET accredited degree. Applicants holding a United States of America (U.S.A.) engineering degree not accredited by ECPD, ABET, or its successor organizations will be required to have their educational degree program evaluated in order to determine whether or not it is equal to or exceeds the programs accredited by ECPD, ABET, or their successor organizations. The evaluation must be completed by an engineer(s) experienced in evaluating academic credentials selected by the professional engineering division or by an evaluation service acceptable by the professional engineering division of the board. The evaluator, by evaluation of transcripts and an official publication describing the engineering degree program of the institution, personal interview, by examination, or both in any other manner deemed

suitable, shall make an evaluation as to whether the academic program completed by the applicant meets the minimum educational requirements established by section 327.221, RSMo. The evaluator shall recommend to the professional engineering division and report how any deficiencies can be corrected, listing prescribed educational areas **to bring the applicant's academic qualifications up to the required minimum.**

Deficiencies in engineering courses must be made up with courses offered by an EAC/ABET-accredited degree program or equivalent. The report of the evaluator shall not be binding upon the division.

(4) An applicant who completes an engineering education program that is non-accredited and not deemed substantially equivalent and who then earns a graduate engineering degree from a United States school with an EAC/ABET-accredited undergraduate or graduate program in an equivalent discipline shall be accepted for the licensure process. The graduate degree should be treated as confirming the undergraduate degree giving the applicant equal standing with an applicant who has graduated from an EAC/ABET undergraduate engineering program. The degree earned in the graduate program validates the degree earned in the non-accredited undergraduate program and would not then be applicable for experience credit.

(5) A degree in engineering technology does not meet the educational requirements of section 327.221, RSMo.

(6) Any applicant deemed by the professional engineering division under sections (3) or (4) of this rule to have completed an educational program which is equal to or exceeds those programs accredited by ECPD, ABET, or their successor organizations shall be required to have obtained the minimum engineering work experience as is required in section (1) of this rule. In all cases, the board will consider only that experience the applicant has obtained after satisfying the educational requirements of sections 327.221 and 327.241, RSMo.

(7) In evaluating the minimum engineering work experience required of all applicants, the professional engineering division shall grant maximum credit as follows:

(A) Engineering teaching at collegiate level (only advanced engineering subjects or courses related to advanced engineering at board-approved schools), assistant professor and higher—year-for-year;

(B) **Master's degree in engineering**—one (1) year for completion;

(C) Military service (commissioned only— normally this service is in a technical branch such as engineering, ordinance, civil work services (CWS), civil engineering corps (CEC), etc.): Generally year-for-year subject to evaluation;

(D) Construction (technical decision-making level), above average complexity, nonstandard design, or both involving field modification— year-for-year;

(E) Project planning including layout and twenty-five percent (25%) or more design— year-for-year;

(F) Research and development at the planning and decision-making level—year-for-year; and

(G) Engineering management and administration— year-for-year.

(8) Individual evaluation may result in less than full credit.

(9) In accordance with the authority conferred upon the board at section 327.241.6., RSMo, the board provides that any person, upon satisfactory showing of an urgent need, such as absence from the United States, economic hardship or professional necessity, and who has graduated from and holds an engineering degree from an accredited school of engineering, and has acquired at least three and one-half (3 1/2) years of satisfactory experience, and previously has been classified an engineer-in-training or engineerintern by having successfully passed the first part of the examination, shall be eligible to take the second part of the examination and, upon passing, shall be entitled to receive a certificate of licensure to practice as a professional engineer subject, however, to other provisions of Chapter 327, RSMo, including having acquired four (4) years of satisfactory experience.

## 20 CSR 2030-5.090 Scope of Examination— Engineers

*PURPOSE: This rule prescribes hours and subject matter of engineering examinations.*

(1) The engineering examination shall consist of two (2) parts. Each part of the examination shall consist of two (2) four (4)-hour sections. Any reexamination shall consist of all of part I or part two II, as the case shall require.

(2) Part I of the engineering examination shall be in mathematics and basic sciences.

(3) Part II of the engineering examination shall be in theory and practice of engineering. AUTHORITY: section 327.041, RSMo 1986.\* This rule originally filed as 4 CSR 30-5.090.

## 20 CSR 2030-5.100 Passing of Part I Required—Engineers

*PURPOSE: This rule requires all candidates for part two of the engineering examination to pass part one before being admitted to part two.*

(1) No applicant for licensure as a professional engineer under section 327.221, RSMo shall be allowed to take part II of the required examination without having first passed part I of that examination.

## 20 CSR 2030-5.105 Reexaminations—Engineers

*PURPOSE: This rule outlines the policy for reexamination of engineer-intern and professional engineering applicants who fail the examination(s).*

(1) An applicant for enrollment as an engineer- intern failing to make a passing grade on the National Council of Examiners for Engineering and Surveying (NCEES) Fundamentals of Engineering Examination shall have unlimited opportunities to retake the examination so long as the applicant remains qualified to be examined on the date of the reexamination and providing the following criteria are met:

- (A) The applicant applies for reexamination on forms furnished by the board; and
- (B) The applicant pays the required reexamination fee; and
- (C) The applicant files his/her application for reexamination on or before the filing deadline established by the board; and
- (D) The applicant provides any additional information deemed pertinent by the board.

(2) An applicant for examination and licensure as a professional engineer failing to make a passing grade on the NCEES Principles and Practice of Engineering Examination shall have unlimited opportunities to retake the examination so long as the applicant remains qualified to be examined on the date of the reexamination and providing the following criteria are met:

- (A) The applicant applies for reexamination on forms furnished by the board; and
- (B) The applicant pays the required reexamination fee; and
- (C) The applicant files his/her application for reexamination on or before the filing deadline established by the board; and
- (D) The applicant provides any additional information deemed pertinent to the board.

## 20 CSR 2030-5.110 Standards for Admission to Examination— Professional Land Surveyors

*PURPOSE: This rule outlines the experience required of those persons applying for the land surveying examination under section 327.314, RSMo.*

(1) No person shall apply for examination and licensure as a professional land surveyor in the state of Missouri unless said person is currently enrolled as a land surveyor-in-training and unless said person shall have acquired at least the following satisfactory professional field and office experience while enrolled as a land surveyor-in-training:

(A) If enrolled as a land surveyor-in-training prior to January 1, 2006 pursuant to the provisions of subsection (1) or (2) of section 327.312, RSMo, said person shall have acquired at least two (2) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a licensed professional land surveyor;

(B) If enrolled as a land surveyor-in-training prior to January 1, 2006 pursuant to the provisions of subsection (3) of section 327.312, RSMo, said person shall have acquired at least one (1) year of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a licensed professional land surveyor; and

(C) If enrolled as a land surveyor-in-training on or after January 1, 2006 pursuant to the provisions of subsection (1), (2) or (3) of section 327.312, RSMo, said person shall have acquired at least four (4) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a professional land surveyor.

(2) For professional field and office experience in land surveying to be deemed satisfactory, the applicant shall have obtained at least one-third (1/3) of the required experience as field experience and at least one-third (1/3) of the required experience as office experience. Furthermore, all professional field and office experience in land surveying shall be completed under the immediate personal supervision of a licensed professional land surveyor as defined in 20 CSR 2030-13.020. In evaluating satisfactory professional field and office experience in land surveying, credit shall be given as follows:

(A) Party chief—year for year;

(B) Office work (combination of record research, survey calculations and preparation of property descriptions as relating to property boundary surveys and/or the reestablishment of the U.S. public land survey corners) (year-for-year credit);

(C) Individual evaluation may result in less than full credit; and

(D) Engineering or construction surveying work experience will receive no more than twenty-five percent (25%) credit (the maximum credit given shall be no more than twenty-five percent (25%) of the total experience required).

## 20 CSR 2030-5.120 Scope of Examination— Land Surveyor-in-Training and Professional Land Surveyors

*PURPOSE: This rule establishes the examinations that are required of a person applying for enrollment as a land surveyor-in training under section 327.312, RSMo, and for a person applying for licensure as a professional land surveyor.*

(1) The examination for enrollment as a land surveyor-in-training shall be the National Council of Examiners for Engineering and Surveying (NCEES) Fundamentals of Land Surveying Examination.

(2) The examinations for licensure as a professional land surveyor shall be the NCEES Principles and Practice of Land Surveying and the Missouri Specific Examination covering Missouri surveying practice and Missouri statutes and rules relating to the practice of land surveying. These two (2) examinations are independent of each other and shall be graded separately. A passing score must be obtained on each examination before licensure will be granted.

## 20 CSR 2030-5.130 Reexamination—Land Surveyor-in-Training and Professional Land Surveyor

*PURPOSE: This rule outlines the policy for reexamination of land surveyor-in-training and professional land surveyor applicants who fail the examination(s).*

(1) An applicant for enrollment as a land surveyor- in-training failing to make a passing grade on the National Council of Examiners for Engineering and Surveying (NCEES) Fundamentals of Land Surveying Examination shall have unlimited opportunities to retake the examination so long as the applicant remains qualified to be examined on the date of the reexamination and providing the following criteria are met:

(A) The applicant applies for reexamination on forms furnished by the board;

(B) The applicant pays the required reexamination fee;

(C) The applicant files his or her application for reexamination on or before the filing deadline established by the board; and

(D) The applicant provides any additional information deemed pertinent by the board.

(2) An applicant for examination and licensure as a professional land surveyor failing to make a passing grade on the NCEES Principles and Practice of Land Surveying Examination shall have unlimited opportunities to retake the examination so long as the applicant remains qualified to be examined on the date of the reexamination and providing the following criteria are met:

(A) The applicant applies for reexamination on forms furnished by the board;

(B) The applicant pays the required reexamination fee;

(C) The applicant files his or her application for reexamination on or before the filing deadline established by the board; and

(D) The applicant provides any additional information deemed pertinent by the board.

(3) An applicant for examination and licensure as a professional land surveyor failing to make a passing grade on the Missouri Specific Examination shall have unlimited opportunities to retake the examination so long as the applicant remains qualified to be examined on the date of the reexamination and providing the following criteria are met:

(A) The applicant applies for reexamination on forms furnished by the board;

(B) The applicant pays the required reexamination fee;

(C) The applicant files his/her application for reexamination on or before the filing deadline established by the board; and

(D) The applicant provides any additional information deemed pertinent to the board.

## 20 CSR 2030-5.140 CLARB Examinations— Landscape Architects

*PURPOSE: This rule adopts the Council of Landscape Architectural Registration Boards' Landscape Architect Registration Examination (LARE) or its successor.*

### **(1) The board adopts the Council of Landscape Architectural Registration Boards'**

(CLARB) Landscape Architect Registration Examination (LARE) or its successor as its own. All applications for examination as a landscape architect shall be filed with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and

Landscape Architects, or a substantially equivalent provider so designated by the board, prior to the deadline established by the board. An applicant shall obtain a passing score on each portion of the examination in accordance with CLARB standards.

## 20 CSR 2030-5.150 Standards for Admission to Examination— Landscape Architects

*PURPOSE: This rule sets out standards for admission to landscape architectural examinations.*

(1) A Missouri applicant shall have a degree in landscape architecture from an accredited school of landscape architecture and have acquired at least three (3) years satisfactory landscape architectural experience after acquiring that degree to qualify for **the Council of Landscape Architectural Registration Boards' (CLARB) Landscape Architect Registration Examination (LARE)**, or its successor.

(2) For the purpose of admission to the examination, satisfactory training and experience shall include: site investigation; selection and allocation of land and water resources for appropriate use; land use feasibility studies; formulation of graphic and written criteria to govern the planning and design of land construction programs; preparation, review and analysis of master plans for land use and site development; production of overall site plans, grading plans, irrigation plans, planting plans and related construction details; specifications; cost estimates and reports for site development; collaboration in the design of roads and site structures with respect to the functional and aesthetic requirements, but not involving structural design or stability; and field observation of land area construction, restoration and maintenance.

## Chapter 6—Fees

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### 20 CSR 2030-6.010 Fees Not Refundable

*PURPOSE: This rule provides a more concise statement to indicate that all fees are nonrefundable.*

No remittances to the board shall be made by cash. All fees are generally nonrefundable.

## 20 CSR 2030-6.015 Application, Renewal, Reinstatement, Relicensure, and Miscellaneous Fees

*PURPOSE: This rule establishes and fixes various fees and charges authorized by Chapter 327, RSMo.*

(1) The following fees are established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects:

- (A) Architectural Application Filing Fee—Comity \$200
- (B) Architectural Application Filing Fee—Examination \$100
- (C) Professional Engineer Application Filing Fee—Comity \$200
- (D) Professional Engineer Application Filing Fee— Examination \$100
- (E) Land Surveyor Application Filing Fee—Comity \$200
- (F) Land Surveyor Application Filing Fee—Examination \$100
- (G) Land Surveyor Missouri Specific Examination \$100
- (H) Landscape Architect Application Filing Fee—Comity \$200
- (I) Landscape Architect Application Filing Fee—Examination \$100
- (J) 327.391 or 327.392 Application Filing Fee \$200
- (K) Engineer Intern Application Filing Fee \$ 10
- (L) Land Surveyor-in-Training Application Filing Fee \$ 10
- (M) Individual Renewal Fee \$ 35
- (N) Individual Reactivation Fee \$100
- (O) Individual Reinstatement Fee \$150
- (P) Individual Relicensure Fee \$200
- (Q) Corporate Application Fee \$200
- (R) Corporate Renewal Fee \$100
- (S) Corporate Reinstatement Fee \$150
- (T) Corporate Reauthorization Fee \$200

- (U) Certification Fee \$ 50
- (V) Duplicate Certificate License Fee \$ 10
- (W) Insufficient Funds Check Charge \$ 25
- (X) Temporary Courtesy License Application Filing Fee for nonresident military spouse \$ 50
- (Y) Temporary Courtesy License Extension Fee for nonresident military spouse \$ 50
- (Z) Evaluation of Non-Accredited Engineering Degrees \$300

(2) Fees for photocopying and research shall not exceed the actual cost of the document search and duplication pursuant to section 610.025, RSMo.

(3) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

(4) In addition to the fees established in section (1) of this rule, the applicant shall pay the company or organization selected by the board to administer and/or score any required examination(s) such fee as is determined by agreement of the board and the selected company or organization to be appropriate.

## 20 CSR 2030-6.020 Reexamination Fees

*PURPOSE: This rule sets reexamination fees for professional engineers, engineers-in-training, land surveyors-in-training and professional land surveyors.*

(1) The following reexamination/rescheduling application filing fees are established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects:

- (A) Professional Engineer \$ 50
- (B) Engineer Intern and Fundamentals of Engineering \$ 50
- (C) Land Surveyor Missouri Specific \$ 75
- (D) Principles and Practice of Surveying \$ 50
- (E) Land Surveyor-in-Training and Fundamentals of Surveying \$ 50

(2) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

(3) In addition to the fees established in section (1) of this rule, the applicant shall pay the company or organization selected by the board to administer and/or score any required examination(s) such fee as is determined by agreement of the board and the selected company or organization to be appropriate.

## Chapter 7—Nonresidents

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### 20 CSR 2030-7.010 Nonresidents

*PURPOSE: This rule requires a nonresident who is not licensed in his/her state of residence, to submit an explanation of his/her lack of licensure in his/her state of residence.*

(1) An applicant for licensure as an architect, professional engineer, professional land surveyor or professional landscape architect who is a nonresident of this state shall not be denied licensure in this state solely for the reason s/he is not licensed in the state of his/her residence. Before any such nonresident shall be licensed in this state, s/he shall submit to the board a satisfactory explanation of his/her lack of licensure in the state of his/her residence.

## Chapter 8—Land Surveying

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### 20 CSR 2030-8.010 Land Surveying Matters

*PURPOSE: This rule requires all land surveying matters to be handled by the land surveying division.*

All matters pertaining to land surveyors shall be handled by the land surveying division of the board.

## 20 CSR 2030-8.020 Professional Land Surveyor— Professional Development Units

*PURPOSE: This rule outlines the professional development standards for professional land surveyors applying for renewal of licensure under the provisions of section 327.041, RSMo.*

(1) Each licensed professional land surveyor, as a condition for renewal of his/her license, shall complete a minimum of twenty (20) professional development units (PDU) each two (2)-year period immediately preceding renewal, except as provided in section (2) of this rule.

(A) Of the required professional development units, licensed professional land surveyors shall complete a minimum of four (4) professional development units in Minimum Standards (20 CSR 2030, Chapters 16, 17 and 19) during the four (4)-year period immediately preceding renewal.

(B) Of the required professional development units in the two (2)-year renewal period, not more than twelve (12) shall be obtained in nonpersonal contact activities. Nonpersonal contact activities include correspondence courses, video and televised courses, Internet and email courses, or other activities where the presenter is not in physical proximity to the attendee.

(2) The following are exceptions to the requirement that licensees successfully complete twenty (20) PDUs prior to renewal:

(A) The licensee can show good cause why he/she was unable to complete the PDU requirements. In the event good cause is shown, the licensee will be required to make up all outstanding required PDUs within a reasonable amount of time as established by the board;

(B) The licensee received his/her initial licensure during the preceding two (2)-year period. The licensee will be required to complete an average of one (1) PDU per month for each month of licensure; provided however that the licensee will not be required to complete more than twenty (20) PDUs; or

(C) If the licensee served honorably on full-time active duty in the military, the licensee may renew his/her license without completing the PDU requirement for the renewal period during which the licensee served.

(3) A licensee who completes more than twenty (20) PDUs during the two (2) years immediately preceding renewal may carry forward into the next two (2)-year period up to ten (10) PDUs.

(4) In evaluating PDUs for licensure renewal, the board will be guided by the following standards and guidelines:

(A) Criteria: In order to qualify as acceptable PDU credit, each activity must:

1. Have a clear purpose and objective to maintain, improve and/or expand skills and knowledge obtained prior to licensure or to develop new and relevant skills and knowledge;
2. Have a well organized content presented in a sequential manner;
3. Show evidence of pre-planning, including an opportunity for input by the target group to be served;
4. Be presented by persons qualified by education and experience; and
5. Provide information to the licensee necessary for PDU record keeping and reporting purposes.

(B) Except as otherwise stated in this rule, licensees shall earn one (1) PDU for every fifty (50) to sixty (60) minutes of activity that qualifies as acceptable PDU credit pursuant to this rule.

(C) Activities.

1. PDU activities must be relevant to the practice of land surveying and may include technical, ethical or business related content.
2. PDUs may be earned at locations outside Missouri, so long as the activity qualifies as acceptable PDU credit pursuant to this rule.
3. Assuming they otherwise qualify as acceptable PDU credit pursuant to this rule, the following activities are acceptable sources of PDU credits:
  - A. Successful completion of college or university course earns thirty (30) PDUs per semester hour and twenty (20) PDUs per quarter hour. Auditing or **"hearing" a course qualifies for one-third (1/3) PDU credit of that stated herein.**

B. Active participation and successful completion of seminars, tutorials, workshops, short courses, correspondence courses, or televised or videotaped courses.

C. Attending program presentations at related technical or professional meetings.

D. Authoring a paper or article earns five (5) PDUs upon actual publication in a regionally or nationally circulated technical journal or trade magazine.

E. Teaching or instructing a course or seminar that satisfies the PDU criteria described in this rule, or making a presentation at a technical meeting or convention. For the original instruction or presentation, a licensee shall earn two (2) PDUs for each PDU a participant could earn pursuant to this rule. For subsequent instructions or presentations, a licensee shall earn only one (1) PDU for each PDU a participant could earn pursuant to this rule. Licensees shall not earn more than ten (10) PDUs per two (2)-year renewal period for teaching, instruction, or making presentations.

(5) All licensees shall maintain and retain records of PDU activities completed for a period of four (4) years after the reporting period in which the PDU was completed. The board may randomly audit a portion of licensees each renewal period, or a specific licensee if a complaint has been filed against the licensee, to verify compliance with the PDU requirements. Licensees shall assist the board in any audit by providing timely and **complete responses to the board's inquiries. At a minimum, licensees must keep the following records:**

(A) A log identifying the type of activity claimed, the sponsoring organization, location of the program, duration of the program, the name of the instructor(s) or speaker(s), and the PDU credits earned; and

(B) Attendance verification records such as certificates of attendance, signed attendance receipts, paid receipts, a copy of a listing of all attendees signed by a person in responsible charge of the activity, or other documentation verifying attendance.

(6) Any person or entity may seek preapproval of a PDU activity by providing the board the following information. The professional land surveying division will approve or deny credit for the activity within forty-five (45) calendar days of receipt of the information.

(A) Date(s) of the program or activity;

- (B) An outline or syllabus of the program;
- (C) Presentation abstract(s);
- (D) Preliminary program with time frames;
- (E) Course or program description; and
- (F) Names of the instructor(s) or speaker(s) with biographical information showing their education and professional experience.

(7) The board will review all PDUs claimed in support of a renewal application. If it is determined that a portion of the claimed PDUs fail to meet PDU requirements, the licensee will be notified in writing of the denied PDUs. If PDUs are denied to the extent that the licensee has failed to obtain the required number of PDUs for renewal, then the board will deny issuance of the renewal and will notify the licensee in writing of their **right to appeal the board's decision** to the Administrative Hearing Commission.

## Chapter 10—Corporations

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### 20 CSR 2030-10.010 Application for Certificate of Authority

*PURPOSE: This rule establishes standards for corporations to obtain and maintain certificates of authority.*

(1) A corporation desiring a certificate of authority authorizing it to render architectural, professional engineering, land surveying or landscape architectural services in this state shall submit an application to the executive director of the board, listing the names and addresses of all officers and directors for a corporation or members for a limited liability company. It shall also list the managing agent for each profession who is licensed in this state to practice architecture, engineering, surveying or landscape architecture.

(2) The managing agent shall be an owner or officer of a corporation, or member of a limited liability company, or a full-time employee of a corporation or a limited liability company. If the managing agent is also the person providing immediate personal supervision, as defined by board rule(s) 20 CSR 2030-13.010 and/or 20 CSR 2030-13.020, then that person must work in the same office where the work is being performed.

**(3) The managing agent's responsibilities include:**

- (A) Renewal of the certificate of authority and notification to the board of any changes in the firm;
- (B) Overall supervision of the professional and licensing activities of the firm and its employees;
- (C) Assurance that the firm institutes and adheres to policies that are in accordance with Chapter 327, RSMo and 20 CSR 2030; and
- (D) Assurance, in the case of multiple offices, that the requirements for immediate personal supervision, as defined by board rule(s) 20 CSR 2030-13.010 and/or 20 CSR 2030-13.020, are being met.

(4) A certificate of authority is not required by a principal firm if the work is being done by a subconsultant who is licensed in this state. The principal firm cannot advertise itself as being able to provide architecture, engineering, land surveying, or landscape architecture services, or include the names of those professions in the name of their firm unless exempted pursuant to section 327.101(7), RSMo or section 327.191(5), RSMo.

(5) A corporation which is currently authorized by this board to provide professional services may continue to renew its certificate of authority under the rules that were in **effect prior to October 30, 2005 so long as the persons listed in the corporation's application** do not change. If there is any change in any of the persons listed in the **corporation's application, the provisions in this rule 20 CSR 2030-10.010** shall apply. The change shall be reported on a new form and submitted to the executive director of the board within thirty (30) days after the effective day of the change.

## Chapter 11—Renewals

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### 20 CSR 2030-11.010 Renewal Period

*PURPOSE: This rule establishes the licensing period for the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects and establishes the information required to keep the records of the board current.*

(1) The license issued to every architect, professional engineer, professional land surveyor, and professional landscape architect in Missouri shall be renewed biennially. Licenses originally issued in an odd numbered year renew by December 31 of each odd

numbered year. Licenses originally issued in an even numbered year renew by December 31 of each even numbered year.

(2) The certificates of authority issued to corporations authorized to offer architectural, engineering, land surveying, and landscape architectural services in Missouri shall be renewed biennially. Certificates of authority originally issued in an odd numbered year renew by December 31 of each odd numbered year. Certificates of authority originally issued in an even numbered year renew by December 31 of each even numbered year.

(3) Each renewal application from every architect, professional engineer, professional land surveyor, and professional landscape architect in Missouri shall be accompanied by the following information, in addition to any other information the board may require:

(A) Name; and

(B) Address.

(4) Each person holding a license and each corporation holding a certificate of authority to practice architecture, professional engineering, professional land surveying, and professional landscape architecture in Missouri shall file, in writing, their proper and current mailing address of record with the board at its office in Jefferson City and immediately notify the board, in writing, at its office of any changes of mailing address, giving both the old and the new addresses.

(5) Failure to receive an application for renewal of a license or certificate of authority shall not relieve the licensee or certificate holder from their duty to timely renew, nor relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

(6) The licensee may renew his/her license or certificate of authority within three (3) months from the license renewal date without penalty. A license or certificate not renewed within three (3) months of the license renewal date automatically expires on the renewal date and becomes void. The holder of the expired license or certificate loses any rights or privileges under such license, but may within the discretion of the board, and upon payment of the required fee, be relicensed or reauthorized under t

## 20 CSR 2030-11.015 Continuing Professional Competency for Professional Engineers

*PURPOSE: The continuing professional competency (continuing education) requirement is to demonstrate a continuing level of competency for professional engineers.*

(1) Purpose.

(A) Renewal of an engineering license issued pursuant to section 327.261, RSMo, may only be granted to a licensee who has successfully completed thirty (30) professional development hours, as defined by this regulation, within the two (2) immediately-preceding years (renewal period). Any licensee who completes more than thirty (30) professional development hours within the preceding two (2) calendar years may apply the excess, not to exceed fifteen (15) hours, to the requirement for the next two- (2-) year period.

(B) Continuing professional competency (continuing education) is a requirement for every professional engineer licensed by the board, regardless of age, area of practice, or whether the licensee lives in-state or out-ofstate pursuant to section 327.271, RSMo.

(C) Continuing professional competency obtained by a licensee should maintain, improve, or expand skills and knowledge obtained for initial licensure or develop skills and knowledge relevant to the practice of professional engineering.

(D) If the licensee served honorably on full-time active duty in the military, the licensee may renew his/her license without completing the PDH requirement for the renewal period during which the licensee served.

(E) A professional engineer who holds licensure in Missouri for less than twelve (12) months from the date of his/her initial licensure need not report professional development hours at the first license renewal.

## (2) Definitions.

(A) Board. The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects.

(B) Continuing education unit (CEU). Unit customarily used for continuing education courses. One (1) CEU equals ten (10) nominal contact hours of class in an approved continuing education course.

(C) Professional development hour (PDH). One (1) nominal contact hour of instruction or presentation. The common denominator for other units of credit. (D) Professional engineering division. The four- (4-) member division of the board that concerns itself with the profession of engineering.

(E) Sponsor. An individual, organization, association, institution, or other entity that provides an educational activity for the purpose of fulfilling the professional

development requirements of the board. The sponsor is responsible for providing the attendees with verification records.

(3) Activities. All such activities must be relevant to the practice of engineering and may include technical, ethical, or managerial content. Professional development activities satisfying these requirements include, but are not limited to:

(A) Successfully completing college or university courses;

(B) Successfully completing courses that are awarded CEU(s);

(C) Active participation and successful completion of seminars, tutorials, workshops, short courses, correspondence courses, televised or videotaped courses, or in-house corporate sponsored educational courses. A correspondence course must require the participant to show evidence of achievement with a final graded test;

(D) Attending program presentations at related technical or professional meetings. PDHs are awarded only for those portions of the meeting that meet the requirements of this rule. Licensees serving as an officer or actively participating in a committee of the technical professional society or organization may earn a maximum of two (2) PDHs annually per organization. PDH credits are not earned until the end of each year of service is completed;

(E) Contact hours spent in professional service to the public that draws upon the **licensee's professional expertise on boards or commissions, such as: serving on** planning commissions, park boards, city council, county commissions, or state registration boards may earn a maximum of two (2) PDHs annually per organization. PDH credits are not earned until the end of each year of service is completed;

(F) Teaching or instructing (see subsections (3)(A)–(D)). College or university faculty may not claim credit for teaching regular curriculum courses; and

(G) Authoring papers or articles that appear in nationally circulated technical journals or trade magazines.

(4) Criteria. Professional development activities must meet the following criteria:

(A) There is a clear purpose and objective for each activity that will maintain, improve, or expand skills and knowledge obtained prior to initial licensure or develop new and relevant skills and knowledge;

(B) The content of each presentation is well organized and presented in a sequential manner;

(C) There is evidence of preplanning that should include the opportunity for input by the target group to be served;

(D) The presentation will be made by persons who are well qualified by education and experience; and

(E) There is a provision for individual participant registration that will include information required for record keeping and reporting.

(5) Units. The conversion to PDHs from other units is as follows:

(A) One (1) semester hour of college credit 30 PDH;

(B) One-quarter (1/4) hour of college credit 20 PDH;

(C) One (1) CEU 10 PDH; and

(D) One (1) nominal contact hour of acceptable professional development education 1 PDH.

(6) Credits. PDHs of credit for qualifying courses successfully completed that offer semester hour, quarter hour, or CEU credit is as specified in this rule. All other activities permit the earning of one (1) PDH of credit for each contact hour with the following exceptions:

**(A) Auditing or "hearing" of university or college courses permit PDH credit of onethird (1/3) as shown in section (5);**

(B) Teaching or instructing qualifying courses or seminars or making presentations at technical meetings or conventions earn PDH credit at twice that of participants;

(C) Five (5) PDHs are earned for a paper or article that is published in a nationally circulated technical journal or trade magazine. Credit cannot be claimed until that article or paper is actually published. PDHs earned for authoring a paper or article are limited to ten (10) PDHs per two- (2-) year renewal period;

(D) A one- (1-) time award of ten (10) PDHs will be granted for obtaining a workrelated patent within the renewal period; and

(E) Notwithstanding the provisions above, PDHs will only be awarded for the first occurrence of attending or teaching a qualifying course or seminar per every two- (2-) year renewal period.

(7) Reciprocity. PDHs may be acquired at locations other than Missouri, so long as the content meets the requirements of this regulation.

(8) Forms. All renewal applications will require the completion of a continuing education form specified and supplied by the board. The licensee must certify and sign the form and submit it with the renewal application and fee.

(9) Records. The responsibility of maintaining records that can be used to support credits claimed is the responsibility of the licensee. Records required include, but are not limited to:

1) a log showing the type of activity claimed, sponsoring organization, location, **duration, instructor's or speaker's name, and PDH credits earned; and**

2) attendance verification records in the form of completion certificates which identify the participant by name, signed attendance receipts, a copy of a listing of attendees signed by a person in responsible charge, or other documents supporting evidence of attendance. These records must be maintained for a period of four (4) years and copies must be furnished to the board for audit verification purposes if requested. If these records get lost or destroyed the licensee must inform the board, in writing, within thirty (30) days. At its discretion, the board may randomly audit a portion of licensees each renewal period or a specific licensee if a complaint has been filed against the licensee.

(10) Disallowance. If audited, the board will review all claimed PDH credits for compliance with the regulation. If in the review the board finds that the PDH credit is not acceptable, the board shall inform the licensee of the criteria that has not been adhered to. The licensee may, within three (3) months from the license renewal date, substantiate the original claim or earn other credits to meet the minimum requirements.

## 20 CSR 2030-11.020 Professional Land Surveyor—Renewal and Reactivation of Licensure

*PURPOSE: This rule clarifies the requirements and conditions for renewing and reactivating a professional land surveyor's certificate of licensure.*

(1) Licenses not renewed on or before the renewal date become non-current and subject to the provisions of section 327.351, RSMo. No person is entitled to practice as a professional land surveyor unless he/she holds a current and active license.

(2) In order to renew a license, the licensee must:

(A) Submit a completed renewal application form furnished by the board; and

(B) Pay the required fee; provided however, no fee shall be paid by a licensee who is at least seventy-five (75) years of age at the time the renewal is due; and

(C) Submit a completed Professional Development Unit (“PDU”) form furnished by the board verifying that the licensee has completed at least twenty (20) PDUs during the preceding two (2) calendar years unless otherwise exempted.

(3) Licensees who request to be classified as inactive pursuant to section 327.351.5, RSMo, may maintain their inactive status by paying the renewal fee as provided in 20 CSR 2030-6.015. Inactive licensees need not complete the PDU requirement. However, an inactive licensee shall not have his/her license reactivated until he/she pays the required reactivation fee, and in addition, either:

(A) Completes the PDU requirements as described in section 327.351.6(1), RSMo; or

(B) Successfully completes the Missouri Specific Examination for professional land surveyors pursuant to section 327.351.6(2), RSMo.

## 20 CSR 2030-11.025 Continuing Education for Architects

*PURPOSE: The continuing education requirement is to demonstrate a continuing level of competency for architects.*

(1) Purpose.

(A) Effective December 31, 2006, as a condition for renewal of an architectural license issued pursuant to section 327.171, RSMo a licensee shall have successfully completed twenty-four (24) continuing education units (CEUs), as defined by this regulation and the American Institute of Architects (AIA), within the two (2) years immediately preceding the renewal date or be exempt from these continuing education requirements as provided in this rule. At least sixteen (16) CEUs shall be related to health, safety, and welfare (HSW) acquired in structured educational activities. All twenty-four (24) hours may be acquired in such HSW subjects and activities. Failure to comply with these requirements will result in nonrenewal of the **architect’s license or other disciplinary action or both unless noted below**. Any licensee who completes more than twenty-four (24) CEUs within the preceding two (2) calendar years may apply the excess, not to exceed twelve (12) units, to the requirement for the next two (2)-year period.

(B) Continuing education is a requirement for every architect who is actively licensed by the board, regardless of age, area of practice, or whether the licensee lives in-state or outof- state pursuant to section 327.171, RSMo.

(C) Continuing education obtained by a licensee should maintain, improve or expand skills and knowledge obtained for initial licensure, or to develop skills and knowledge relevant to the practice of architecture and necessary to safeguard life, health, property and promote the public welfare.

(2) Definitions.

(A) Architectural Division. The three (3)- member division of the board that concerns itself with the profession of architecture.

(B) Board. The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

(C) Contact hour. One (1) nominal contact hour of acceptable continuing education is equivalent to one (1) CEU.

(D) Continuing education unit (CEU). One (1) nominal contact hour of instruction or presentation. One (1) CEU shall represent a minimum of fifty (50) minutes of actual course time. No credit will be allowed for introductory remarks, meals, breaks or administrative matters related to courses of study.

(E) Sponsor. An individual, organization, association, institution or other entity that provides an educational activity for the purpose of fulfilling the continuing education requirements of the board. The sponsor is responsible for providing the attendees with verification records such as certificates of attendance, signed attendance receipts, paid receipts, a copy of a listing of all attendees signed by a person in responsible charge of the activity, or other documentation verifying attendance.

(3) Initial Registration.

(A) An architect who holds licensure in Missouri for less than twelve (12) months from the date of his/her initial licensure, shall not be required to report continuing education hours at the first license renewal. An architect who holds licensure in Missouri for more than twelve (12) months, but less than twenty-four (24) months from the date of initial licensure, shall be required to report twelve (12) CEUs, which includes eight (8) CEUs in HSW earned in the preceding twelve (12) months at the first license renewal.

(4) Activities.

(A) The following suggested list may be used by all licensed architects in determining the types of activities that may fulfill continuing education requirements:

1. Contact hours in attendance at short courses or seminars, dealing with architectural or engineering subjects, as appropriate, to each discipline and sponsored by colleges or universities;
  2. Contact hours in attendance at technical presentations on subjects which are held in conjunction with conventions or at seminars related to materials use and function. Such presentations as those sponsored by the National Council of Architectural Registration Boards, American Institute of Architects (AIA), Construction Specifications Institute, Construction Products Manufacturers Council or similar organizations devoted to architectural or engineering education may qualify;
  3. Contact hours in attendance at short courses or seminars, relating to business practice or new technology and offered by colleges, universities, professional organizations, or system suppliers; 4. Contact hours spent in self-study courses sponsored by the National Council of Architectural Registration Boards, AIA, or similar organizations;
  5. Three (3) units preparing for each class hour spent teaching architectural courses or seminars. Credit is allowed for first occurrence of teaching course or seminar per two (2)-year renewal period. College or university faculty may not claim credit for teaching regular curriculum courses;
  6. Contact hours spent in architectural research, which is published or formally presented to the profession or public;
  7. College or university credit courses dealing with architectural subjects or business practice. Each semester hour shall equal fifteen (15) CEUs;
  8. Contact hours spent in professional service to the public that draws upon the **licensee's professional** expertise on boards or commissions, such as: serving on planning commissions, building code advisory boards, urban renewal boards, or code study committees;
  9. Contact hours spent in education tours of architecturally significant buildings, where the tour is sponsored by a college, university, or professional organization; or
  10. A maximum of two (2) CEUs annually may be used for serving as a mentor or sponsor for the Intern Development Program (IDP).
- (5) Exemptions.

(A) A licensed architect shall be deemed to have complied with the foregoing continuing education requirements if the architect attests in the required renewal that for not less than twenty-one (21) months of the preceding two (2)-year period of licensure, the architect is a government employee working as an architect and assigned to duty outside the United States.

(B) If the licensee served on full-time active duty in the military the licensee may renew his/her license without completing the CEU requirement for the renewal period during which the licensee served.

(6) Reactivation—Retired or Inactive.

(A) Architects, who so attest on their renewal that they are retired from active practice or are not engaged in the active practice of architecture, may place their license in an inactive status. Those doing so cannot practice but can still retain the title of architect. Such architect may, however, reenter practice only after paying the required fee and satisfying the board of their proficiency. Proficiency may be established by any one (1) of the following:

1. Submitting verifiable evidence of compliance with the aggregate continuing education requirements for the reporting periods attested as retired from active practice or not engaged in active practice; or
2. Retake the architectural examination; or Fulfill alternative reentry requirements determined by the board, which serve to assure the board of the current competency of the architect to engage in the practice of architecture.

(7) Reciprocity.

(A) CEUs may be acquired at locations other than Missouri, so long as the content meets the requirements of this regulation.

(8) Forms.

(A) All renewal applications will require the submission of either a continuing education form specified and supplied by the board or the AIA/CES reporting form prescribed by the AIA. The licensee must certify and complete the attestation on the form, before submitting it with the renewal application and fee. Failure to fulfill the continuing education requirements, or file the required reporting form, properly and **completely signed, shall result in nonrenewal of a licensee's license.**

(9) Records.

(A) The responsibility of maintaining records, which can be used to support credits claimed, is the responsibility of the licensee. Each architect shall complete and submit the required reporting form certifying that he/she has acquired the required continuing education hours. These records must be maintained for a period of four (4) years and copies must be furnished to the board for audit verification purposes, if requested. At its discretion, the board may randomly audit a portion of licensees each renewal period or a specific licensee if a complaint has been filed against the licensee. Any untrue or false statements or the use thereof with respect to course attendance or any other aspect of continuing education activity is fraud or misrepresentation and will subject the architect to license revocation or other disciplinary action. If in the review, the board finds that the CEU is not acceptable, the board shall inform the licensee of the criteria that has not been adhered to. The licensee shall have three (3) months from the license renewal date in which to substantiate the original claim or to earn other credits to meet the minimum requirements.

## 20 CSR 2030-11.030 Professional Engineer Renewal and Reactivation of Licensure

*PURPOSE: This rule clarifies the requirements and conditions for renewing and reactivating a professional engineer's certificate of licensure.*

(1) Licenses not renewed on or before the renewal date become non-current and subject to the provisions of section 327.261, RSMo. No person is entitled to practice as a professional engineer unless he/she holds a current and active license.

(2) In order to renew a license, the licensee must:

(A) Submit a completed renewal application form furnished by the board;

(B) Pay the required fee; provided however, a licensee who is at least seventy-five (75) years of age at the time the renewal is due need not pay any fee; and

(C) Submit a completed Professional Development Hour (PDH) form furnished by the board verifying that the licensee has completed at least thirty (30) PDHs during the preceding two (2) calendar years unless otherwise exempted.

(3) Licensees, who so attest on their renewal that they are retired from active practice or are not engaged in the active practice of engineering, may place their license in an inactive status pursuant to section 327.271.1, RSMo. Those doing so cannot practice but can still retain the title of professional engineer **and use the letters "PE" behind their name**. Such professional engineer may, however, reenter practice only after he/she

pays the required fee and in addition, completes thirty (30) Professional Development Hours within the two (2) years immediately prior to the date of reactivation.

## 20 CSR 2030-11.035 Continuing Education for Landscape Architects

*PURPOSE: Pursuant to Senate Bill 72 of the 94th General Assembly, this rule establishes continuing education requirements for landscape architects.*

### (1) Purpose.

(A) As a condition for renewal of a landscape architectural license issued pursuant to section 327.621, RSMo, a licensee shall have successfully completed twenty-four (24) continuing education units (CEUs), as defined by this regulation within the two (2) years immediately preceding the renewal date or be exempt from these continuing education requirements as provided in this rule.

1. At least sixteen (16) CEUs shall be related to health, safety, and welfare (HSW) acquired in structured educational activities. All twenty-four (24) units may be acquired in such HSW subjects and activities. Failure to comply with these **requirements will result in nonrenewal of the landscape architect's license or other disciplinary action or both unless noted below.**

2. Any licensee who completes more than twenty-four (24) CEUs within the preceding two (2) calendar years may apply the excess, not to exceed twelve (12) units, to the requirement for the next two- (2-) year period.

3. This requirement goes into effect for landscape architects starting with their December 31, 2010, renewal period.

A. Every landscape architect originally licensed in an even year will need to start accumulating twenty-four (24) CEUs between January 1, 2009, and December 31, 2010, in order to renew their license prior to their next renewal deadline of December 31, 2010.

B. Every landscape architect originally licensed in an odd year will be required to have accumulated twenty-four (24) CEUs between January 1, 2010, and December 31, 2011.

(B) Continuing education is a requirement for every landscape architect who is actively licensed by the board, regardless of age, area of practice, or whether the licensee lives instate or out-of-state pursuant to section 327.621, RSMo.

(C) Continuing education obtained by a licensee should maintain, improve, or expand skills and knowledge obtained for initial licensure or develop skills and knowledge relevant to the practice of landscape architecture and necessary to safeguard life, health, property, and promote the public welfare.

(2) Definitions.

(A) Landscape Architectural Division. The three- (3-) member division of the board that concerns itself with the profession of landscape architecture.

(B) Board. The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

(C) Contact hour. One (1) nominal contact hour of acceptable continuing education is equivalent to one (1) CEU.

(D) Continuing education unit (CEU). One (1) nominal contact hour of instruction or presentation. One (1) CEU shall represent a minimum of fifty (50) minutes of actual course time. No credit will be allowed for introductory remarks, meals, breaks, or administrative matters related to courses of study.

(E) Sponsor. An individual, organization, association, institution, or other entity that provides an educational activity for the purpose of fulfilling the continuing education requirements of the board. A landscape architect is responsible for obtaining from the sponsor verification records such as certificates of attendance, signed attendance receipts, paid receipts, a copy of a listing of all attendees signed by a person in responsible charge of the activity, or other documentation verifying attendance.

(3) Initial Registration.

(A) A landscape architect who holds licensure in Missouri for less than twelve (12) months from the date of his/her initial licensure shall not be required to report continuing education hours at the first license renewal.

(4) Activities.

(A) The following suggested list may be used by all licensed landscape architects in determining the types of activities that may fulfill continuing education requirements:

1. Contact hours in attendance at short courses or seminars, dealing with landscape architectural, architectural, engineering, or land surveying subjects, as appropriate to each discipline and sponsored by colleges or universities;

2. Contact hours in attendance at technical presentations on subjects which are held in conjunction with conventions or at seminars related to materials use and function. Such presentations as those sponsored by the Council of Landscape Architectural Registration Boards (CLARB), American Society of Landscape Architects (ASLA), or similar organizations devoted to landscape architectural, architectural, engineering, or land surveying education may qualify;
3. Contact hours in attendance at short courses or seminars, relating to business practice or new technology and offered by colleges, universities, professional organizations, or system suppliers;
4. Contact hours spent in self-study courses sponsored by the CLARB, ASLA, or similar organizations;
5. Three (3) units preparing for each class hour spent teaching landscape architectural courses or seminars. Credit is allowed for first occurrence of teaching course or seminar per two- (2-) year renewal period. College or university faculty may not claim credit for teaching regular curriculum courses;
6. Contact hours spent in landscape architectural research, which is published or formally presented to the profession or public;
7. College or university credit courses dealing with landscape architectural subjects or business practice. Each semester hour shall equal fifteen (15) CEUs;
8. Contact hours spent in professional service to the public that draws upon the **licensee's professional expertise on boards or commissions, such as: serving on** planning commissions, park boards, city council, county commissions, or state registration boards;
9. Contact hours, maximum of one (1) per annum, spent actively participating in a technical profession society or organization as an officer or member of a committee;
10. Contact hours spent in education tours of landscape architecturally significant projects, where the tour is sponsored by a college, university, or professional organization; or 11. A one-time award of ten (10) CEUs will be granted for obtaining a work-related patent.

(5) Exemptions.

- (A) A licensed landscape architect shall be deemed to have complied with the foregoing continuing education requirements if the landscape architect attests in the

required renewal that for not less than twenty-one (21) months of the preceding two- (2-) year period of licensure, the landscape architect is a government employee working as a landscape architect and assigned to duty outside the United States.

(B) If the licensee served on full-time active duty in the military, the licensee may renew his/her license without completing the CEU requirement for any renewal period during which the licensee served.

(6) Reactivation—Retired or Inactive.

(A) Landscape architects, who so attest on their renewal that they are retired from active practice or are not engaged in the active practice of landscape architecture, may place their license in an inactive status. Those doing so cannot practice but can still retain the title of landscape architect. Such landscape architect may, however, re-enter practice only after paying the required fee and satisfying the board of their proficiency. Proficiency may be established by any one (1) of the following:

1. Submitting verifiable evidence of compliance with the aggregate continuing education requirements for the reporting periods attested as retired from active practice or not engaged in active practice; or
2. Retake the landscape architectural registration examination; or
3. Fulfill alternative reentry requirements determined by the board, which serve to assure the board of the current competency of the landscape architect to engage in the practice of landscape architecture.

(7) Reciprocity.

(A) CEUs may be acquired at locations other than Missouri, so long as the content meets the requirements of this regulation.

(8) Forms.

(A) All renewal applications will require the submission of a continuing education form specified and supplied by the board. The licensee must certify and complete the attestation on the form, before submitting it with the renewal application and fee. Failure to fulfill the continuing education requirements, or to file the required reporting form, properly and completely signed, shall result in non-**renewal of a licensee's license.**

(9) Records.

(A) The responsibility of maintaining records, which can be used to support credits claimed, is the responsibility of the licensee. Each landscape architect shall complete and submit the required reporting form certifying that he/she has acquired the required continuing education hours. These records must be maintained for a period of four (4) years and copies must be furnished to the board for audit verification purposes, if requested. At its discretion, the board may randomly audit a portion of licensees each renewal period or a specific licensee if a complaint has been filed against the licensee. Any untrue or false statements or the use thereof with respect to course attendance or any other aspect of continuing education activity is fraud or misrepresentation and will subject the landscape architect to license revocation or other disciplinary action. If in the review, the board finds that the CEU is not acceptable, the board shall inform the licensee of the criteria that has not been adhered to. The licensee shall have three (3) months from the license renewal date in which to substantiate the original claim or to earn other credits to meet the minimum requirements.

## Chapter 12—Complaints

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### 20 CSR 2030-12.010 Public Complaint Handling and Disposition Procedure

*PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints by the board, pursuant to the mandate of section 4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo 1986.*

(1) The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects shall receive and process each complaint made against any licensee or certificate holder of the board or unlicensed individual or entity, which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 327, RSMo, and/or the board rules. Any member of the public or the profession or any federal, state, or local official may make and file a complaint with the board. Complaints from sources without the state of Missouri are to be processed in the same manner as those originating within Missouri. No member of the Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects who files a complaint with this board while s/he holds that office may participate in further board deliberations or activity concerning the matters alleged within that complaint. The

executive director or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints should be mailed or delivered to the following address: Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102. However, all complaints received by the board at its administrative office in any manner will be processed. Complaints may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing and fully identify the complainant by name and address. Complaints may be made on forms provided by the board and are available upon request. Oral or telephone communications will not be considered or processed as complaints, but the person making such communications will be provided with a complaint form and requested to complete it and return it to the board. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone, or written communications received by the board, unless those communications are believed by the staff member to be false.

(4) Each complaint received under this rule shall be logged in consecutive order in a book maintained by the board for that purpose. The logbook shall contain a record of **each complainant's name and address; the name and address of the subject(s) of the complaint**; the date each complaint is received by the board; a brief statement of the acts complained of, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal by the board of informal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. This logbook shall be a closed record of **the board, but will be available for inspection at the board's office only by state senators, representatives, or by qualified officials within the executive branch of Missouri government having supervisory, auditing, reporting, or budgetary responsibilities or control over the board.** A state senator, representative, or qualified official will be permitted to inspect the logbook only upon receipt of a written request from such official which specifically assures that the request is directly related to their duties as a state senator, representative, or official of the executive branch of Missouri government.

(5) Each complaint shall be acknowledged in writing and investigated by the board. When the complaint is received, the board will write the complainant informing him/her of the fact and stating that the matter is being referred to the board for consideration

at its next regularly scheduled meeting. Upon resolution of the complaint, the board will inform the complainant in writing of the ultimate disposition of the complaint, excluding judicial appeals and provide the complainant with copies of the decisions, if any, of the Administrative Hearing Commission and the board at that time. The provisions of this subsection are not applicable to complaints filed by staff members of the board, based on information and belief, acting in reliance on third-party information received by the board.

(6) Both the complaint and any information obtained as a result of the investigation of the complaint shall be considered a closed record of the board not available for inspection by the public. During the investigative state, the board and its executive staff shall keep the complaint and the fact of its existence confidential to the extent practicable. However, a copy of the complaint and any attachments shall be provided to any person who is the subject of that complaint or his/her legal counsel, upon written request to the board.

**(7) This rule does not limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee or certificate holder of the board with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board and whether or not any public complaint has been filed with the board.**

(8) The board interprets this rule, as required by law, to exist for the benefits of those members of the public who submit complaints to the board and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over the professional licensing boards. This rule is not deemed to protect or inure to the benefit of those licensees or certificate holders or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations or the provisions of Chapter 327, RSMo.

## Chapter 13—Supervision

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### 20 CSR 2030-13.010 Immediate Personal Supervision

*PURPOSE: This rule defines what shall be considered immediate personal supervision for architects, professional engineers and landscape architects.*

(1) Immediate personal supervision is a combination of activities by which a licensee maintains control over those decisions that are the basis for the findings, conclusions,

analysis, rationale, details, and judgments that are embodied in the development and preparation of the technical submissions. Immediate personal supervision requires providing personal direction, oversight, inspection, observation, and supervision of work being performed.

(2) Communications between the licensee and those persons who are performing the work include, but are not limited to, use of any of the following ways: direct face-to-face communications; written communications; U.S. mail; private express package delivery; electronic mail; facsimiles; telecommunications; or other current technology; provided that the licensee retains, maintains, and asserts continuing control and judgment.

(3) The licensee who signs and seals technical submissions in accordance with the provisions of section 327.411, RSMo, must be familiar with decisions made during preparation of the technical submissions in sufficient detail as to be able to personally answer any questions regarding substantive decisions as to the design.

(4) Specifications, drawings, reports, design surveys, or other technical submissions will be deemed to have been prepared under the immediate personal supervision of a licensee when the following circumstances exist:

(A) The client requesting preparation of specifications, drawings, reports, design surveys, or other technical submissions makes the request directly to the licensee or an employee of the licensee so long as the employee is employed directly under the **licensee's organizational structure**;

(B) The licensee provides initial direction in development of the design and supervises each step of the preparation of the specifications, drawings, reports, design surveys, or other technical submissions and has input into their preparation prior to their completion;

(C) The licensee is not employed by the client solely for the purpose of reviewing and approving specifications, drawings, reports, design surveys, or other technical submissions prepared by an unlicensed person, employee, or contractor of the client;

(D) The licensee reviews the final specifications, drawings, reports, design surveys, or other technical submissions and is able to, and does make, necessary and appropriate changes to them; and

(E) In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design drawing, or the work is a design drawing signed and sealed by an out-of-

jurisdiction licensee, a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the **successor licensee's work. The burden is on the successor licensee to show such** compliance. The successor licensee shall have control of and responsibility for the work product and the signed and sealed originals of all technical submissions.

(5) The specifications, drawings, reports, design surveys, or other technical submissions shall be signed and sealed per the provisions of section 327.411, RSMo.

## 20 CSR 2030-13.020 Immediate Personal Supervision for Professional Land Surveyors

*PURPOSE: The board shall define what shall be considered immediate personal supervision for professional land surveyors.*

(1) Plats, maps, preliminary subdivision plans, drawings, reports, descriptions, surveys or other documents will be deemed to have been prepared under the immediate personal supervision of a professional land surveyor licensed with the board only when—

(A) The client requesting preparation of plats, maps, preliminary subdivision plans, drawings, reports, descriptions, surveys or other documents makes the request directly to the professional land surveyor licensed with the board or an employee of the professional land surveyor licensed with the board, so long as the employee **works in the licensed individual's place of business and not at a separate location;**

(B) The professional land surveyor licensed with the board shall supervise each step of the preparation of the plats, maps, preliminary subdivision plans, drawings, reports, descriptions, surveys or other documents and has input into their preparation prior to their completion; and

(C) The professional land surveyor licensed with the board reviews the final plats, maps, preliminary subdivision plans, drawings, reports, descriptions, surveys or other documents and makes necessary and appropriate changes to them.

(2) During a land survey the professional land surveyor licensed with the board shall:

(A) Supervise and review prior to making the survey the acquisition of all necessary records and data including, but not limited to, deeds, maps, certificates of title, abstracts of title, section line and other boundary line locations in the vicinity;

(B) Supervise and review prior to making the survey the analysis of all the record data in order to determine the most nearly correct legal boundaries of the tract to be surveyed;

(C) Supervise and review the investigation of the selection of the ground control (such as section corners, block corners, survey corners or other corners or monuments found) as a result of the filed survey to be used to position the survey on the ground; and

(D) Supervise and review the execution of the survey, the survey computations and the preparation of the drawing. (3) The plats, maps, preliminary subdivision plans, drawings, reports, descriptions, surveys or other documents shall be signed and sealed according to section 327.411, RSMo.

## Chapter 14—Definitions

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### 20 CSR 2030-14.020 Definition of Baccalaureate Degree From Approved Curriculum as Used in Section 327.312.1(1), RSMo

*PURPOSE: This rule provides a clear definition of the words baccalaureate degree from an approved curriculum as those words are used in section 327.312.1(1), RSMo.*

(1) The approved curriculum for a baccalaureate degree as it applies to admission to the land surveyor-in-training program will be deemed acceptable if the candidate holding the degree has achieved all of the credits in college level courses in accordance with the following table:

General Title	Representative Course Titles	Semester Hours
Mathematics	Trigonometry, Algebra, Analytic Geometry, Calculus, Statistics	12
Communications	Technical Writing, Speech	3
Legal Aspects of Boundary Survey	Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and	2

	Boundary Control, Legal Aspects of Surveying	
Science	Physics, Geology, Astronomy, Dendrology, Computer Science, Remote Sensing, Graphics	12
Surveying (A)	Surveying I, Surveying II, Land Surveying, Land Survey Systems, Fundamentals of Surveying, Advanced Surveying, Electronic Surveying, Data Adjustment	6
Surveying (B)	Subdivision Planning and Layout, Hydrographic Surveying, Photogrammetric Surveying, Route and Construction Surveying, Engineering and Geodetic Astronomy, Topographic Surveying, Cartographic Surveying	4

(2) Correspondence course work will be considered as college level courses only if they have been accepted for credit toward a degree by an Accreditation Board for Engineering and Technology (ABET)-approved curriculum.

### 20 CSR 2030-14.030 Definition of Twenty Semester Hours of Approved Surveying Course Work as Used in Section 327.312.1(2), RSMo

*PURPOSE: This rule provides a clear definition of the words twenty semester hours of approved surveying course work as those words are used in section 327.312.1(2), RSMo.*

(1) The approved curriculum for a person applying for admission to the land surveyor-in-training program and who has at least sixty (60) semester hours of college level courses shall be in accordance with the following table:

General Title	Representative Course Titles	Semester Hours
Mathematics	Trigonometry, Algebra, Analytic Geometry, Calculus, Statistics	8
Communications	Technical Writing, Speech	3

Legal Aspects of Boundary Survey	Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying	2
Science	Physics, Geology, Astronomy, Dendrology, Computer Science, Remote Sensing, Graphics	9
Surveying (A)	Surveying I, Surveying II, Land Surveying, Land Survey Systems, Fundamentals of Surveying, Advanced Surveying, Electronic Surveying, Data Adjustment	12
Surveying (B)	Subdivision Planning and Layout, Hydrographic Surveying, Photogrammetric Surveying, Route and Construction Surveying, Engineering and Geodetic Astronomy, Topographic Surveying, Cartographic Surveying	6

(2) Correspondence course work will be considered as college level courses only if they have been accepted for credit toward a degree by an Accreditation Board for Engineering and Technology (ABET)-approved curriculum.

## 20 CSR 2030-14.040 Definition of Twelve Semester Hours of Approved Surveying Course Work as Used in Section 327.312.1(3), RSMo

*PURPOSE: This rule provides a clear definition of the words twelve semester hours of approved surveying course work as those words are used in section 327.312.1(3), RSMo.*

(1) The approved surveying course work as it applies to admission to the land surveyor-intraining program without either a baccalaureate or associate degree-type program shall be deemed acceptable if the candidate has achieved all the credits in college level courses in accordance with the following table:

<u>General Title</u>	<u>Representative Course Titles</u>	<u>Semester Hours</u>
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Surveying (A)	Surveying I, Surveying II, Land Surveying, Land Survey Systems, Fundamentals of Surveying, Advanced Surveying, Surveying Astronomy, Surveying Calculations, Boundary Surveying, Computers in Surveying, Electronic Surveying, Data Adjustment	10
Legal Aspects of Boundary Survey	Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying	2

(2) Correspondence course work will be considered as college level courses only if they have been accepted for credit toward a degree by an Accreditation Board for Engineering and Technology (ABET)-approved curriculum.

***20 CSR 2030-14.050 Definition of Degree in Science as Used in Section 327.391, RSMo (Rescinded May 30, 2012)***

2012. 20 CSR 2030-14.060 Definition of Final Year of Study as Used in Section 327.241.4, RSMo

***PURPOSE:*** *This rule provides a definition of the phrase "final year of study" as that phrase is used in section 327.241.4, RSMo.*

**As used in section 327.241.4, RSMo, the board considers the phrase "final year of study" to be referring to those students who hold senior status in an engineering program which is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology.**

## Chapter 16—Missouri Minimum Standards for Property Boundary Surveys

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### 20 CSR 2030-16.010 Application of Standards

***PURPOSE:*** *These minimum standards provide the professional land surveyor and recipient of boundary surveys with a realistic guideline for adequate survey performance. This rule describes the types of surveys to which these minimum standards apply.*

The minimum standards in this chapter apply to all property boundary surveys made for determining the location of land boundaries and land boundary corners, but do not apply to preliminary plats or plans, plot plans, engineering surveys; design surveys; **geodetic surveys; cartographic surveys, or Surveyor's Real Property Report**. Any individual or corporation registered licensed with the board to perform land surveying services in this state shall be familiar with and comply with these minimum standards. The Missouri Minimum Standards for Property Boundary Surveys are not intended to be used in place of professional land surveying judgement. There may be special circumstances and conditions that make it impractical to comply with some provisions of the minimum standards. If the survey deviates from these minimum standards, this deviation shall be noted, described, and justified on the plat of survey by the professional land surveyor. This provision cannot be used to intentionally circumvent the basic tenets of these minimum standards.

## 20 CSR 2030-16.020 Definitions

*PURPOSE: This rule defines the various technical and legal terms used in this chapter.*

- (1) Condominium Survey—A property boundary survey that creates and defines condominium property in accordance with Chapter 448, RSMo.
- (2) Controlling Corners—Those corners that determine the location of the exterior corners of the surveyed boundary.
- (3) Exterior Corners—Corners that define the shape and size of the parcel.
- (4) Material Variations—The differences between surveyed lines and lines of possession or measurements called for in the record source of the property being surveyed that are, in the professional judgment of the professional land surveyor, significant enough to warrant particular notice.
- (5) Original Survey—A survey which creates a new parcel, or parcels, out of a larger parent tract.
- (6) Physical Monument—Natural or artificial objects which are accepted and used to mark boundaries and corners.
- (7) Positional Uncertainty—The positive and negative range of values expected for a computed horizontal position as a result of random errors.
- (8) Property Boundary Survey—Any survey that creates, defines, marks, remarks, retraces, or reestablishes the boundaries of parcels of real property or the subdivision of lands.

(9) Property Description—A description of the limits of real property by recitation of metes and bounds or by an aliquot part of the United States Public Land Survey System or by lot or parcel designation referenced to a subdivision, survey, or other document recorded in the public records.

(10) Random Errors—Unavoidable errors in measurement that are caused by the inability of the operator to make exact measurements. (Random errors generally follow statistical principles and can be reduced with care in measurement, but can never be completely eliminated.)

(11) Record Title Boundaries—The limits of real property ownership as evidenced and provable by one (1) or more written means of real property transfer and having provided constructive notification by being duly entered into the public records.

(12) Rural Property—Any property that is not urban property.

(13) Subdivision—A property boundary survey that partitions land into two (2) or more parcels by platting the divisions of land in accordance with Chapter 445, RSMo.

(14) Systematic Errors—Errors in measurement that conform to mathematical and physical laws and remain the same under set conditions. Systematic errors are detectable and can be removed by ensuring the proper adjustment of equipment, by applying appropriate corrections to observations, and by using appropriate observation techniques to eliminate the effects of imperfection in equipment manufacture.

(15) United States Public Land Survey Corners—Those points that determine the boundaries of the various subdivisions of the United States Public Land Survey as set forth in section 60.301(1), RSMo.

(16) Urban Property—Any property that is located wholly or partly within the corporate limits of any municipality or any commercial, industrial, or multi-unit developmental property.

## 20 CSR 2030-16.030 General Land Surveying Requirements

*PURPOSE: This rule sets forth standards that apply to all property boundary surveys.*

(1) Records Research.

(A) Every survey executed shall be based on the property description of the parcel or parent tract taken from the public records. This property description should be provided by the client.

(B) Prior to performing the fieldwork, the professional land surveyor shall acquire sufficient data to ascertain the record title boundary of the parcel(s) to be surveyed (such as, adjoining deeds, maps, right-of-way plans, subdivision plats, original plats and notes, and subsequent surveys). This requirement does not obligate the professional land surveyor to search the entire chain of title.

(C) The surveyor shall compare and analyze all of the data obtained and determine the record title boundaries of such parcel or parent tract as reflected by the documents of record supplied or acquired by the surveyor.

(2) Field Investigation. The professional land surveyor or a person under his/her direct personal supervision shall—

(A) Search thoroughly for monuments and accessories at the necessary controlling corners and any other physical evidence that may be required to define the location of the exterior corners of the parcel surveyed (such as location of streets, roads, lines of occupation, and parole information);

(B) Obtain appropriate and sufficiently redundant measurements to correlate all found evidence;

(C) Evaluate the reliability of the evidence and monuments found and apply the proper theory of location in accordance with surveying precedent; and

(D) Reach a conclusion on the location of the boundary and set monuments as defined herein.

(E) Correlate the facts obtained by the field survey with the record boundaries of the parcel or parent tract; and

(F) Reach a conclusion on the location of record title boundaries and set monuments as required.

(3) Monumentation.

(A) The professional land surveyor shall establish semi-permanent or confirm existing monuments at every exterior corner of the tract being surveyed, except for lines running along streams or lakes where witness monuments must be set along the connected sidelines. When it is impractical to set a monument at a required corner, a witness monument shall be set along a line of the survey or the prolongation thereof.

(B) Existing monuments shall be evaluated for permanency by the professional land surveyor. Those needing restoration, preservation, or replacement shall receive the

due care necessary to ensure that their permanency is secured in accordance with the requirements set forth herein.

(C) Additional Monumentation for Subdivision Surveys.

1. In addition to meeting the requirements set forth above, the professional land surveyor shall, prior to the recording of the subdivision plat, establish at least two (2) permanent monuments for every four (4) acres of land developed by the subdivision. This requirement is waived if the survey does not create more than four (4) lots or parcels.

2. The permanent monuments required in paragraph (3)(C)1. shall be set prior to the recording of the plat or, if likely to be destroyed by construction, may be installed upon completion of the construction and must be set no later than twelve (12) months after the recording of the plat. The professional land surveyor shall also monument all lot corners in the subdivision with semi-permanent or witness monuments within the same twelve- (12-) month period.

3. When the subdivision is a cemetery, the requirements of paragraph (3)(C)1. for installation of permanent monuments shall be increased to include four (4) permanent monuments per block, and the monumentation of all lot corners required in paragraph (3)(C)2. shall not be required.

(D) Condominium surveys shall meet the requirements for subdivisions.

(4) Publication of Results. A plat shall be made showing the results of the survey or subdivision and shall conform to all of the following provisions:

(A) The plat shall include a drawing that shall be made to a convenient scale on a reasonably permanent and dimensionally stable material;

(B) The plat shall include the name of the person or entity for whom the survey was made and the date of the survey;

(C) Lettering shall be no less than eighthundredths of an inch (0.08") in height. All characters shall be open, well-rounded, and of uniform width;

(D) The direction of boundary lines shall be shown by angles, azimuths, or bearings with the directional reference system clearly described on the plat;

(E) A north arrow, a written scale, and a graphic scale shall be shown on every sheet containing graphic survey data;

(F) Complete dimensions (distances, directions, and curve data) of all parcels surveyed or created. All linear measurements shall be shown as horizontal distances at the ground surface in feet or meters. Curved lines shall show at least two (2) elements. For non-tangential curves, a directional component shall be included to help define the direction of the curve (preferably the chord bearing);

(G) All vertical measurements shall be shown as elevations above an established or assumed datum in feet or meters. When elevations are shown, a clearly defined elevation datum shall be shown, including the location and elevation of the benchmark used to establish the project datum;

(H) Measurements and calculated areas will be shown on the plat to a number of significant figures representative of the actual precision of the measurements;

(I) The plat shall display either a property description for the parcel(s) and/or parent tract surveyed or a reference to the source document from which the property description was taken. Any new parcel created by survey shall have its property description shown on the plat and must be complete enough so that the parcel can be located and clearly identified. Subdivision plats shall identify all lots for sale by numbers, as set forth in section 445.010, RSMo;

(J) The plat shall show sufficient data (distances and directions) to positively locate the parcel surveyed within the United States Public Land Survey System (USPLSS) or within the recorded subdivision. If the survey cannot be located by either of the previously mentioned provisions, it must be referenced to other lines and points sufficiently established by record;

(K) All controlling corner monuments that were found and exterior corners that were found or set shall be identified on the plat;

(L) Any material variation between record and measured dimensions, and any material variation and the extent of such variation between surveyed lines and lines of possession at all exterior corners, shall be shown on the plat. Material variation will include, but is not limited to, survey monuments, fences, obvious occupation (i.e., mowed) lines, walls, or other structures whether on the property surveyed or on adjacent property;

(M) The plat shall reference the source document(s) for any pertinent data obtained during the records research provision set forth above. The plat shall also reference the property type (urban or rural);

(N) The identity of the record title documents for adjoining properties, consistent with the records research provision set forth above, shall be shown on the plat, including the record source;

(O) In addition to the above, all condominium surveys shall show the pertinent information required in section 448.2-109, RSMo, and the legally sufficient descriptions of easements serving or burdening the condominium; and

(P) The plat shall include a statement that the survey and/or subdivision were executed in accordance with the Missouri Standards for Property Boundary Surveys as set forth herein. The statement on a condominium plat shall also include a declaration that the plat contains all information required by section 448.2-109, RSMo.

(5) Deliverables. The professional land surveyor shall furnish to the client a plat containing the drawing and other pertinent information identified above. Each sheet of the plat shall bear the signature and seal of the professional land surveyor in responsible charge. This signed and sealed plat shall be the official plat and shall take precedence over any other formatted data that may be delivered to the client or his/her representatives, successors, or assigns.

## 20 CSR 2030-16.040 Accuracy Standards for Property Boundary Surveys

*PURPOSE: This rule prescribes the accuracy standards for all property boundary surveys.*

(1) The professional land surveyor shall make an effort to detect and remove systematic errors.

(2) Precision Requirements for Urban Property.

(A) The uncertainty due to random errors of any dimension of direction or distance shown on the plat shall not exceed fifty parts per million (50 ppm) or one-tenth of a foot (0.10') for distances less than two thousand feet (2,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

(B) The positional uncertainty of any coordinates shown on the plat relative to the control that is held fixed, shall not exceed fifty parts per million (50 ppm) or one tenth of a foot (0.10') for distances less than two thousand feet (2,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

(3) Precision Requirements for Rural Property.

(A) The uncertainty due to random errors of any dimension of direction or distance shown on the plat shall not exceed one hundred parts per million (100 ppm) or one tenth of a foot (0.10') for distances less than one thousand feet (1,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

(B) The positional uncertainty of any coordinates shown on the plat relative to the control that is held fixed, shall not exceed one hundred parts per million (100 ppm) or one tenth of a foot (0.10') for distances less than one thousand feet (1,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

(C) Type Rural Property Accuracy shall be two-tenths (0.20) of a foot or 1:5,000 for distances greater than one thousand feet (1,000') and shall apply to all property that is not Urban Property or Suburban Property.

## 20 CSR 2030-16.050 Use of Missouri Coordinate System, 1983

*PURPOSE: This rule sets forth the requirements for referencing land boundary corners to the Missouri Coordinate System of 1983.*

(1) When the professional land surveyor is specifically requested or required to reference land boundary corners to the Missouri Coordinate System of 1983, the professional land surveyor shall comply with the following requirements:

(A) The position of the corner shall be based upon a geodetic control station having a horizontal accuracy of second order (as defined in 20 CSR 2030-18.020) or higher order;

(B) The survey connecting the corner to the geodetic control station shall meet the accuracy standards for property boundary surveys set forth in this chapter; and

(C) The plat or other publication of results shall identify the geodetic control station(s) that were used to determine the position of the corner(s), along with a list of the coordinates of those control station(s); the appropriate adjustment date or realization designation on the North American Datum of 1983, along with the epoch date, when applicable; a brief statement of the method used to obtain those positions; and the grid factor used.

(2) Only coordinates based on the Missouri Coordinate System of 1983 may be recorded in any public land record or deed.

## 20 CSR 2030-16.060 Approved Monumentation

*PURPOSE: This rule prescribes the approved type of monumentation to be used on property boundary surveys.*

(1) The professional land surveyor shall select a type of monument providing a degree of permanency consistent with that of the adjacent terrain and physical features and as required by these standards. All monuments shall be solid and free from movement. They shall be set in the ground at least to the depth of the length given unless they are encased in concrete. With the exception of drill holes and cut crosses, the precise position of the corner shall be marked by a point on a cap and the cap shall be inscribed with the licensure number of the professional land surveyor in responsible charge or the corporate licensure number or name of the company.

(2) Permanent monuments shall be selected from the following:

(A) Concrete monuments consisting of reinforced concrete at least four inches (4") square or in diameter and no less than twenty-four inches (24") in length with its precise position marked by a point on a brass or aluminum cap not less than one and one-half inch (1 1/2") in diameter;

(B) Commercial cast iron or aluminum survey markers no less than twenty-four inches (24") in length. Nonferrous markers shall have ceramic magnets attached to aid in recovery;

(C) Steel, coated steel, or aluminum rod markers not less than five-eighths inch (5/8") in diameter, iron pipe markers not less than three-quarter inch (3/4") inside diameter and not less than twenty-four inches (24") in length. These monuments shall have a permanently attached cap of the same metal or of a dissimilar metal if the metals are insulated with a plastic insert to reduce corrosion. Nonferrous rod markers shall have ceramic magnets attached to aid in recovery; and

(D) Brass or aluminum disk not less than two inches (2") in diameter, countersunk and well-cemented in a drill hole in either solid rock or concrete. Ceramic magnets shall be attached or installed with the disk to aid in recovery.

(3) Semi-permanent monuments shall be selected from the following:

(A) Iron pipe markers not less than three-fourths inch (3/4") outside one-half inch (1/2") inside diameter, at least eighteen inches (18") in length and having a plastic or metal cap;

(B) Steel or aluminum rod markers not less than one-half inch (1/2") in diameter, not less than eighteen inches (18") in length and having a plastic or aluminum cap;

(C) In urban built-up areas, A cross-cut or drill hole in concrete, brick, stone paving, or bedrock at the precise position of the corner or on a prolongation of a boundary line; and

(D) In asphalt paving, cotton picker spindles, railroad spikes (center punched or chiseled cross), semi-permanent one-half inch (½") rebar, and magnetic spikes (minimum of eight inches (8") in length) that are solid and not easily removed or destroyed.

(4) Installation of Survey Monuments. All monuments will be installed in accordance with these standards and according to installation details approved by the local governing body that take into account local conditions.

(5) Existing Survey Monuments. Existing monuments shall be evaluated for permanency by the surveyor. In no instance shall the surveyor be required by these standards to remove existing monuments unless the installation of a new monument is necessary to preserve the position of the corner.

(6) When it is impractical to set a required monument, a witness monument shall be set. It should be placed five feet (5') or more away from the point and preferably at an even foot. Witness monuments must be clearly identified and shown on the plat. The location of the witness monument should be along a line of the survey or a prolongation of such line.

***20 CSR 2030-16.070 Detail Requirements for Resurveys Rescinded June 30, 2017***

***20 CSR 2030-16.080 Detail Requirements for Original Surveys Rescinded June 30, 2017***

***20 CSR 2030-16.090 Detail Requirements for Subdivision Surveys Rescinded June 30, 2017***

***20 CSR 2030-16.100 Detail Requirements for Condominium Surveys Rescinded June 30, 2017***

**20 CSR 2030-16.110 Location of Improvements and Easements**

*PURPOSE: This rule sets forth how and what improvements and easements are to be located and shown on a property boundary survey*

(1) When the professional land surveyor is specifically requested by the client to locate the improvements on the property surveyed, the professional land surveyor shall locate, by measurement, all permanent structures having fixed foundation, slabs, or footings and shall reference them to the property boundary on the plat with a minimum of three

(3) dimensions. Dimensions shall be parallel, perpendicular, or radial to the property lines.

(A) Locate by measurement all permanent structures having fixed foundations, slabs, or footings such as houses, in-ground swimming pools, concrete walls and buildings; and

(B) The permanent structure shall be shown on the plat with a minimum of three (3) dimensions to the property lines. Dimensions to straight property lines shall be perpendicular to the property lines, and dimensions to curved property lines shall be radial to the property lines.

(2) When the professional land surveyor is specifically requested by the client to show easements on a property boundary survey, he/she shall show by graphic representation all easements appearing on the recorded subdivision plat and all easements provided to the professional land surveyor by the client. If the professional land surveyor is specifically requested by the client to locate any easements on the ground, he/she will do so in accordance with the standards defined herein.

## Chapter 17—United States Public Land Survey Corners

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### 20 CSR 2030-17.010 Definitions

*PURPOSE: This rule defines the various technical and legal terms used in Chapter 17.*

(1) Alteration of a corner, changing the physical monumentation of a corner or adding witness accessories.

(2) Corners of the United States Public Land Survey, those points that determine the boundaries of the various subdivisions represented on the official plat such as the township corner, the section corner, the quarter-section corner, blank quarter section corners, fractional section corner, center of section, grant corner, lot corner and meander corner.

(3) Date of the field work, the date on which the monument was physically altered or removed and referenced.

(4) Existent corner, a corner whose position can be identified by verifying the evidence of the original monument or its accessories, or by some physical evidence described in the field notes, or located by an acceptable supplemental survey record or some physical evidence thereof, or by testimony. The physical evidence of a corner may have

been entirely obliterated but the corner will be considered existent if its position can be recovered through the testimony of one (1) or more witnesses who have a dependable knowledge of the original location. A legally reestablished corner shall have the same status as an existent corner.

(5) Lost corner, a corner whose position cannot be determined, beyond reasonable doubt, either from traces of the original marks or from acceptable evidence or testimony that bears upon the original position.

(6) Monument, the physical object which marks the corner point determined by the surveying process. The accessories, such as bearing trees, bearing objects, reference monuments, mounds of stone and other similar objects that aid in identifying the corner position, are also considered a part of a corner monument.

(7) Reestablishment of a corner, the monumentation of a lost corner whose position has been determined by proportionate measurement.

(8) Reference monument, a monument set in such a manner and location that the position of the actual corner can be located from it by direction and distance or by two (2) distances when two (2) reference monuments are set.

(9) Removal of a corner, the complete elimination of an existing corner monument.

(10) Restoration of a corner, the alteration of an existent corner.

## 20 CSR 2030-17.020 Removal or Alteration of Corners

*PURPOSE: This rule identifies who is authorized to alter or remove a corner of the United States Public Land Survey and how to obtain permission from the Department of Agriculture.*

Only a professional land surveyor is authorized to remove, alter, restore, or reestablish a corner of the United States Public Land Survey. Any professional land surveyor who removes, alters, restores, or reestablishes a corner of the United States Public Land Survey shall report his actions by filing an approved document with the Missouri Department of Agriculture, Land Survey Program within ninety (90) days from the date of the field work. The permission required by section 60.550, RSMo, is granted upon filing the approved document with the Missouri Department of Agriculture Land Survey Program.

### ***CSR 2030-17.030 Reestablished or Restored Corners (Rescinded June 30, 2017)***

#### **20 CSR 2030-17.040 Procedure for Filing Documents**

*PURPOSE: This rule describes the procedure for filing certified land corner documents with the Department of Agriculture.*

(1) Approved documents shall be filed with the Department of Agriculture, Weights, Measures and Consumer Protection Division, Land Survey Program, PO Box 937, Rolla, MO 65402-0937. Documents filed with the county recorder must first be filed with the Department of Agriculture.

(2) Certified Land Corner Document and Resident Witness Affidavit forms may be obtained in a reasonable number from the Department of Agriculture, Weights, Measures and Consumer Protection Division, Land Survey Program, PO Box 937, Rolla, MO 65402.

(3) There is no fee for filing these documents.

(4) Filing of corner documentation with the Department of Agriculture does not create an implied warranty by either the professional land surveyor or the Department of Agriculture as to conclusive evidence of the corner location.

#### **20 CSR 2030-17.050 Monumentation**

*PURPOSE: This rule prescribes the type of monument to be installed to preserve the position of the United States Public Land Survey Corner.*

(1) All corner monuments, witness monuments, and reference monuments shall be permanent monuments of a type providing a degree of permanency consistent with that of the adjacent terrain and physical features. Monuments shall meet the requirements for a permanent monument in accordance with the Missouri Standards for Property Boundary Surveys.

(2) In such cases where the placement of a required corner monument at its proper location is impractical, it shall be permissible to set a reference or witness monument or mark near that point, and if such reference monument or mark is set, its location shall be properly shown on the certified land corner document.

(3) All monuments shall be marked and designated in accordance with the Bureau of Land Management (BLM) system of marking monuments that furnishes ready identification of the position of the monument which bears the mark. Letters and numerals should be carefully stamped with three-sixteenths inch (3/16") or one-eighth inch (1/8") steel dies and should always be made to read from the south. Lines and

crosses should be made with a sharp cold chisel. The precise position shall be marked by a point, cross, or appropriate symbol on the monument.

(4) Where possible, four (4) reference ties (distance and/or direction) to durable objects will be made to provide the means for restoring the position of the marked corner if the monument is disturbed. Durable objects include, but are not restricted to: house corners, marks on concrete structures or pavement, marks on ledge or bedrock, trees, additional permanent monuments, fence posts, utility poles, and crosses on curbs. All durable objects and reference ties shall be fully described on the document.

(5) In some special cases where an existing monument is found and it is deemed appropriate to preserve the monument in its original location, a reference or witness monument may be installed nearby.

(6) At locations where a stone, iron pin, pipe or other monument is to be replaced by a permanent monument, the existing monument will be removed and buried or placed alongside the permanent monument in such a manner that it will not be confused with the permanent monument.

### ***20 CSR 2030-17.060 Monument Marking (Rescinded June 30, 2017)***

### **20 CSR 2030-17.070 Missouri Coordinate System, 1983**

*PURPOSE: This rule prescribes the requirements for referencing corners of the United States Public Land Survey to the Missouri Coordinate System of 1983.*

(1) When the corner that is removed, altered, restored, or reestablished is required to be referenced to the Missouri Coordinate System of 1983, the corner coordinates shall be shown on the Certified Land Corner Document form.

(2) Coordinates referenced to the Missouri Coordinate System of 1983 and shown on Certified Land Corner Document forms shall comply with the following requirements:

(A) The position of the corner shall be based upon a geodetic control station having a horizontal accuracy of second order (as defined in 20 CSR 2030-18.020) or higher order;

(B) The survey connecting the corner to the geodetic control station shall meet the accuracy standards set forth in the Missouri Standards for Property Boundary Surveys; and

(C) The following information shall be included on the Certified Land Corner Document form:

1. The geodetic control station(s) that were used to determine the position of the corner;
2. The coordinates of the geodetic control station(s) used and the appropriate Zone designation;
3. The appropriate adjustment date or realization designation on the North American Datum of 1983 along with the epoch date, when applicable;
4. A brief statement of the method used to obtain the position; and
5. The grid factor used.

(3) Coordinates referenced to the Missouri Coordinate System of 1983 may be used to reference corners in lieu of monuments.

## 20 CSR 2030-17.080 Approved Documents

*PURPOSE: This rule prescribes the form of the document to be filed with the Department of Agriculture.*

(1) An approved document may be either one (1) of the following:

- (A) Certified Land Corner Document form; or
- (B) Special form approved by the Missouri Department of Agriculture.
- (C) Special form approved by the Department of Natural Resources.

(2) Preparation of Certified Land Corner Document Forms. All information (except drawings) will be typed or completed in black ink. Lettering or typing shall not be less than eight-hundredths inch (0.08") in height. Drawings may be made in black pencil so long as all drawings will make sharp and clear copies.

(A) The following information shall be included on all corner forms:

1. The description of the original monument, witness ties, and any subsequent restorations, including the date of the survey, the document reference (book and page and/or microfilm location), and the professional land surveyor of record. Original survey notes need not be given in urban or built up areas;
2. Signature and seal of the professional land surveyor;
3. Date of the survey field work;
4. Basis of bearing system used;

5. Description of the monument, monument marking and witness/reference ties;
6. Comprehensive sketch of the corner location sufficient to find the monument; and
7. Coordinates referenced to the Missouri Coordinate System of 1983, if known.

(B) The following additional information is required for forms showing the restoration or alteration of existing corner monuments:

1. Description of the evidence found indicating the corner is existent;
2. Resident witness affidavits when the corner is restored from testimony; and
3. Distances and directions used to retrace prior evidence.

(C) The following additional information will be required for reestablished corners:

1. Statement of the method used to reestablish the corner; and
2. Distances and bearings used in the reestablishment procedure.

## Chapter 18—First and Second Order Horizontal and Vertical Control

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### 20 CSR 2030-18.010 Definitions

*PURPOSE: This rule defines technical terms used in Chapter 18.*

(1) Positional accuracy of a station is the uncertainty in the position of the station relative to the stations that are held fixed (i.e., National Geodetic Survey (NGS) or other higher order stations) in the process of the adjustment. Positional accuracy of a station is computed from the constrained, correctly weighted, least squares adjustment at the ninety-five percent (95%) confidence level.

(2) Relative accuracy is the uncertainty in the position of one (1) station relative to another station. It is computed for all directly connected stations from the minimally constrained, and the constrained correctly weighted, least squares adjustment at the ninety-five percent (95%) confidence level.

(3) Rural area—For purposes of this chapter, a rural area is any second, third or fourth class county according to 48.020, RSMo.

(4) Urban area—For purposes of this chapter, an urban area is any first class county according to 48.020, RSMo.

## 20 CSR 2030-18.020 Horizontal Control Classification

*PURPOSE: This rule describes the classes of horizontal control.*

(1) First Order Horizontal Control Classification. The purpose of this class of survey is to establish the primary horizontal control for the Missouri Geographic Reference System or the National Geodetic Reference System.

(2) Second Order Horizontal Control Classification. The purpose of this class of survey is to establish secondary and supplemental horizontal control stations of the Missouri Geographic Reference System or the National Spatial Reference System.

(3) Both first and second order stations are dependent stations constrained to the existing first and second order stations of the Missouri Geographic Reference System and/or the National Spatial Reference System. These stations are intended to be used to meet the needs of mapping, geographic information systems, land information systems, property boundary surveys, and design surveys.

## 20 CSR 2030-18.030 Accuracy of Horizontal Control

*PURPOSE: This rule prescribes the acceptable accuracy of first and second order control.*

(1) The accuracy of a horizontal control station is classified according to constrained and unconstrained relative accuracy of the distance between the stations and the positional accuracy of the station relative to the stations held fixed in the adjustment. If the requirements for all three (3) criteria are not satisfied, the station shall fail to qualify for the classification.

(2) First Order Horizontal Control.

(A) The relative accuracy of the distance between directly connected adjacent stations shall be equal to or less than twelve millimeters (12 mm) for distances equal or less than one kilometer (1 km) and ten parts per million (10 ppm) for distances greater than one kilometer (1 km).

(B) The positional accuracy of a station shall be thirty millimeters (30 mm) in urban areas and sixty millimeters (60 mm) in rural areas.

(3) Second Order Horizontal Control.

(A) The relative accuracy of the distance between directly connected adjacent stations shall be equal to or less than twenty-five millimeters (25 mm) for distances equal to or less than one kilometer (1 km) and twenty parts per million (20 ppm) for distances greater than one kilometer (1 km).

(B) The positional accuracy of a station shall be sixty millimeters (60 mm) in urban areas and one hundred (100) mm in rural areas.

(4) To fully qualify as a first or second order control station, the station must be accepted and published by the Missouri Department of Agriculture or the National Geodetic Survey or its successor organization.

## 20 CSR 2030-18.040 Acceptance and Publication by DNR

*PURPOSE: This rule designates the procedures for determining which control will be a part of the Missouri Geographic Reference System.*

(1) The following information will be submitted for each control survey that is to be evaluated for inclusion into the Missouri Geographic Reference System (MO GRS) as a first or second order station.

(A) A sketch will be submitted showing all stations occupied during the control survey. In addition to occupied stations, the sketch should show other existing horizontal or vertical stations located within or near the project area.

(B) A legend on the sketch should show the following information:

Project Name

General Locality

Name of organization performing observations

Date of project start and completion

(C) A north arrow and graphic scale should appear on the sketch. All station symbols should be labeled with the station name. When stations are spaced too closely together to be clearly depicted on the network sketch, an inset shall be used.

(2) A report shall be submitted for each project and shall be signed and sealed by the professional land surveyor or professional engineer in responsible charge. The report shall be the main source of information for judging whether or not the stations should be accepted as MO GRS stations. It shall be the responsibility of the professional land

surveyor or professional engineer to supply sufficient information in the report to facilitate inclusion of the stations in the MO GRS.

(3) The report shall contain a clear description of the survey procedures and equipment used in the field. This includes, but is not limited to the information entered into the field log and auxiliary information such as logistics, pre-analysis satellite selection results (if Global Positioning System (GPS) survey), personnel involved, and difficulties encountered.

(4) In the report there shall be a clear description of the procedures used in the office. This includes, but is not limited to, computer software and hardware used to process observations, options used (if any), data editing performed, source of orbital data (if GPS survey), parameters adjusted and held fixed, results of self-validation and any difficulties encountered.

(5) The following shall be included for GPS surveys. The version number and date of the GPS software used must be reported. For GPS surveys, the professional land surveyor or professional engineer must also specifically report the baselines rejected for the project. All parameters used for any coordinate transformations shall be presented and any scaling of the covariance matrix by the professional land surveyor or professional engineer must be described in detail. If the covariance matrix has been scaled, the scale factor used must also be presented. These results must be reported for all single baseline and network solutions. Statistical testing of the survey results from the network solution, including analysis of variance factors, semi-major axis of two- (2-) dimensional (horizontal) or three- (3-) dimensional (horizontal and vertical) ninety-five percent (95%) relative confidence regions between all directly connected pairs of stations, residuals and residual outliers shall be provided. In addition, the results of any self-validation checks must be reported, including, but not limited to, comparisons of any repeated single baseline solutions.

(6) For traverse surveys, all field data used to determine directions, distances, azimuths and elevations, the adjustment calculations shall be submitted along with the name of the software used in the adjustment. The data submitted shall show the final results of the adjustment and the error analysis.

(7) Only those stations meeting the requirements of 2 CSR 90-62.030, 2 CSR 9062.040, 2 CSR 90-62.050, and 2 CSR 9062.060 will be accepted for publication in the MO GRS.

## 20 CSR 2030-18.050 GPS Survey Guidelines

*PURPOSE: This rule prescribes the minimum procedures for first or second order Global Positioning System surveys.*

(1) Direct connections must be made to any adjacent observable National Spatial Reference System (NSRS) and/or Missouri Geographic Reference System (MO GRS) station located five kilometers (5 km) or less from any new station.

(2) At least three (3) existing higher or equal order control points must be included in any proposed Global Positioning System (GPS) survey. Whenever possible these should be three (3) 3-dimensional control stations. Otherwise two (2) sets of three (3) stations (three (3) 2-dimensional horizontal stations and three (3) vertical control stations) must be used. These control stations should be chosen to be roughly equidistant on the periphery of the proposed project so that they enclose as much of the project as possible.

(3) Each new station to be established by the proposed GPS survey must be occupied at least two (2) separate times to enable proper checking of blunders (for example, incorrect point, setup errors, incorrect antenna heights). A separate occupation is one where the antenna and its supporting device (tripod) have been taken down and set up again and the receiver restarted.

(4) Each station must be connected by simultaneous occupations (baselines) to at least three (3) other stations in the network after outlier base lines have been rejected from the adjustment. Because it is generally easier to resolve the integer phase ambiguities over shorter base line, adjacent stations should be connected wherever possible.

(5) At least two (2) receivers must be used for relative positioning, although three (3) or more may be used for more efficient operation and increased station reoccupation and base line repeatability.

(6) A pre-analysis should be performed to determine the minimum occupation time required to achieve the required standard of accuracy. In addition, the most appropriate satellites to observe at each site should also be selected for receivers unable to track all **of the "visible" satellites. The pre-analysis** should be specific for carrier phase relative positioning.

(7) In order to meet second order accuracies, the carrier beat phase must be observed together with a time tag for each observation. Pseudo-range observations are not precise enough for control surveys and cannot be used.

(8) A detailed field log must be kept during observation taken at each station. At the very least the following information must be recorded:

(A) Universal Time Correction (UTC) date of observations;

(B) Station identification (name and number);

(C) Session identification;

(D) Serial numbers of receiver, antenna, and data logger;

(E) Receiver operator;

(F) Antenna height and offset from monument, if any to one millimeter (1 mm). Note should be made as to whether the height is measured as a slant height or vertical height;

(G) Diagram illustrating stamping on the monument;

(H) Other stations observed during session;

(I) Starting and ending time (UTC) of observations;

(J) Satellites observed (including time of changes); and

(K) Completed field log data forms for each station occupation will be submitted either using those provided by the Missouri Department of Agriculture (MDA) or some other type containing all necessary information included on the MDA forms.

(9) The raw data files for all station occupations must be submitted. Each file will consist of one (1) set of raw observations for each station occupation session. For example, four (4) receivers operating during each of five (5) sessions will produce twenty (20) raw data files.

(10) The unadjusted base line vector solution files for all observed base lines, non-trivial and trivial, will be submitted. These files are produced by post-processing software such as the OPT or FIX, FLT, and TRP files produced by Trimvec post-processing software.

(11) If station description information is not provided by MDA, it must be submitted for each station occupied. Station descriptions must include station name, county, township, range, section, United States Geological Survey (USGS) seven and one-half (7.5) minute quadrangle name, date monumented, date of observations, complete **descriptions of the station, azimuth and all reference monuments, a current "to reach"** description, and any special information such as property owner name, address, and phone number. A sketch depicting the station and reference marks with dimensions and directions shown should accompany all narrative data. Examples of complete station description information may be obtained from MDA.

(12) If the GPS survey project includes any surveys using conventional or terrestrial horizontal surveying techniques, copies of all field notes and associated data must be submitted. This would include eccentric point establishment and reduction. Polaris, solar, or direct observational data to establish azimuth marks shall also be submitted.

(13) When the GPS survey project includes surveys performed using conventional differential leveling techniques, copies of all field notes and associated data must be submitted. An example of this would be a vertical tie from a non-occupied bench mark to a GPS station.

(14) A tabulation of the results of the repeat base line comparisons will be included in the project report.

(15) A minimally constrained (free) least squares, three dimensional (3-d) adjustment will be submitted in the form of the input and output files.

## 20 CSR 2030-18.060 Traverse Survey Guidelines

*PURPOSE: This rule prescribes the minimum procedures for first or second order traverse surveys.*

(1) First Order Traverse Procedure.

(A) The location of first order traverse lines and monumented stations shall be determined by a thorough field reconnaissance. The traverse point spacing shall not be less than six hundred meters (600m).

(B) All first order traverse lines shall start from, and close upon, first order stations of the Missouri Geographic Reference System (MO GRS) or National Spatial Reference System (NSRS) in accordance with these procedures.

(C) Properly maintained theodolites with a least count of one second (1") or a DIN 18723 specification of one and one-half seconds (1.5") or smaller shall be used to observe directions and azimuths. At least four (4) positions or repetitions of the angles shall be observed. The theodolite and targets should be centered to within two millimeters (2 mm) over the survey station or traverse point.

(D) Electronic distance measuring (EDM) instruments shall be used to measure all distances. EDM instruments shall be tested on a Missouri Department of Agriculture (MDA) base line at the start of and on the completion of any first order traverse. Copies of the EDM base line comparisons shall be included in the survey report submitted to the department. Barometric pressure to the nearest five millimeters (5

mm) of mercury and temperature to the nearest one degree Celsius ( $1^{\circ}\text{C}$ ) shall be recorded for each measurement.

(E) Each traverse shall be tied to a minimum of two (2) bench marks. Trigonometric or spirit leveling will be observed along all traverse lines. All Instrument Heights (HIs), Reflector Heights (HOs) and zenith angles shall be recorded and submitted.

(F) The traverse shall be controlled by an astronomic azimuth at each end of the traverse line and at not more than every six (6) segments along the line. Astronomic azimuths shall have a standard deviation of one and one-half seconds ( $1.5''$ ) or better.

(G) All field data shall be submitted to Missouri Department of Agriculture (MDA) in a format acceptable to the department. This shall include directions, distances, azimuth, and elevations.

## (2) Second Order Traverse Procedure.

(A) The location of second order traverse lines and monumented stations shall be determined by a thorough field reconnaissance. The traverse point spacing shall not be less than three hundred meters (300m).

(B) All second order traverse lines shall start from and close upon, second order or higher stations of the MO GRS or NSRS in accordance with these procedures.

(C) Properly maintained theodolites with a least count of one second ( $1''$ ) or DIN 18723 specification of one and one-half seconds ( $1.5''$ ) or smaller shall be used to observe directions and azimuths. At least four (4) positions or repetitions of the angles shall be observed. The theodolite and targets should be centered to within two millimeters (2 mm) over the survey station or traverse point.

(D) Electronic distance measuring (EDM) instruments shall be used to measure all distances. EDM instruments shall be tested on an MDA baseline at the start of and on the completion of any second order traverse. Copies of the EDM baseline comparisons shall be included in the survey report submitted to the department. Barometric pressure to the nearest five millimeters (5 mm) of mercury and temperature to the nearest one degree Celsius ( $1^{\circ}\text{C}$ ) shall be recorded for each measurement.

(E) Each traverse shall be tied to a minimum of two (2) bench marks. Trigonometric or spirit leveling will be observed along all traverse lines. All HIs, HOs, and zenith angles shall be recorded and submitted.

(F) The traverse shall be controlled by an astronomic azimuth at each end of the traverse line and at not more than every eight (8) segments along the line. Astronomic azimuth shall have a standard deviation of two seconds (2") or less.

(G) All field data shall be submitted to the MDA in a format acceptable to the department. This shall include directions, distances, azimuth, and elevations.

***20 CSR 2030-18.070 Waiver of 1 Km Limitation (Rescinded June 30, 2017)***

## Chapter 19—Standards for Surveyor’s Real Property Report

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### 20 CSR 2030-**19.010 Surveyor’s Real Property Report**

*PURPOSE: This rule provides a uniform standard for a type of report used by the real estate industry to verify the location of improvements and to check for encroachments onto or from the subject property. This type of work has been referred to as spot survey house on lot survey and mortgage inspection report.*

(1) A licensed professional land surveyor in Missouri shall not provide to any party a **Surveyor’s Real Property Report unless they are in the possession of** a work order specified elsewhere in this chapter and signed by the borrower/purchaser indicating that they have been advised of the different types of surveying services available and the scope of each of these services. The required work order is to be initiated and **signed during the loan application process. The Surveyor’s Real Property Report is to be** used only for residential, single-family detached dwellings; duplexes; triplexes and fourplexes with not more than one (1) dwelling structure per previously surveyed and **recorded parcel or tract. The Surveyor’s Real Property Report is not to be used for** commercial, institutional, or industrial buildings or multifamily dwellings which share a common entranceway or stairwell.

(2) Research and Records—The professional land surveyor shall perform adequate research, maintain sufficient recorded documentation, and provide the field crew with information necessary to locate the property in the field.

(3) Field Procedures—Detailed notes shall be taken on each **Surveyor’s Real Property Report and kept as a part of the professional land surveyor’s permanent records. A** diligent search for existing control shall be made by the field crew and the highest order of monumentation available shall be used. Monumentation is defined as permanent and semi-permanent monuments described in the Minimum Standards for Property

Boundary Surveys and other survey control, such as stones, axles, rebars, crosses and pipes. Occupation lines such as fence lines, hedge rows, mowing lines, are not considered monumentation unless supported by survey control. The professional land surveyor must obtain sufficient evidence relating to the property boundary to demonstrate general knowledge of the given area. Appropriate field instrumentation and measuring equipment needed to achieve the stated level of certainty shall be utilized. The norm would include Electronic Distance Measuring (EDM), theodolite, transits, and measuring tapes.

(4) Form of Report—The report is a drawing of the parcel and it shall be furnished to the borrower/purchaser and shall show the following:

- (A) Property lines with the boundary dimensions from the deed description or subdivision plat shall be shown;
- (B) The monumentation accepted or adopted to locate and orientate the parcel, shall be shown or noted on the report;
- (C) Permanent structures having fixed foundations or footings such as buildings and in-ground swimming pools, shall be located and dimensioned. Permanent structures shall be shown with a minimum of three (3) dimensions sufficient to locate the structure in relation to the property lines. Dimension offsets shall be shown perpendicular to straight property lines and radially to curved property lines. The level of uncertainty of these locations shall be shown in parentheses after each dimension or by means of a general note. Two (2) of the many possible examples are: 12.5' (or  $\pm 0.5'$ ) or 21' (or  $\pm 1'$ ) The uncertainty of all dimensions of permanent structures shall not be greater than one-tenth of a foot (0.1'). Walks and drives shall be shown graphically but need not be dimensioned. When the uncertainty of the dimensions to permanent structures is not precise enough for a positive determination, a property boundary survey shall be recommended to the borrower/purchaser and this recommendation shall be stated on the report;
- (D) Means of access and platted setback lines shall be shown;
- (E) Easements shown on the subdivision plat shall be shown. If documentation of other easements is provided the professional land surveyor, they shall be shown together with their source;
- (F) The posted address shall be shown, if not posted, so state;
- (G) A north arrow and graphic scale shall be shown;

(H) Apparent encroachments shall be noted and shown in an obvious manner. When the uncertainty of dimensions to possible encroachments are not precise enough for a positive determination, a property boundary survey shall be recommended to the borrower/ purchaser and shall be stated on the report;

(I) The sheet size for the report shall not be less than eight and one-half inches by eleven inches (8 1/2" × 11"). Lettering size on the report shall not be smaller than eight-hundredths of an inch (0.08") in height;

(J) The following caption shall appear prominently on the drawing with minimum letter size of seventeen-hundredths of an inch (0.17"): **Surveyor's Real Property Report**; and

(K) If the certification and the drawing are on two (2) separate pieces of paper, it shall be so indicated. (For example: page 1 of 2, page 2 of 2).

(5) Certification—**A Surveyor's Real Property Report shall not contain the word survey** in any part of the report except as required in this standard, and must contain the following:

(A) The name, address and telephone number of the surveyor responsible for the report and the name of the party who ordered the work;

(B) A statement that the report was either conducted by the land surveyor or under his/her immediate personal supervision, the date the report was made and the real property description or the public record reference of the property shown in the report;

(C) A statement that the accompanying drawing is a representation of the conditions that were found at the time of the inspection and that the report does not constitute a property boundary survey and is subject to any inaccuracies that a subsequent property boundary survey may disclose. It shall state the fact that no property corners were set, and that the information shown on the drawing should not be used to construct any fence, structure or other improvements. If the property dimensions are based upon unverified recorded or deed information, this shall be so stated. Include notification that the professional land surveyor is not extending a warranty to the present or future owners or occupants; and

(D) The professional land surveyor shall sign, seal and date the report.

## 20 CSR 2030-19.020 Required Work Order Form

*PURPOSE: This rule states the information given below must be contained in the work order form. The professional land surveyor may want to include other data in the form*

### WORK ORDER

Please read carefully and indicate the type of service you wish to order.

**. . . Surveyor’s Real Property Report: It is a location of improvements and cursory** check for encroachments onto or from the subject property based on existing but not confirmed evidence. This does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may disclose. No property corners will be set and it should not be used or relied upon for the establishment of any fence, structure or other improvement. No warranty of any kind is extended therein to the present or future owner or occupant.

**. . . Property Boundary Survey with Location of Improvement:** A boundary survey of the subject property will be made and the property corners will be located and verified or reset. The improvements on the property will be located and encroachments onto or from the subject property will be determined. This survey can be used by the property owner for the construction of a fence or other improvements. The survey will meet **“Minimum Standards for Property Boundary Surveys.”**

**. . . ALTA/ACSM (American Land Title Association/American Congress on Surveying and Mapping) Land Title Survey:** This is the most comprehensive type of survey and improvement location. It covers all the aspects of the boundary survey and improvement location and identification for any additional evidence of possession or use which could be adverse to the interests of the purchaser. This type of survey is normally only performed on commercial property because of the expense involved.

I (We), the undersigned, have read, understand and have indicated the type of service desired and have authorized the work to be performed and agree to be responsible for the bill for this survey.

Borrower/Purchaser \_\_\_\_\_ Date \_\_\_\_\_

—

Lender \_\_\_\_\_

—

Ordered by \_\_\_\_\_

—

Common address

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Legal description

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Signature

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## Chapter 20—Mapping Survey Standards

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### 20 CSR 2030-20.010 Definitions

*PURPOSE: This rule defines the terms used in this chapter.*

(1) A map is a graphic representation of the physical features (natural, artificial, or both) of a part of the whole **of the earth's surface, by means of signs and symbols or photographic imagery**, at an established scale, on a specified projection, and with the means of orientation indicated. A map may be in various forms such as printed maps, subdivision of land in the form of plats, or in graphic presentations on a computer screen such as in a Geographic Information System (GIS) or in a Land Information System (LIS).

(2) Horizontal map accuracy is defined as the root mean square (rms) error in terms of **the project's planimetric** survey coordinates (X,Y) for checked points as determined at full (ground) scale of the map. The rms error is the cumulative result of all errors including those introduced by the processes of ground control surveys, map compilation, and final extraction of ground dimensions from the map.

(3) Vertical map accuracy is defined as the rms error in elevation in terms of the **project's elevation datum or well-defined** points only.

(4) The rms error is defined to be the square root of the average of the squared discrepancies. In this case, the discrepancies are the differences in coordinate or elevation values as derived from the map and as determined by an independent survey of higher accuracy (check survey). Well-defined points are those that are easily visible and recoverable on the ground, such as: monuments or markers, bench marks,

property boundary monuments; intersections of roads, railroads, etc.; corners of large buildings or structures (or center points of small buildings); etc. In general what is well defined will also be determined by what is plottable on the scale of the map within one one-hundredth inch (1/100"). Thus while the intersection of two (2) road or property lines meeting at right angles would come within a sensible interpretation, identification of the intersection of such lines meeting at an acute angle would obviously not be practicable within one one-hundredth inch (1/100"). Similarly, features not identifiable upon the ground within close limits are not to be considered as test points within the limits quoted, even though their positions may be scaled closely upon the map. In this class would come timber lines, soil boundaries, etc.

## 20 CSR 2030-20.020 Map Accuracy Standards

*PURPOSE: This rule prescribes minimum acceptable mapping standards.*

### (1) Horizontal Accuracy.

(A) Class I. The root mean square (rms) error of a map product shall be less than 0.01 of one inch (1") on the map or in the case of a metric map, 0.025 of one centimeter (1 cm) on the map.

#### EXAMPLE (Customary Units)

Limiting rms

<u>Scale</u>	<u>Value in Feet</u>
1" = 20'	0.2'
1" = 50'	0.5'
1" = 100'	1.0'
1" = 200'	2.0'
1" = 400'	4.0'
1" = 1000'	10.0'
1" = 2000'	20.0'

#### EXAMPLE (SI Units)

Limiting rms

<u>Scale</u>	<u>Value in Feet</u>
1 cm = 5m	0.125
1 cm = 10m	0.250
1 cm = 100m	2.50
1 cm = 200m	5.00

(B) Class II. The rms shall be twice that required for Class I.

(C) Class III. The rms shall be three (3) times that required for Class I.

(2) Vertical Accuracy.

(A) Class I. For Class I maps rms error in elevation shall be less than one-third (1/3) of the indicated contour interval for welldefined points only, and one-sixth (1/6) of the contour interval for spot heights.

(B) Class II. The rms error may be twice that required for Class I.

(C) Class III. The rms error may be three (3) times that required for Class I.

(3) Mixed Accuracy. A map may be compiled that complies with one (1) class of accuracy in elevation and another in planimetry.

## 20 CSR 2030-20.030 Certification of the Map

*PURPOSE: This rule prescribes the statement made by the professional land surveyor of the map*

(1) Maps meeting the requirements of this standard shall note this fact on their legends with the **statement that "This map complies with the Missouri Map Accuracy Standard."** The class of accuracy shall also be noted.

(2) When a map is a considerable enlargement of a completed map, that fact shall be stated in the legend. The scale of the original map shall also be noted.

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## Chapter 21—Professional Engineering

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## 20 CSR 2030-21.010 Design of Fire Suppression Systems

*PURPOSE: This rule requires the design of fire suppression systems to be designed, prepared, and sealed by a professional engineer.*

(1) Pursuant to section 327.181, RSMo, the design of fire suppression systems is engineering and therefore the plans for those systems must be designed, prepared, and sealed by a professional engineer. This can be accomplished two (2) ways:

(A) The design engineer seals the construction documents that specify the design and criteria for the fire suppression system, including sprinklers, fire alarms, and other suppression systems. The layout and sizing of these systems, done by a Level III Technician certified by the National Institute for Certification in Engineering Technologies (NICET) or a professional engineer, can be submitted as a shop drawing. These shop drawings may be sealed by a professional engineer. The design engineer must review and approve the shop drawings for compliance with the design and specifications shown on the construction documents; and

(B) If there is no design engineer for the fire suppression system, then the shop drawings for the sprinklers, fire alarms, and other suppression systems must be designed and prepared under the immediate personal supervision of a professional engineer. These shop drawings must be sealed by the professional engineer who prepared them.

(2) Nothing in this section shall prohibit the design engineer, at his/her discretion, to specify and require the shop drawings to be designed, prepared, and sealed, by a professional engineer.

(3) The design of fire suppression systems for dwelling units as defined in the **National Fire Protection Association's Standard for the Installation of Sprinkler Systems (NFPA 13D)** is exempt and is not required to be designed by a professional engineer so long as the layout and sizing of these systems are done by a Level III Technician certified in the Fire Suppression System Layout by the NICET. Engineer decisions needed when the scope of the project is not clearly addressed in NFPA 13D shall be done by a qualified professional engineer.

## 20 CSR 2030-21.020 Engineer of Record and Specialty Engineers

*PURPOSE: In instances when there is more than one (1) engineer involved on a project, this rule will clarify what the responsibilities are of each engineer.*

(1) The professional engineer who develops the design criteria and concept for a particular project and discipline, and who prepares or causes to be prepared under

his/her immediate personal supervision the corresponding drawings, specifications, reports, or other documents, shall be designated the engineer of record for the project and discipline. A professional engineer who provides services for specific portions of the project within a particular discipline, but does not have a direct organizational contractual relationship with the corresponding engineer of record, shall be designated the specialty engineer.

(A) The engineer of record shall communicate in writing the extent of and complete design criteria, performance specifications and other requirements for the portion of the project delegated to the specialty engineer, which shall be limited to the same discipline as that of the engineer of record.

(B) The specialty engineer shall perform his/her services in strict accordance with the written requirements of the engineer of record, or shall clearly indicate in writing any exceptions taken to said requirements in his/her submittals to the engineer of record.

(C) The specialty engineer shall prepare or cause to be prepared under his/her immediate personal supervision the drawings, specifications, reports, or other documents that correspond to the portion of the project delegated by the engineer of record; shall seal, sign, and date them in accordance with 20 CSR 2030-3.060; and shall submit them to the engineer of record.

(D) The engineer of record shall review the drawings, specifications, reports, or other documents submitted by the specialty engineer and confirm in writing that they conform to his/her written requirements and are consistent with the intent of his/her drawings, specifications, reports, or other documents prepared for the project.

(E) An architect may delegate such engineering work as is incidental to the practice of architecture, provided that he/she follows the requirements for the engineer of record as described in this rule.

# Missouri Revised Statutes

## CHAPTER 327 ARCHITECTS, ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS

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### 327.011. Definitions.

As used in this chapter, the following words and terms shall have the meanings indicated:

- (1) "Accredited degree program from a school of architecture", a degree from any school or other institution which teaches architecture and whose curricula for the degree in question have been, at the time in question, certified as accredited by the National Architectural Accrediting Board;
- (2) "Accredited school of engineering", any school or other institution which teaches engineering and whose curricula on the subjects in question are or have been, at the time in question certified as accredited by the engineering accreditation commission of the accreditation board for engineering and technology or its successor organization;
- (3) "Accredited school of landscape architecture", any school or other institution which teaches landscape architecture and whose curricula on the subjects in question are or have been at the times in question certified as accredited by the Landscape Architecture Accreditation Board of the American Society of Landscape Architects;
- (4) "Architect", any person authorized pursuant to the provisions of this chapter to practice architecture in Missouri, as the practice of architecture is defined in section 327.091;
- (5) "Board", the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects;
- (6) "Corporation", any general business corporation, professional corporation or limited liability company;
- (7) "Design coordination", the review and coordination of technical submissions prepared by others including, as appropriate and without limitation, architects, professional engineers, professional land surveyors, professional landscape architects, and other consultants;

(8) "Design survey", a survey which includes all activities required to gather information to support the sound conception, planning, design, construction, maintenance, and operation of design projects, but excludes\* the surveying of real property for the establishment of land boundaries, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system;

(9) "Incidental practice", the performance of other professional services licensed under chapter 327 that are related to a licensee's professional service, but are secondary and substantially less in scope and magnitude when compared to the professional services usually and normally performed by the licensee practicing in their licensed profession. This incidental professional service shall be safely and competently performed by the licensee without jeopardizing the health, safety, and welfare of the public. The licensee shall be qualified by education, training, and experience as determined by the board and in sections 327.091, 327.181, 327.272, and 327.600 and applicable board rules to perform such incidental professional service;

(10) "Licensee", a person licensed to practice any profession regulated under this chapter or a corporation authorized to practice any such profession;

(11) "Partnership", any partnership or limited liability partnership;

(12) "Person", any person, corporation, firm, partnership, association or other entity;

(13) "Professional engineer", any person authorized pursuant to the provisions of this chapter to practice as a professional engineer in Missouri, as the practice of engineering is defined in section 327.181;

(14) "Professional land surveyor", any person authorized pursuant to the provisions of this chapter to practice as a professional land surveyor in Missouri as the practice of land surveying is defined in section 327.272;

(15) "Professional landscape architect", any person authorized pursuant to the provisions of this chapter to practice as a professional landscape architect in Missouri as the practice of landscape architecture is defined in section 327.600;

(16) "Responsible charge", the independent direct control of a licensee's work and personal supervision of such work pertaining to the practice of architecture, engineering, land surveying, or landscape architecture.

\*Word "exclude" appears in original rolls.

### 327.031. Board established, membership, officers, qualifications of members--how appointed--terms--vacancy, how filled--may sue and be sued.

1. The "Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects" is hereby established and shall consist of fifteen members: a chairperson, who may be either an architect, a professional engineer, a professional land surveyor, or a professional landscape architect; three architects, who shall constitute the architectural division of the board; four professional engineers, who shall constitute its professional engineering division; three professional land surveyors, who shall constitute its professional land surveying division; three professional landscape architects, who shall constitute its professional landscape architectural division; and a voting public member.

2. After receiving his or her commission and before entering upon the discharge of his or her official duties, each member of the board shall take, subscribe to and file in the office of the secretary of state the official oath required by the constitution.

3. The chairperson shall be the administrative and executive officer of the board, and it shall be his or her duty to supervise and expedite the work of the board and its divisions, and, at his or her election, when a tie exists between the divisions of the board, to break the tie by recording his or her vote for or against the action upon which the divisions are in disagreement. Each member of the architectural division shall have one vote when voting on an action pending before the board; each member of the professional engineering division shall have one vote when voting on an action pending before the board; each member of the professional land surveying division shall have one vote when voting on an action pending before the board; and each member of the professional landscape architectural division shall have one vote when voting on an action pending before the board. Every motion or proposed action upon which the divisions of the board are tied shall be deemed lost, and the chairperson shall so declare, unless the chairperson shall elect to break the tie as provided in this section. Eight voting members of the board, including at least one member of each division, shall constitute a quorum, respectively, for the transaction of board business.

4. Each division of the board shall, at its first meeting in each even-numbered year, elect one of its members as division chairperson for a term of two years. Two voting members of each division of the board shall constitute a quorum for the transaction of division business. The chairpersons of the architectural division, professional engineering division, professional land surveying division, and professional landscape architectural division so elected shall be vice chairpersons of the board, and when the

chairperson of the board is an architect, the chairperson of the architectural division shall be the ranking vice chairperson, and when the chairperson of the board is a professional engineer, the chairperson of the professional engineering division shall be the ranking vice chairperson, when the chairperson of the board is a professional land surveyor, the chairperson of the professional land surveying division shall be the ranking vice chairperson, and when the chairperson of the board is a professional landscape architect, the chairperson of the professional landscape architectural division shall be the ranking vice chairperson. The chairperson of each division shall be the administrative and executive officer of his or her division, and it shall be his or her duty to supervise and expedite the work of the division, and, in case of a tie vote on any matter, the chairperson shall, at his or her election, break the tie by his or her vote. Every motion or question pending before the division upon which a tie exists shall be deemed lost, and so declared by the chairperson of the division, unless the chairperson shall elect to break such tie by his or her vote.

5. Any person appointed to the board, except a public member, shall be a currently licensed architect, licensed professional engineer, licensed professional land surveyor or licensed professional landscape architect in Missouri, as the vacancy on the board may require, who has been a resident of Missouri for at least five years, who has been engaged in active practice as an architect, professional engineer, professional land surveyor or professional landscape architect, as the case may be, for at least ten consecutive years as a Missouri licensee immediately preceding such person's appointment, and who is and has been a citizen of the United States for at least five years immediately preceding such person's appointment. Active service as a faculty member while holding the rank of assistant professor or higher in an accredited school of engineering shall be regarded as active practice of engineering, for the purposes of this chapter. Active service as a faculty member, after meeting the qualifications required by section 327.314, while holding the rank of assistant professor or higher in an accredited school of engineering and teaching land surveying courses shall be regarded as active practice of land surveying for the purposes of this chapter. Active service as a faculty member while holding the rank of assistant professor or higher in an accredited school of landscape architecture shall be regarded as active practice of landscape architecture, for the purposes of this chapter. Active service as a faculty member while holding the rank of assistant professor or higher in an accredited school of architecture shall be regarded as active practice of architecture for the purposes of this chapter; provided, however, that no faculty member of an accredited school of architecture shall be eligible for appointment to the board unless such person has had at least three years' experience in the active practice of architecture other than in teaching. The public member shall be, at the time of appointment, a citizen of the

United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

6. The governor shall appoint the chairperson and the other members of the board when a vacancy occurs either by the expiration of a term or otherwise, and each board member shall serve until such member's successor is appointed and has qualified. The position of chairperson shall rotate sequentially with an architect, then professional engineer, then professional land surveyor, then professional landscape architect, and shall be a licensee who has previously served as a member of the board. The appointment of the chairperson shall be for a term of four years which shall be deemed to have begun on the date of his or her appointment and shall end upon the appointment of the chairperson's successor. The chairperson shall not serve more than one term. All other appointments, except to fill an unexpired term, shall be for terms of four years; but no person shall serve on the board for more than two consecutive four-year terms, and each four-year term shall be deemed to have begun on the date of the expiration of the term of the board member who is being replaced or reappointed, as the case may be. Any appointment to the board which is made when the senate is not in session shall be submitted to the senate for its advice and consent at its next session following the date of the appointment.

7. In the event that a vacancy is to occur on the board because of the expiration of a term, then ninety days prior to the expiration, or as soon as feasible after a vacancy otherwise occurs, the president of the American Institute of Architects/Missouri if the vacancy to be filled requires the appointment of an architect, the president of the Missouri Society of Professional Engineers if the vacancy to be filled requires the appointment of a professional engineer, the president of the Missouri Society of Professional Surveyors if the vacancy to be filled requires the appointment of a professional land surveyor, and the president of the Missouri Association of Landscape Architects if the vacancy to be filled requires the appointment of a professional landscape architect, shall submit to the director of the division of professional

registration a list of five architects or five professional engineers, or five professional land surveyors, or five professional landscape architects as the case may require, qualified and willing to fill the vacancy in question, with the recommendation that the governor appoint one of the five persons so listed; and with the list of names so submitted, the president of the appropriate organization shall include in a letter of transmittal a description of the method by which the names were chosen. This subsection shall not apply to public member vacancies.

8. The board may sue and be sued as the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, and its members need not be named as parties. Members of the board shall not be personally liable either jointly or severally for any act or acts committed in the performance of their official duties as board members, nor shall any board member be personally liable for any court costs which accrue in any action by or against the board.

### 327.041. Board, powers and duties--rules, generally, this chapter, procedure.

1. The board shall have the duty and the power to carry out the purposes and to enforce and administer the provisions of this chapter, to require, by summons or subpoena, with the vote of two-thirds of the voting board members, the attendance and testimony of witnesses, and the production of drawings, plans, plats, specifications, books, papers or any document representing any matter under hearing or investigation, pertaining to the issuance, probation, suspension or revocation of certificates of registration or certificates of authority provided for in this chapter, or pertaining to the unlawful practice of architecture, professional engineering, professional land surveying or professional landscape architecture.

2. The board shall, within the scope and purview of the provisions of this chapter, prescribe the duties of its officers and employees and adopt, publish and enforce the rules and regulations of professional conduct which shall establish and maintain appropriate standards of competence and integrity in the professions of architecture, professional engineering, professional land surveying and professional landscape architecture, and adopt, publish and enforce procedural rules and regulations as may be considered by the board to be necessary or proper for the conduct of the board's business and the management of its affairs, and for the effective administration and interpretation of the provisions of this chapter. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter

536 are non-severable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

3. Rules promulgated by the board pursuant to sections 327.272 to 327.635 shall be consistent with and shall not supersede the rules promulgated by the department of natural resources pursuant to chapter 60.

### 327.051. Meetings, when--personnel, employment--compensation of board members.

1. The board shall meet at least twice a year at such times and places as are fixed by the board.

2. The board may appoint and employ legal counsel and such board personnel, as defined in subdivision (4) of subsection 11 of section 324.001, as it deems necessary within the appropriation therefor.

3. The board shall keep records of its official acts and decisions and certified copies of any such records attested by the executive director with the board's seal affixed shall be received as evidence in all courts to the same extent as the board's original records would be received.

4. Each member of the board shall receive as compensation an amount set by the board not to exceed seventy-five dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of such member's expenses necessarily incurred in the discharge of such member's official duties.

### 327.061. Office, where.

The board shall establish and maintain an office in Jefferson City, Missouri.

### 327.075. Injunction authorized, when.

1. Upon application by the board, and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order or other order as may be appropriate to enjoin a person from:

- (1) Offering to engage or engaging in the performance of any acts or practices for which a certificate of registration or authority, permit or license is required upon a showing that such acts or practices were performed or offered to be performed without a certificate of registration or authority, permit or license; or

(2) Engaging in any practice or business authorized by a certificate of registration or authority, permit or license issued pursuant to this chapter upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the licensee.

2. Any such action shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought pursuant to this section shall be in addition to and not in lieu of any remedy provided by this chapter and may be brought concurrently with other actions to enforce this chapter.

### 327.076. Licensure required, penalty for violation--complaint procedure.

1. Any person who practices architecture, engineering, land surveying, or landscape architecture, as defined in sections 327.011 to 327.635, or who holds himself or herself out as able to practice such profession and who is not the holder of a currently valid license or certificate of authority in Missouri, and who is not exempt from holding such a license or certificate, is guilty of a class A misdemeanor. As used in this chapter, "practice" shall not include the rendering of opinions or giving of testimony in a civil or criminal proceeding by a licensed professional.

2. The board may cause a complaint to be filed with the administrative hearing commission, as provided in chapter 621, against any unlicensed person who:

(1) Engages in or offers to render or engage in the practice of architecture, professional engineering, professional land surveying, or professional landscape architecture;

(2) Uses or employs titles defined and protected by this chapter, or implies authorization to provide or offer professional services, or otherwise uses or advertises any title, word, figure, sign, card, advertisement, or other symbol or description tending to convey the impression that the person is licensed or holds a certificate of authority to practice architecture, professional engineering, professional land surveying, or professional landscape architecture;

(3) Presents or attempts to use another person's license, seal, or certificate of authority as his or her own;

(4) Attempts to use an expired, suspended, revoked, or nonexistent license or certificate of authority;

(5) Affixes his or her or another architect's, professional engineer's, professional land surveyor's, or professional landscape architect's seal on any plans, drawings, specifications or reports which have not been prepared by such person or under such person's immediate personal supervision care;

(6) Gives false or forged evidence of any kind to the board or any member of the board in obtaining or attempting to obtain a certificate of licensure in this state or any other state or jurisdiction;

(7) Knowingly aids or abets an unlicensed or unauthorized person who engages in any prohibited activity identified in this subsection;

(8) Violates any provision of the code of professional conduct or other rule adopted by the board; or

(9) Violates any provision of subsection 2 of section 327.441.

3. When reviewing complaints against unlicensed persons, the board may initiate an investigation and take all measures necessary to find the facts of any potential violation, including issuing subpoenas to compel the attendance and testimony of witnesses and the disclosure of evidence, and may request the attorney general to bring an action to enforce the subpoena.

4. If the board files a complaint with the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, either singularly or in combination with other provisions of this chapter, impose a civil penalty as provided for in section 327.077 against the person named in the complaint.

### 327.077. Civil penalties may be imposed, when--amount, limit, determination of--settlement requirements.

1. In disciplinary actions against licensed or unlicensed persons, the board may issue an order imposing a civil penalty. Such penalty shall not be imposed until the findings of fact and conclusions of law by the administrative hearing commission have been delivered to the board in accordance with section 621.110. Further, no civil penalty shall commence until a formal meeting and vote by the board has been taken to impose such a penalty.

2. A civil penalty imposed under this section shall not exceed five thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a

maximum penalty of twenty-five thousand dollars. In determining the amount of penalty to be imposed, the board may consider any of the following:

- (1) Whether the amount imposed will be a substantial deterrent to the violation;
- (2) The circumstances leading to the violation;
- (3) The severity of the violation and the risk of harm to the public;
- (4) The economic benefits gained by the violator as a result of noncompliance;
- (5) The interest of the public.

3. Any final order imposing a civil penalty is subject to judicial review upon the filing of a petition under section 536.100 by any person subject to the penalty.

4. Payment of a civil penalty shall be made within sixty days of filing the order, or if the order is stayed pending an appeal within ten days after the court enters a final judgment in favor of the board. If the penalty is not timely paid, the board shall notify the attorney general. The attorney general may commence an action to recover the amount of the penalty, including reasonable attorney fees and costs and a surcharge of fifteen percent of the penalty plus ten percent per annum on any amounts owed. In such action, the validity and appropriateness of the final order imposing the civil penalty shall not be subject to review.

5. An action to enforce an order under this section may be joined with an action for an injunction.

6. Any offer of settlement to resolve a civil penalty under this section shall be in writing, state that an action for imposition of a civil penalty may be initiated by the attorney general representing the board under this section, and identify any dollar amount as an offer of settlement, which shall be negotiated in good faith through conference, conciliation, and persuasion.

7. Failure to pay a civil penalty by any person licensed under this chapter shall be grounds for refusing to renew or denying reinstatement of a license or certificate of authority.

8. Penalties collected under this section shall be handled in accordance with section 7 of article IX of the Missouri Constitution. Such penalties shall not be considered a charitable contribution for tax purposes.

### 327.081. Fund established, deposits--expenditures, how paid--transferred to general revenue, when.

1. All funds received pursuant to the provisions of this chapter shall be deposited in the state treasury to the credit of the "State Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects Fund" which is hereby established. All expenditures authorized by this chapter shall be paid from funds appropriated to the board by the general assembly from this fund.
2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

### 327.091. Practice of architecture defined.

1. Any person practices as an architect in Missouri who renders or offers to render or represents himself or herself as willing or able to render service or creative work which requires architectural education, training and experience, including services and work such as consultation, evaluation, planning, aesthetic and structural design, the preparation of drawings, specifications and related documents, and the coordination of services furnished by structural, civil, mechanical and electrical engineers and other consultants as they relate to architectural work in connection with the construction or erection of any private or public building, building structure, building project or integral part or parts of buildings or of any additions or alterations thereto; or who uses the title "architect" or the terms "architect" or "architecture" or "architectural" alone or together with any words other than "landscape" that indicate or imply that such person is or holds himself or herself out to be an architect.
2. Architects shall be in responsible charge of all architectural design of buildings and structures that can affect the health, safety, and welfare of the public within their scope of practice.

### 327.101. Unauthorized practice prohibited--persons excepted.

No person shall practice architecture in Missouri as defined in section 327.091 unless and until there is issued to the person a license or a certificate of authority certifying that the person has been duly licensed as an architect or authorized to practice

architecture, in Missouri, and unless such license has been renewed as hereinafter specified; provided, however, that nothing in this chapter shall apply to the following persons:

(1) Any person who is an employee of a person holding a currently valid license as an architect or who is an employee of any person holding a currently valid certificate of authority pursuant to this chapter, and who performs architectural work under the direction and continuing supervision of and is checked by one holding a currently valid license as an architect pursuant to this chapter;

(2) Any person who is a regular full-time employee who performs architectural work for the person's employer if and only if all such work and service so performed is in connection with a facility owned or wholly operated by the employer and which is occupied by the employer of the employee performing such work or service, and if and only if such work and service so performed do not endanger the public health or safety;

(3) Any holder of a currently valid license or certificate of authority as a professional engineer who performs only such architecture as incidental practice and necessary to the completion of professional services lawfully being performed by such licensed professional engineer;

(4) Any person who is a professional landscape architect, city planner or regional planner who performs work consisting only of consultations concerning and preparation of master plans for parks, land areas or communities, or the preparation of plans for and the supervision of the planting and grading or the construction of walks and paving for parks or land areas and such other minor structural features as fences, steps, walls, small decorative pools and other construction not involving structural design or stability and which is usually and customarily included within the area of work of a professional landscape architect or planner;

(5) Any person who renders architectural services in connection with the construction, remodeling or repairing of any privately owned building described in paragraphs (a), (b), (c), (d), and (e) which follow, and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect:

(a) A dwelling house; or

(b) A multiple family dwelling house, flat or apartment containing not more than two families; or

- (c) A commercial or industrial building or structure which provides for the employment, assembly, housing, sleeping or eating of not more than nine persons; or
  - (d) Any one structure containing less than two thousand square feet, except as provided in (b) and (c) above, and which is not a part or a portion of a project which contains more than one structure; or
  - (e) A building or structure used exclusively for farm purposes;
- (6) Any person who renders architectural services in connection with the remodeling or repairing of any privately owned multiple family dwelling house, flat or apartment containing three or four families, provided that the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect;
- (7) Any person or corporation who is offering, but not performing or rendering, architectural services if the person or corporation is licensed to practice architecture in the state or country of residence or principal place of business.

### 327.106. Reciprocity for architects licensed in Canada, requirements.

Notwithstanding any provisions of this chapter to the contrary, any applicant for a license to practice architecture who holds a valid license to practice architecture in Canada shall be licensed to practice architecture in this state, if such applicant holds certification pursuant to the terms of the Mutual Recognition Agreement between the National Council of Architectural Registration Boards (NCARB) and the Canadian Architectural Licensing Authorities and provided the applicant meets all other qualifications for licensure as an architect as provided in this chapter.

### 327.131. Applicant for license as architect, qualifications.

Any person may apply to the board for licensure as an architect who is over the age of twenty-one, is of good moral character, has acquired an accredited degree from an accredited degree program from a school of architecture, holds a certified Intern Development Program (IDP) record with the National Council of Architectural Registration Boards, and has taken and passed all divisions of the Architect Registration Examination.

### 327.141. Application, form, fee.

Applications for licensure as an architect shall be typewritten on prescribed forms furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of previous architectural licensing examinations, if any, and such other pertinent information as the board may require. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

### 327.151. Examination for license, content--passing grade, how determined.

1. After it has been determined that an applicant possesses the qualifications entitling the applicant to be examined, each applicant for examination and licensure as an architect shall appear before the board or its representatives for examination at the time and place specified.
2. The examination or examinations shall be of such form, content and duration as determined by the architectural division of the board to thoroughly test the qualifications of each applicant to practice architecture in Missouri.
3. An applicant to be eligible for licensure shall make a passing grade on each examination. The passing grade shall be fixed by the board but it shall never be higher than the current passing grade determined by the National Council of Architectural Registration Boards.
4. Any person who passes the examination or examinations prescribed by the board shall be entitled to be licensed as an architect in Missouri, subject to the other provisions of this chapter.

### 327.161. Reexamination, when.

If an applicant fails to make the grade specified in section 327.151, the applicant may apply for reexamination, by division, in accordance with the guidelines established by the National Council of Architectural Registration Boards or its successor.

### 327.171. Professional license, renewal.

1. The professional license, issued to every architect in Missouri, including certificates of authority issued to corporations as provided in section 327.401, shall be renewed on or before the certificate renewal date, provided that the required fee is paid. The board may establish, by rule, continuing education requirements as a condition to renewing

the license of an architect, provided that the board shall not require more professional development hours than that which is recommended by the American Institute of Architects or its successor organization, but not to exceed thirty such hours. The license of any architect or the certificate of authority issued to any corporation which is not renewed by the certificate renewal date shall expire on the renewal date and be void and the holder of such expired certificate shall have no rights or privileges under such license or certificate; but any person or corporation whose certificate has expired as provided in this section may within three months of the certificate renewal date or at the discretion of the board, upon payment of the required fee, be renewed, relicensed, or reauthorized under such person's or such corporation's original license number.

2. Each application for the renewal of a license or of a certificate of authority shall be on a form furnished to the applicant and shall be accompanied by the required fee, but no renewal fee need be paid by any architect over the age of seventy-five.

### 327.172. Inactive license status granted, when, procedure--return to active status, procedure.

1. An architect licensed in this state may apply to the board for inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive shall not offer or practice architecture within this state, but may continue to use the title "architect".

2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of such intention, by paying appropriate fees as determined by the board, and by meeting all established requirements of the board including the demonstration of current knowledge, competency, and skill in the practice of architecture as a condition of reactivation.

3. In the event an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reactivation, that person may be required to take an examination as the board deems necessary to determine such person's qualifications. Such examination shall cover areas designed to demonstrate the proficiency in current methods of architecture.

### 327.181. Practice as professional engineer defined--use of titles, restrictions.

1. Any person practices in Missouri as a professional engineer who renders or offers to render or holds himself or herself out as willing or able to render any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, teaching of advanced engineering subjects or courses related thereto, design surveys and studies, the design coordination of services furnished by engineers and other consultants as they relate to engineering work, construction observation and the inspection of construction for the purpose of compliance with drawings and specifications, any of which embraces such service or work either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems or projects and including such architectural work as is incidental to the practice of engineering; or who uses the title "professional engineer" or "consulting engineer" or the word "engineer" alone or preceded by any word indicating or implying that such person is or holds himself or herself out to be a professional engineer, or who shall use any word or words, letters, figures, degrees, titles or other description indicating or implying that such person is a professional engineer or is willing or able to practice engineering.

2. Professional engineers shall be in responsible charge of all engineering design of buildings, structures, products, machines, processes, and systems that can affect the health, safety, and welfare of the public within their scope of practice.

3. Notwithstanding any provision of subsection 1 of this section, any person using the word "engineer", "engineers", or "engineering", alone or preceded by any word, or in combination with any words, may do so without being subject to disciplinary action by the board so long as such use is reflective of that person's profession or vocation and is clearly not indicating or implying that such person is holding himself or herself out as being a professional engineer or is willing or able to practice engineering as defined in this section.

### 327.191. Unauthorized practice prohibited, persons excepted.

No person shall practice as a professional engineer in Missouri, as defined in section 327.181 unless and until there is issued to such person a professional license or a certificate of authority certifying that such person has been duly licensed as a professional engineer or authorized to practice engineering in Missouri, and unless such

license or certificate has been renewed as provided in section 327.261; provided that section 327.181 shall not be construed to prevent the practice of engineering by the following persons:

- (1) Any person who is an employee of a person holding a currently valid license as a professional engineer or who is an employee of a person holding a currently valid certificate of authority pursuant to this chapter, and who performs professional engineering work under the direction and continuing supervision of and is checked by one holding a currently valid license as a professional engineer pursuant to this chapter;
- (2) Any person who is a regular full-time employee of a person or any former employee under contract to a person, who performs professional engineering work for such employer if and only if all such work and service so performed is done solely in connection with a facility owned or wholly operated by the employer and occupied or maintained by the employer of the employee performing such work or service, and does not affect the health, safety, and welfare of the public;
- (3) Any person engaged in engineering who is a full-time, regular employee of a person engaged in manufacturing operations and which engineering so performed by such person relates to the manufacture, sale or installation of the products of such person, and does not affect the health, safety, and welfare of the public;
- (4) Any holder of a currently valid license or certificate of authority as an architect, professional land surveyor, or professional landscape architect who performs only such engineering as incidental practice and necessary to the completion of professional services lawfully being performed by such architect, professional land surveyor, or professional landscape architect;
- (5) Any person or corporation who is offering, but not performing or rendering, professional engineering services if the person or corporation is licensed to practice professional engineering in the state or country of residence or principal place of business.

### 327.221.Applicant for license as professional engineer, qualifications.

Any person may apply to the board for licensure as a professional engineer who is of good moral character, and who is a graduate of and holds a degree in engineering from an accredited school of engineering, or who possesses an education which includes at the minimum a baccalaureate degree in engineering, and which in the opinion of the board, equals or exceeds the education received by a graduate of an accredited school,

and has acquired at least four years of satisfactory engineering experience, after such person has graduated and has received a degree or education as provided in this section; provided that the board shall by rule provide what shall constitute satisfactory engineering experience based upon recognized education and training equivalents, but in any event such rule shall provide that no more than one year of satisfactory postgraduate work in engineering subjects and that each year of satisfactory teaching of engineering subjects accomplished after a person has graduated from and has received a degree from an accredited school of engineering or after receiving an education as provided in this section shall count as equivalent years of satisfactory engineering experience.

### 327.231. Application, form, fee.

Applications for licensure as a professional engineer shall be typewritten on prescribed forms furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of previous engineering examinations, if any, and such other pertinent information as the board may require. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing such application, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

### 327.241. Examination for license two-part, how conducted-- practical experience required for part two.

1. After it has been determined that an applicant possesses the qualifications entitling the applicant to be examined, each applicant for examination and licensure as a professional engineer in Missouri shall appear before the board or its representatives for examination at the time and place specified.
2. The examination or examinations shall be of such form, content and duration as shall be determined by the board to thoroughly test the qualifications of each applicant to practice as a professional engineer in Missouri.
3. Any applicant to be eligible for a license must make a grade on each examination of at least seventy percent.
4. The engineering examination shall consist of two parts; the first part may be taken by any person after such person has satisfied the educational requirements of section 327.221, or who is in his or her final year of study in an accredited school of engineering; and upon passing part one of the examination and providing proof that such person has satisfied the educational requirements of section 327.221 and upon

payment of the required fee, such person shall be an engineer-intern, subject to the other provisions of this chapter.

5. Any engineer-intern, as defined in subsection 4 of this section, who has acquired at least four years of satisfactory engineering experience, may take part two of the engineering examination and upon passing it shall be entitled to receive a license, subject, however, to the other provisions of this chapter.

6. Notwithstanding the provisions of subsections 4 and 5 of this section, the board may, in its discretion, provide by rule that any person who has graduated from and holds an engineering degree from an accredited school of engineering may thereupon be eligible to take both parts of the engineering examination and that upon passing said examination and acquiring four years of satisfactory engineering experience, after graduating and receiving a degree as aforesaid, shall be entitled to receive a license to practice as a professional engineer, subject, however, to the other provisions of this chapter.

7. Any person who has graduated from and has received a degree in engineering from an accredited school of engineering may then acquire four years of satisfactory engineering experience and thereafter take both parts of the examination and upon passing shall be entitled to receive a license to practice as a professional engineer, subject, however, to the other provisions of this chapter.

8. Any person entitled to be licensed as a professional engineer as provided in subsection 5, 6, or 7 of this section must be so licensed within four years after the date on which he or she was so entitled, and if one is not licensed within the time he or she is so entitled, the engineering division of the board may require him to take and satisfactorily pass such further examination as provided by rule before issuing to him a license.

### 327.251. Reexamination, when.

If an applicant fails to make the grade specified in section 327.241, such applicant may apply for reexamination in accordance with the guidelines established by the National Council of Examiners for Engineering and Surveying or its successor.

### 327.261. Professional license, renewal.

1. The professional license issued to every professional engineer in Missouri, including certificates of authority issued to corporations as hereinafter provided, shall be renewed on or before the license renewal date, provided that the required fee is paid. The board may establish, by rule, continuing education requirements as a condition to renewing the license of a professional engineer, provided that the board shall not require more

professional development hours than that which is recommended by the National Council of Examiners for Engineering and Surveying or its successor organization, but not to exceed thirty such hours. The license of any professional engineer or the certificate of authority of any such corporation which is not renewed by the certificate renewal date shall expire on the renewal date and be void and the holder of the expired license or certificate shall have no rights or privileges under such license or certificate; but any person or corporation whose license or certificate has expired as aforesaid may within three months of the certificate renewal date or at the discretion of the board, upon payment of the required fee, be renewed, relicensed, or reauthorized under such person's or such corporation's original license number.

2. Each application for the renewal of a license or of a certificate of authority shall be on a form furnished to the applicant and shall be accompanied by the required fee; but no renewal fee need be paid by any professional engineer over the age of seventy-five.

### 327.271. Inactive license, requirements--return to active.

1. A professional engineer licensed in this state may apply to the board for inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the license meets the requirements established by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive shall not offer or practice professional engineering within this state, but may continue to use the title "professional engineer" or the initials "P.E." after such person's name.

2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of such intention, by paying appropriate fees as determined by the board, and by meeting all established requirements of the board including the demonstration of current knowledge, competency and skill in the practice of professional engineering as a condition of reactivation.

3. In the event an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reactivation, that person may be required to take the principles and practice of engineering examination.

### 327.272. Practice as professional land surveyor defined.

1. A professional land surveyor shall include any person who practices in Missouri as a professional land surveyor who uses the title of "surveyor" alone or in combination with any other word or words including, but not limited to "registered", "professional" or "land" indicating or implying that the person is or holds himself or herself out to be a professional land surveyor who by word or words, letters, figures, degrees, titles or

other descriptions indicates or implies that the person is a professional land surveyor or is willing or able to practice professional land surveying or who renders or offers to render, or holds himself or herself out as willing or able to render, or perform any service or work, the adequate performance of which involves the special knowledge and application of the principles of land surveying, mathematics, the related physical and applied sciences, and the relevant requirements of law, all of which are acquired by education, training, experience and examination, that affect real property rights on, under or above the land and which service or work involves:

- (1) The determination, location, relocation, establishment, reestablishment, layout, or retracing of land boundaries and positions of the United States Public Land Survey System;
- (2) The monumentation of land boundaries, land boundary corners and corners of the United States Public Land Survey System;
- (3) The subdivision of land into smaller tracts and preparation of property descriptions;
- (4) The survey and location of rights-of-way and easements;
- (5) Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities in subdivisions (1) to (4) of this subsection;
- (6) Consultation, investigation, design surveys, evaluation, planning, design and execution of surveys;
- (7) The preparation of any drawings showing the shape, location, dimensions or area of tracts of land;
- (8) Monumentation of geodetic control and the determination of their horizontal and vertical positions;
- (9) Establishment of state plane coordinates;
- (10) Topographic surveys and the determination of the horizontal and vertical location of any physical features on, under or above the land;
- (11) The preparation of plats, maps or other drawings showing elevations and the locations of improvements and the measurement and preparation of drawings showing existing improvements after construction;
- (12) Layout of proposed improvements;

(13) The determination of azimuths by astronomic observations.

2. None of the specific duties listed in subdivisions (4) to (13) of subsection 1 of this section are exclusive to professional land surveyors unless they affect real property rights. For the purposes of this section, the term "real property rights" means a recordable interest in real estate as it affects the location of land boundary lines. The validity of any document prepared between August 27, 2014, and August 28, 2015, by a provider of utility or communications services purporting to affect real property rights shall remain valid and enforceable notwithstanding that any legal description contained therein was not prepared by a professional land surveyor.

3. Professional land surveyors shall be in responsible charge of all drawings, maps, surveys, and other work product that can affect the health, safety, and welfare of the public within their scope of practice.

4. Nothing in this section shall be construed to preclude the practice of architecture or professional engineering or professional landscape architecture as provided in sections 327.091, 327.181, and 327.600.

### 327.281. Unauthorized practice prohibited.

No person, including any duly elected county surveyor, shall practice as a professional land surveyor in Missouri as defined in section 327.272 unless and until there is issued to such person a license or a certificate of authority certifying that such person has been duly licensed as a professional land surveyor in Missouri, and unless such license or certificate has been renewed as provided in section 327.351.

### 327.312. Land surveyor-in-training applicant for enrollment, qualifications--certificate issued when.

1. Any person may apply to the board for enrollment as a land surveyor-in-training who is over the age of twenty-one, who is of good moral character, who is a high school graduate, or who holds a Missouri certificate of high school equivalence (GED), and either:

(1) Has graduated and received a baccalaureate degree in an approved curriculum as defined by board regulation which shall include at least twelve semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in the legal aspects of boundary surveying; or

(2) Has passed at least sixty hours of college credit which shall include credit for at least twenty semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in legal aspects of boundary

surveying and present evidence satisfactory to the board that in addition thereto such person has at least one year of combined professional office and field experience in land surveying projects under the immediate personal supervision of a professional land surveyor; or

(3) Has passed at least twelve semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in legal aspects of land surveying and in addition thereto has at least two years of combined professional office and field experience in land surveying projects under the immediate personal supervision of a professional land surveyor. Pursuant to this provision, not more than one year of satisfactory postsecondary education work shall count as equivalent years of satisfactory land surveying work as aforementioned.

2. The board shall issue a certificate of completion to each applicant who satisfies the requirements of the aforementioned land surveyor-in-training program and passes such examination or examinations as shall be required by the board.

### 327.313. Application for enrollment, form, content, references, fee, false-affidavit, penalty.

Applications for enrollment as a land surveyor-in-training shall be typewritten on prescribed forms furnished to the applicant. The application shall contain applicant's statements showing the applicant's education, experience and such other pertinent information as the board may require, including but not limited to three letters of reference, one of which shall be from a professional land surveyor who has personal knowledge of the applicant's land surveying education or experience. Each application shall contain a statement that it is made under oath or affirmation and that the representations are true and correct to the best knowledge and belief of the applicant, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

### 327.314. Professional land surveyor, applicant for license, qualifications.

Any person may apply to the board for licensure as a professional land surveyor who has been enrolled as a land surveyor-in-training and has presented evidence to the satisfaction of the board that said person has acquired at least four years of satisfactory professional field and office experience in land surveying from the date of enrollment as a land surveyor-in-training. This experience shall have been under the immediate personal supervision of a professional land surveyor.

### 327.321. Application--form--references--fee.

Applications for licensure as a professional land surveyor shall be typewritten on prescribed forms furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of prior land surveying examinations, if any, and such other pertinent information as the board may require, including but not limited to three letters of reference from professional land surveyors with personal knowledge of the experience of the applicant's land surveying education or experience. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

### 327.331. Examinations, land surveyor-in-training and land surveyors--notice--content--grade required to pass--effect.

1. After it has been determined that an applicant possesses the qualifications entitling the applicant to be examined, each applicant for examination and enrollment as a land surveyor-in-training and for examination and licensure as a professional land surveyor in Missouri shall appear before the board or its representatives for examination at the time and place specified.
2. The examination or examinations shall be of such form, content and duration as shall be determined by the board to thoroughly test the qualifications of each applicant to become enrolled as a land surveyor-in-training or to become licensed as a professional land surveyor in Missouri.
3. Any applicant to be eligible for enrollment or for license must make a grade on the applicable examination of at least seventy percent.
4. Any person who passes the examination hereinabove specified shall be entitled to be enrolled as a land surveyor-in-training or licensed as a professional land surveyor, as the case may be, in Missouri and shall receive a certificate of enrollment or a license, as the case may be.

### 327.341. Reexamination, when.

If an applicant fails to make the required grade specified in section 327.331, such applicant may apply for reexamination in accordance with the guidelines established by the National Council of Examiners for Engineering and Surveying or its successor.

### 327.351. Professional license renewal--expired or suspended license, renewal procedure--professional development requirements for renewal, exception.

1. The professional license issued to every professional land surveyor in Missouri, including certificates of authority issued to corporations as provided in section 327.401, shall be renewed on or before the license or certificate renewal date provided that the required fee is paid. The license of any professional land surveyor or the certificate of authority of any such corporation which is not renewed by the renewal date shall expire on the renewal date and be void and the holder of such expired license or certificate shall have no rights or privileges thereunder, but any person or corporation whose license or certificate has expired may, within three months of the certificate renewal date or at the discretion of the board and upon payment of the required fee, be renewed, reregistered, or relicensed under such person's or corporation's original license number.
2. Each application for the renewal of a license or of a certificate of authority shall be on a form furnished to the applicant and shall be accompanied by the required fee; but no renewal fee need be paid by any professional land surveyor over the age of seventy-five.
3. As a condition for renewal of a license issued pursuant to section 327.314, a license holder shall be required to successfully complete twenty units of professional development that meet the standards established by the board regulations within the preceding two calendar years. Any license holder who completes more than twenty units of professional development within the preceding two calendar years may have the excess, not to exceed ten units, applied to the requirement for the next two-year period.
4. The board shall not renew the license of any license holder who has failed to complete the professional development requirements pursuant to subsection 3 of this section, unless such license holder can show good cause why he or she was unable to comply with such requirements. If the board determines that good cause was shown, the board shall permit the license holder to make up all outstanding required units of professional development.
5. A license holder may at any time prior to the termination of his or her license request to be classified as inactive. Inactive licenses may be maintained by payment of an annual fee determined by the board. Holders of inactive licenses shall not be required to complete professional development as required in subsection 3 of this section. Holders of inactive licenses shall not practice as professional land surveyors within this

state, but may continue to use the title "professional land surveyor" or the initials "PLS" after such person's name. If the board determines that good cause was shown, the board shall permit the professional land surveyor to make up all outstanding required units of professional development.

6. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of such intention by paying appropriate fees as determined by the board, and by meeting all established requirements of the board including the demonstration of current knowledge, competency, and skill in the practice of land surveying as a condition of reactivation.

7. In the event an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reactivation, that person may be required to take such examination as the board deems necessary to determine such person's qualifications. Such examination shall cover areas designed to demonstrate the applicant's proficiency in current methods of land surveying practice.

8. Exemption to the required professional development units shall be granted to licensees during periods of serving honorably on full-time active duty in the military service.

9. At the time of application for license renewal, each licensee shall report, on a form provided by the board, the professional development activities undertaken during the preceding renewal period to satisfy the requirements pursuant to subsection 3 of this section. The licensee shall maintain a file in which records of activities are kept, including dates, subjects, duration of program, and any other appropriate documentation, for a period of four years after the program date.

### 327.361. Recording of certain documents not properly executed by land surveyor, prohibited--penalty.

1. It shall be unlawful for the recorder of deeds of any county, or the clerk of any city or town, or the clerk or other proper officer of any school, road, drainage, or levee district or other political subdivision of this state, to file or record any map, plat or survey which has been prepared by a person other than a professional land surveyor and which does not have impressed thereon, and affixed thereto, the personal seal and signature of the professional land surveyor by whom or under whose authority and supervision the map, plat or survey was prepared.

2. Any person who violates the provisions of this section is guilty of a class C misdemeanor.

### 327.371. Surveyor exempt from trespass but liable for damages.

A professional land surveyor licensed pursuant to the provisions of this chapter, together with such professional land surveyor's survey party, who in the course of a land survey finds it necessary to go upon the land of a party or parties other than the one for whom such professional land surveyor is making the survey shall not be guilty of trespass but shall be liable for any damage done to such lands or property.

### 327.381. Board may license architect, professional engineer, professional land surveyor or professional landscape architect without examination, when.

The board may license, in its discretion, any architect, professional engineer, professional land surveyor, or professional landscape architect licensed in another state or territory of the United States, province of Canada, or in another country, when such applicant has qualifications which are at least equivalent to the requirements for licensure as an architect, professional engineer, professional land surveyor, or professional landscape architect in this state, and provided further that the board may establish by rule the conditions under which it shall require any such applicant to take any examination it considers necessary, and provided further that the board is satisfied by proof adduced by such applicant that the applicant is of good moral character, and provided further that any such application is accompanied by the required fee.

### 327.392. Professional engineering license issued, when.

1. The board shall upon application issue a professional engineering license to any individual who holds a degree at the bachelor's level or higher in engineering and who has at least twenty years of satisfactory engineering experience, and who passes part two of the examination defined in section 327.241, provided that any such application is accompanied by the required fee.
2. The board shall upon application issue a professional engineering license to any individual who holds a degree from an Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (ABET, INC.) or its equivalent and a doctorate in engineering from an institution that offers Engineering Accreditation Commission programs, and who passes part two of the examination defined in section 327.241, provided that any such application is accompanied by the required fee. The doctorate degree must be approved by the board for the candidate to qualify.

### 327.401. Right to practice not transferable--corporation, certificate of authority required.

1. The right to practice as an architect or to practice as a professional engineer or to practice as a professional land surveyor or to practice as a professional landscape architect shall be deemed a personal right, based upon the qualifications of the individual, evidenced by such individual's professional license and shall not be transferable; but any architect or any professional engineer or any professional land surveyor or any professional landscape architect may practice his or her profession through the medium of, or as a member or as an employee of, a partnership or corporation if the plans, specifications, estimates, plats, reports, surveys or other like documents or instruments of the partnership or corporation are signed and stamped with the personal seal of the architect, professional engineer, professional land surveyor, or professional landscape architect by whom or under whose immediate personal supervision the same were prepared and provided that the architect or professional engineer or professional land surveyor or professional landscape architect who affixes his or her signature and personal seal to any such plans, specifications, estimates, plats, reports or other documents or instruments shall be personally and professionally responsible therefor.

2. Any domestic corporation formed under the corporation law of this state, or any foreign corporation, now or hereafter organized and having as one of its purposes the practicing of architecture or professional engineering or professional land surveying or professional landscape architecture and any existing corporation which amends its charter to propose to practice architecture or professional engineering or professional land surveying or professional landscape architecture shall obtain a certificate of authority for each profession named in the articles of incorporation or articles of organization from the board which shall be renewed in accordance with the provisions of section 327.171 or 327.261 or 327.351, as the case may be, and from and after the date of such certificate of authority and while the authority or a renewal thereof is in effect, may offer and render architectural or professional engineering or professional land surveying or professional landscape architectural services in this state if:

(1) At all times during the authorization or any renewal thereof the directors of the corporation shall have assigned responsibility for the proper conduct of all its architectural or professional engineering or professional land surveying or professional landscape architectural activities in this state to an architect licensed and authorized to practice architecture in this state or to a professional engineer licensed and authorized to practice engineering in this state or to a professional land surveyor licensed and authorized to practice professional land surveying in this state, or to a

professional landscape architect licensed and authorized to practice professional landscape architecture in this state, as the case may be; and

(2) The person or persons who is or are personally in charge and supervises or supervise the architectural or professional engineering or professional land surveying or professional landscape architectural activities, as the case may be, of any such corporation in this state shall be licensed and authorized to practice architecture or professional engineering or professional land surveying or professional landscape architecture, as the case may be, as provided in this chapter; and

(3) The corporation pays such fees for the certificate of authority, renewals or reinstatements thereof as are required.

### 327.411. Personal seal, how used, effect of.

1. Each architect and each professional engineer and each professional land surveyor and each professional landscape architect shall have a personal seal in a form prescribed by the board, and he or she shall affix the seal to all final technical submissions. Technical submissions shall include, but are not limited to, drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction prepared by the licensee, or under such licensee's immediate personal supervision. Such licensee shall either prepare or personally supervise the preparation of all documents sealed by the licensee, and such licensee shall be held personally responsible for the contents of all such documents sealed by such licensee, whether prepared or drafted by another licensee or not.

2. The personal seal of an architect or professional engineer or professional land surveyor or professional landscape architect shall be the legal equivalent of the licensee's signature whenever and wherever used, and the owner of the seal shall be responsible for the architectural, engineering, land surveying, or landscape architectural documents, as the case may be, when the licensee places his or her personal seal on such technical submissions to be used in connection with, any architectural or engineering project, survey, or landscape architectural project. Licensees shall undertake to perform architectural, professional engineering, professional land surveying and professional landscape architectural services only when they are qualified by education, training, and experience in the specific technical areas involved.

3. Notwithstanding any provision of this section, any architect, professional engineer, professional land surveyor, or professional landscape architect may, but is not required to, attach a statement over his or her signature, authenticated by his or her personal seal, specifying the particular technical submissions, or portions thereof, intended to be

authenticated by the seal, and disclaiming any responsibility for all other technical submissions relating to or intended to be used for any part or parts of the architectural or engineering project or survey or landscape architectural project.

4. Nothing in this section, or any rule or regulation of the board shall require any professional to seal preliminary or incomplete documents.

### 327.421. Political subdivisions not to use unlicensed architects, professional engineers or professional land surveyors.

This state and its political subdivisions including counties, cities and towns, or legally constituted boards, agencies, districts, commissions and authorities of this state shall not engage in the construction of public works involving the practice of architecture, engineering or land surveying, unless the architectural and engineering drawings, specifications and estimates and the plats and surveys have been prepared by an architect, professional engineer or professional land surveyor whose license is current and in good standing, as the case may require.

### 327.431. Fees to be set by board, how.

The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

### 327.441. Denial, revocation, or suspension of license or certificate, grounds for.

1. The board may refuse to issue any license or certificate of authority required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license or certificate of authority required by this chapter or any person who has failed to renew or has surrendered such person's license or certificate of authority, for any one or any combination of the following causes:

- (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

- (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;
- (3) Use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;
- (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;
- (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;
- (6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;
- (7) Impersonation of any person holding a license or certificate of authority, or allowing any person to use his or her license or certificate of authority, or diploma from any school;
- (8) Disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;
- (9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;
- (10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter;
- (11) Issuance of a professional license or a certificate of authority based upon a material mistake of fact;
- (12) Failure to display a valid license or certificate of authority if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or order a civil penalty under section 327.077, or revoke the license or certificate of authority of the person named in the complaint.

327.442. Disciplinary hearing for censure of license to be held, when.

1. At such time as the final trial proceedings are concluded whereby a licensee, or any person who has failed to renew or has surrendered his or her certificate of licensure or authority, has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony prosecution pursuant to the laws of this state, the laws of any other state, territory, or the laws of the United States of America for any offense reasonably related to the qualifications, functions, or duties of a licensee pursuant to this chapter or any felony offense, an essential element of which is fraud, dishonesty, or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, the board for architects, professional engineers, professional land surveyors and professional landscape architects may hold a disciplinary hearing to singly or in combination censure or place the licensee named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license or certificate.

2. Anyone who has been revoked or denied a license or certificate to practice in another state may automatically be denied a license or certificate to practice in this state. However, the board for architects, professional engineers, professional land surveyors and professional landscape architects may establish other qualifications by which a person may ultimately be qualified and licensed to practice in Missouri.

### 327.451. Charges of improper conduct, how filed, contents— administrative hearing commission to hear.

1. Any person who believes that an architect or a professional engineer or a professional land surveyor or a professional landscape architect has acted or failed to act so that his or her license or certificate of authority should, pursuant to the provisions of this chapter, be suspended or revoked, or who believes that any applicant for a license or certificate of authority pursuant to the provisions of this chapter is not entitled to a license or a certificate of authority, may file a written affidavit with the executive director of the board which the affiant shall sign and swear to and in which the affiant shall clearly set forth the reasons for the affiant's charge or charges that the license or certificate of an architect or professional engineer or professional land surveyor should be suspended or revoked or not renewed or that a license or certificate should not be issued to an applicant.

2. If the affidavit so filed does not contain statements of fact which if true would authorize, pursuant to the provisions of this chapter, suspension or revocation of the accused's license or certificate, or does not contain statements of fact which if true would authorize, pursuant to the provisions of this chapter, the refusal of the renewal of an existing license or certificate or the refusal of a license or certificate to an applicant, the board shall either dismiss the charge or charges or, within its discretion, cause an investigation to be made of the charges contained in the affidavit, after which investigation the board shall either dismiss the charge or charges or proceed against the accused by written complaint as provided in subsection 3 of this section.

3. If the affidavit contains statements of fact which if true would authorize pursuant to the provisions of this chapter the revocation or suspension of an accused's license or certificate, the board shall cause an investigation to be made of the charge or charges contained in the affidavit and unless the investigation discloses the falsity of the facts upon which the charge or charges in the affidavit are based, the board shall file with and in the administrative hearing commission a written complaint against the accused setting forth the cause or causes for which the accused's license or certificate of authority should be suspended or revoked. Thereafter, the board shall be governed by and shall proceed in accordance with the provisions of chapter 621.

4. If the charges contained in the affidavit filed with the board would constitute a cause or causes for which pursuant to the provisions of this chapter an accused's license or certificate of authority should not be renewed or a cause or causes for which pursuant to the provisions of this chapter a certificate should not be issued, the board shall cause an investigation to be made of the charge or charges and unless the investigation

discloses the falsity of the facts upon which the charge or charges contained in the affidavit are based, the board shall refuse to permit an applicant to be examined upon the applicant's qualifications for licensure or shall refuse to issue or renew a license or certificate of authority, as the case may require.

5. The provisions of this section shall not be so construed as to prevent the board on its own initiative from instituting and conducting investigations and based thereon to make written complaints in and to the administrative hearing commission.

6. If for any reason the provisions of chapter 621 become inapplicable to the board, then, and in that event, the board shall proceed to charge, adjudicate and otherwise act in accordance with the provisions of chapter 536.

### 327.461. Contract with unlicensed architect, professional engineer, professional land surveyor, or professional landscape architect unenforceable by them.

Every contract for architectural or engineering or land surveying or landscape architectural services entered into by any person who is not an architect or professional engineer or professional land surveyor or professional landscape architect, as the case may be, and who is not exempt from the provisions of this chapter, shall be unenforceable by the unlicensed or unauthorized person, whether in contract, quantum meruit or other legal theory, regardless of whether a benefit has been conferred.

### 327.465. Certificate of registration or authority not required, when--definitions.

1. As used in this section, the following terms shall mean: (1) "Design-build", a project for which the design and construction services are furnished under one contract; (2) "Design-build contract", a contract between the owner, owner's agent, tenant, or other party and a design-build contractor to furnish the architecture, engineering, and related design services, and the labor, materials, and other construction services required for a specific public or private construction project; (3) "Design-build contractor", any individual, partnership, joint venture, corporation, or other legal entity that furnishes architecture or engineering services and construction services either directly or through subcontracts.

2. Any design-build contractor that enters into a design-build contract for public or private construction shall be exempt from the requirement that such person or entity hold a certificate of registration or such corporation hold a certificate of authority if the architectural, engineering, or land surveying services to be performed under the contract are performed through subcontracts with:

- (1) Persons who hold a certificate of registration for the appropriate profession; or
- (2) Corporations that hold current certificates of authority from the board for the appropriate profession.

3. Nothing in this chapter shall prohibit the enforcement of a design-build contract by a design-build contractor who only furnishes, but does not directly or through its employees perform the architectural, engineering, or surveying required by the contract and who does not hold itself out as able to perform such services.

#### 327.471. Attorney general to assist board with legal assistance.

The attorney general of Missouri shall, when requested by the board, render legal assistance in carrying out the provisions of this chapter.

#### 327.481. Inconsistent laws repealed.

Insofar as the provisions of this chapter are in conflict with or inconsistent with the provisions of any other law of this state, the provisions of this chapter shall be controlling.

#### 327.600. Definitions.

As used in sections 327.600 to 327.635, the following terms mean:

(1) "Practice of professional landscape architecture", the location and arrangement of such tangible objects and features as are necessary to the purposes specified in the definition of landscape architecture, but shall not include the design of structures or facilities with separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture, and shall not include the making of final land plats for official approval or recording;

(2) "Professional landscape architecture", the performance of professional services, including but not limited to consultations, research, analysis, planning, design, or responsible supervision in connection with feasibility studies, design surveys, formulation of graphic and written criteria to govern the planning and design of land construction programs, preparation, review, and analysis of master plans for land use and development, production of site plans, landscape grading and landscape drainage plans, irrigation plans, planting plans, and construction details, specifications, and reports for land development, design coordination, construction observation and the inspection of landscape architectural construction for the purpose of compliance with drawings and specifications.

### 327.603. License required to use title of professional landscape architect.

1. No person shall practice or offer to practice, or hold himself or herself out as a professional landscape architect or as being able to practice landscape architecture in this state or to use in connection with his or her name or otherwise assume, or advertise unless he or she is licensed as required by this chapter. Nothing in sections 327.600 to 327.635 shall be construed to require licensing of employees of the state of Missouri or its political subdivisions while performing duties for the state of Missouri or a political subdivision, provided the project does not jeopardize the public health, safety and welfare. Sections 327.600 to 327.635 shall not be construed to prohibit those persons engaged in nursery occupations, gardeners, landscape contractors, home builders or residential developers from preparing planting plans and items incidental thereto, provided the project scope does not jeopardize the public health, safety and welfare; nor shall sections 327.600 to 327.635 be construed to prevent the practice of any other legally recognized profession as governed by applicable law. Nothing contained in this section shall under any circumstances be construed as in anyway affecting the laws relating to the practice, licensing, certification or registration of architects, professional engineers and professional land surveyors. An architect, professional engineer or professional land surveyor licensed, certified or registered to practice his or her profession or occupation pursuant to the provisions of any law to regulate the practice of such profession or occupation is exempt from licensing as a professional landscape architect, and nothing contained in this section shall under any circumstances be construed as in anyway precluding an architect or professional engineer from performing any of the services included within the definition of the term landscape architecture in section 327.600.

2. Professional landscape architects shall be in responsible charge of all landscape architectural designs that can affect the health, safety, and welfare of the public within their scope of practice.

### 327.607. Examination--authority of board--may obtain services of specially trained persons.

The board shall conduct all examinations, determine which applicants have successfully passed the examinations and recommend each such applicant to the division for licensure as a professional landscape architect. The board may obtain the services of specially trained and qualified persons or organizations to assist in conducting examinations of applicants for licensure. Certification of an applicant's technical qualifications by the Council of Landscape Architectural Registration Boards (CLARB)

may be accepted by this state's board as establishing such qualifications and the applicant shall not be required to pass any further examination.

### 327.612. Applicants for licensure as professional landscape architect--qualifications.

Any person who is of good moral character, has attained the age of twenty-one years, and has a degree in landscape architecture from an accredited school of landscape architecture and has acquired at least three years satisfactory landscape architectural experience after acquiring such a degree may apply to the board for licensure as a professional landscape architect.

### 327.615. Application, form, content, oath or affirmation of truth, penalties for making false affidavit, fee.

Applications for licensure as a professional landscape architect shall be typewritten on forms approved by the board. The application shall contain the applicant's statements showing the applicant's education, experience, results of previous professional landscape architectural licensing examinations, if any, and such other pertinent information as the board may require. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application subject to the penalties of making a false affidavit or declaration, and shall be accompanied by the required fee.

### 327.617. Examination--appearance before the board--form, content, and duration of examination--passing grade fixed by the board.

1. After it has been determined that an applicant possesses the qualifications entitling the applicant to be examined, each applicant for examination and licensure as a professional landscape architect shall appear before the board or its representatives for examination at the time and place specified.
2. The examination shall be of such form, content and duration as determined by the professional landscape architectural division of the board to thoroughly test the qualifications of each applicant to practice landscape architecture in Missouri.
3. An applicant to be eligible for licensure shall make a passing grade on each examination. The passing grade shall be fixed by the board but it shall never be higher than the current passing grade determined by the Council of Landscape Architectural Registration Boards.

4. Any person who passes the examination prescribed by the board shall be entitled to be licensed as a professional landscape architect in Missouri, subject to the other provisions of sections 327.600 to 327.635.

#### 327.619. Examination, failure to pass--reexamination, when.

If an applicant fails to pass the examination, such applicant may take another examination at the next scheduled examination.

#### 327.621. License renewal, fee--failure to renew, effect— reinstatement when--renewal or reregistration form and fee.

1. The professional license issued to every professional landscape architect in Missouri, and certificates of authority issued to corporations under section 327.401, shall be renewed on or before the license renewal date, provided that the required fee is paid. The board may establish, by rule, continuing education requirements as a condition to renewing the license of a professional landscape architect, provided that the board shall not require more than thirty such hours. The license of a professional landscape architect or the certificate of authority issued to any corporation which is not renewed by the renewal date shall expire on the renewal date and be void and the holder thereof shall have no rights or privileges thereunder; provided, however, any person or corporation whose license has expired under this section may within three months of the certificate renewal date or at the discretion of the board, upon payment of the fee, be renewed, relicensed, or reauthorized under such person's or such corporation's original license number.

2. Each application for the renewal of a license shall be on a form furnished to the applicant and shall be accompanied by the required fee, but no renewal fee need be paid by any professional landscape architect over the age of seventy-five.

#### 327.622. Inactive license status permitted, when.

1. A professional landscape architect licensed in this state may apply to the board for inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive shall not offer or practice landscape architecture within this state, but may continue to use the title "professional landscape architect" or the initials "PLA" after such person's name.

2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of such intention by paying appropriate fees as

determined by the board, and by meeting all established requirements of the board including the demonstration of current knowledge, competency, and skill in the practice of landscape architecture as a condition of reactivation.

3. In the event an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reactivation, that person may be required to take an examination as the board deems necessary to determine such person's qualifications. Such examination shall cover areas designed to demonstrate proficiency in the knowledge of current methods of landscape architecture.

### 327.629. Licensure as professional landscape architect required to practice, exceptions.

No person shall practice as a professional landscape architect in Missouri as defined in section 327.600 unless and until the board has issued to him or her a license or certificate of authority certifying that he or she has been duly licensed as a professional landscape architect in Missouri, and unless such licensure has been renewed as provided in section 327.621; provided, however, that nothing in sections 327.600 to 327.635 shall 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. No person shall hold themselves out to be a professional landscape architect unless licensed pursuant to the provisions of sections 327.600 to 327.635.

### 327.630. Right to practice as professional landscape architect personal right and not transferable--may practice as member of partnership or corporation.

The right to practice as a professional landscape architect shall be deemed a personal right, based upon the qualifications of the individual, evidenced by his or her license and shall not be transferable; provided, however, that any licensed professional landscape architect may practice his or her profession through the medium of, or as a member or as an employee of, a partnership or corporation.

### 327.635. Laws not directive to state or political subdivision that they employ professional landscape architects.

Nothing contained in sections 327.600 to 327.635 shall be considered as a directive to any state department of administration or any political subdivision thereof to employ a professional landscape architect.

# CODE OF ETHICS

## Preamble

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Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness, and equity, and must be dedicated to the protection of the public health, safety, and welfare. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

## I. Fundamental Canons

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Engineers, in the fulfillment of their professional duties, shall:

- 1) Hold paramount the safety, health, and welfare of the public.
- 2) Perform services only in areas of their competence.
- 3) Issue public statements only in an objective and truthful manner.
- 4) Act for each employer or client as faithful agents or trustees.
- 5) Avoid deceptive acts.
- 6) Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

## II. Rules of Practice

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1. Engineers shall hold paramount the safety, health, and welfare of the public.
  - 1) If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.

- 2) Engineers shall approve only those engineering documents that are in conformity with applicable standards.
  - 3) Engineers shall not reveal facts, data, or information without the prior consent of the client or employer except as authorized or required by law or this Code.
  - 4) Engineers shall not permit the use of their name or associate in business ventures with any person or firm that they believe is engaged in fraudulent or dishonest enterprise.
  - 5) Engineers shall not aid or abet the unlawful practice of engineering by a person or firm.
  - 6) Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.
2. Engineers shall perform services only in the areas of their competence.
- 1) Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
  - 2) Engineers shall not affix their signatures to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
  - 3) Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.
3. Engineers shall issue public statements only in an objective and truthful manner.
- 1) Engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony, which should bear the date indicating when it was current.

- 2) Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
  - 3) Engineers shall issue no statements, criticisms, or arguments on technical matters that are inspired or paid for by interested parties, unless they have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the engineers may have in the matters.
4. Engineers shall act for each employer or client as faithful agents or trustees.
- 1) Engineers shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
  - 2) Engineers 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 and agreed to by all interested parties.
  - 3) Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.
  - 4) Engineers in public service as members, advisors, or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
  - 5) Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.
5. Engineers shall avoid deceptive acts.
- 1) Engineers shall not falsify their qualifications or permit misrepresentation of their or their associates' qualifications. They shall not misrepresent or exaggerate their 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 venturers, or past accomplishments.

2) Engineers shall not offer, give, solicit, or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect or intent of influencing the awarding of a contract. They shall not offer any gift or other valuable consideration in order to secure work. They shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a bona fide employee or bona fide established commercial or marketing agencies retained by them.

### III. Professional Obligations

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1. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.
  - 1) Engineers shall acknowledge their errors and shall not distort or alter the facts.
  - 2) Engineers shall advise their clients or employers when they believe a project will not be successful.
  - 3) Engineers shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering employment, they will notify their employers.
  - 4) Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.
  - 5) Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.
2. Engineers shall at all times strive to serve the public interest.
  - 1) Engineers are encouraged to participate in civic affairs; career guidance for youths; and work for the advancement of the safety, health, and well-being of their community.
  - 2) Engineers shall not complete, sign, or seal plans and/or specifications that are not in conformity with applicable engineering standards. If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.

- 3) Engineers are encouraged to extend public knowledge and appreciation of engineering and its achievements.
  - 4) Engineers are encouraged to adhere to the principles of sustainable development<sup>1</sup> in order to protect the environment for future generations.
3. Engineers shall avoid all conduct or practice that deceives the public.
- 1) Engineers shall avoid the use of statements containing a material misrepresentation of fact or omitting a material fact.
  - 2) Consistent with the foregoing, engineers may advertise for recruitment of personnel.
  - 3) Consistent with the foregoing, engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by others.
4. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.
- 1) Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the engineer has gained particular and specialized knowledge.
  - 2) Engineers shall not, without the consent of all interested parties, participate in or represent an adversary interest in connection with a specific project or proceeding in which the engineer has gained particular specialized knowledge on behalf of a former client or employer.
5. Engineers shall not be influenced in their professional duties by conflicting interests.
- 1) Engineers shall not accept financial or other considerations, including free engineering designs, from material or equipment suppliers for specifying their product.
  - 2) Engineers shall not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the engineer in connection with work for which the engineer is responsible.

6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.

1) Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.

2) Engineers in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.

3) Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.

7. Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action.

1) Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated.

2) Engineers in governmental, industrial, or educational employ are entitled to review and evaluate the work of other engineers when so required by their employment duties.

3) Engineers in sales or industrial employ are entitled to make engineering comparisons of represented products with products of other suppliers.

8. Engineers shall accept personal responsibility for their professional activities, provided, however, that engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the engineer's interests cannot otherwise be protected.

1) Engineers shall conform with state registration laws in the practice of engineering.

- 2) Engineers shall not use association with a nonengineer, a corporation, or partnership as a "cloak" for unethical acts.
9. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.
- 1) Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
  - 2) Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the engineer for others without express permission.
  - 3) Engineers, before undertaking work for others in connection with which the engineer may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, should enter into a positive agreement regarding ownership.
  - 4) Engineers' designs, data, records, and notes referring exclusively to an employer's work are the employer's property. The employer should indemnify the engineer for use of the information for any purpose other than the original purpose.
  - 5) Engineers shall continue their professional development throughout their careers and should keep current in their specialty fields by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.

## REFERENCES

Missouri Division of Professional Regulations, APEPLSPLA (Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects) - Homepage

<http://pr.mo.gov/apelsla.asp>

Missouri Code of State Regulations: Title 20 - Department of Insurance, Financial Institutions and Professional Registration, Division 2030 - Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects, (20 CSR 2030-1.010 to 20 CSR 2030-21.020)

<http://www.sos.mo.gov/adrules/csr/current/20csr/20csr.asp#20-2030>

Missouri Revised Statutes: Chapter 327 Architects, Engineers, Land Surveyors and Landscape Architects, (327.011 to 327.635)

<http://www.moga.mo.gov/mostatutes/statutesAna.html>

National Society of Professional Engineers, Code of Ethics

<http://www.nspe.org/resources/ethics/code-ethics>