

1998 SESSION

INTRODUCED

987589805

HOUSE BILL NO. 930

Offered January 26, 1998

A *BILL to amend and reenact §§ 2.1-1.6, 2.1-20.4, 9-6.25:2, 13.1-549, 13.1-1111, 22.1-140, 54.1-300, 54.1-400, 54.1-403 and 54.1-407, of the Code of Virginia, relating to the Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects.*

Patrons—Nixon and May

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 2.1-20.4, 9-6.25:2, 13.1-549, 13.1-1111, 22.1-140, 54.1-300, 54.1-400, 54.1-403 and 54.1-407 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for
Aging, Advisory Board on the
Agriculture and Consumer Services, Board of
Air Pollution, State Advisory Board on
Alcoholic Beverage Control Board, Virginia
Apple Board, Virginia State
Appomattox State Scenic River Advisory Board
Aquaculture Advisory Board
Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects, State Board for
Art and Architectural Review Board
Athletic Board, Virginia
Auctioneers Board
Audiology and Speech-Language Pathology, Board of
Aviation Board, Virginia
Barbers, Board for
Branch Pilots, Board for
Bright Flue-Cured Tobacco Board, Virginia
Building Code Technical Review Board, State
Catocin Creek State Scenic River Advisory Board
Cattle Industry Board, Virginia
Cave Board
Certified Seed Board, State
Chesapeake Bay Local Assistance Board
Chickahominy State Scenic River Advisory Board
Child Abuse and Neglect, Advisory Board on
Chippokes Plantation Farm Foundation, Board of Trustees
Clinch Scenic River Advisory Board
Coal Mining Examiners, Board of
Coal Research and Development Advisory Board, Virginia
Coal Surface Mining Reclamation Fund Advisory Board
Conservation and Development of Public Beaches, Board on
Conservation and Recreation, Board of
Contractors, Board for
Corn Board, Virginia
Correctional Education, Board of
Corrections, State Board of
Cosmetology, Board for
Criminal Justice Services Board
Dark-Fired Tobacco Board, Virginia
Deaf and Hard-of-Hearing, Advisory Board for the Department for the
Dentistry, Board of
Design-Build/Construction Management Review Board

INTRODUCED

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| 60 | Education, State Board of |
| 61 | Egg Board, Virginia |
| 62 | Emergency Medical Services Advisory Board, State |
| 63 | Farmers Market Board, Virginia |
| 64 | Fire Services Board, Virginia |
| 65 | Forestry, Board of |
| 66 | Funeral Directors and Embalmers, Board of |
| 67 | Game and Inland Fisheries, Board of |
| 68 | Geology, Board for |
| 69 | Goose Creek Scenic River Advisory Board |
| 70 | Health Planning Board, Virginia |
| 71 | Health Professions, Board of |
| 72 | Health, State Board of |
| 73 | Hearing Aid Specialists, Board for |
| 74 | Hemophilia Advisory Board |
| 75 | Historic Resources, Board of |
| 76 | Housing and Community Development, Board of |
| 77 | Irish Potato Board, Virginia |
| 78 | Juvenile Justice, State Board of |
| 79 | Litter Control and Recycling Fund Advisory Board |
| 80 | Marine Products Board, Virginia |
| 81 | Medical Advisory Board, Department of Motor Vehicles |
| 82 | Medicare and Medicaid, Advisory Board on |
| 83 | Medicine, Board of |
| 84 | Mental Health, Mental Retardation and Substance Abuse Services Board, State |
| 85 | Migrant and Seasonal Farmworkers Board |
| 86 | Military Affairs, Board of |
| 87 | Mineral Mining Examiners, Board of |
| 88 | Minority Business Enterprise, Interdepartmental Board of the Department of |
| 89 | Networking Users Advisory Board, State |
| 90 | Neurotrauma Initiative Advisory Board, Commonwealth |
| 91 | North Meherrin State Scenic River Advisory Board |
| 92 | Nottoway State Scenic River Advisory Board |
| 93 | Nursing, Board of |
| 94 | Nursing Home Administrators, Board of |
| 95 | Occupational Therapy, Advisory Board on |
| 96 | Oil and Gas Conservation Board, Virginia |
| 97 | Opticians, Board for |
| 98 | Optometry, Board of |
| 99 | Peanut Board, Virginia |
| 100 | Personnel Advisory Board |
| 101 | Pesticide Control Board |
| 102 | Pharmacy, Board of |
| 103 | Physical Therapy to the Board of Medicine, Advisory Board on |
| 104 | Plant Pollination Advisory Board |
| 105 | Polygraph Examiners Advisory Board |
| 106 | Pork Industry Board, Virginia |
| 107 | Poultry Products Board, Virginia |
| 108 | Private College Advisory Board |
| 109 | Private Security Services Advisory Board |
| 110 | Professional and Occupational Regulation, Board for |
| 111 | Professional Counselors, Board of |
| 112 | Professional Soil Scientists, Board for |
| 113 | Psychiatric Advisory Board |
| 114 | Psychology, Board of |
| 115 | Public Buildings Board, Virginia |
| 116 | Public Broadcasting Board, Virginia |
| 117 | Radiation Advisory Board |
| 118 | Real Estate Appraiser Board |
| 119 | Real Estate Board |
| 120 | Reciprocity Board, Department of Motor Vehicles |
| 121 | Recreational Fishing Advisory Board, Virginia |

- 122 Recreation Specialists, Board of
- 123 Reforestation Board
- 124 Rehabilitation Providers, Advisory Board on
- 125 Rehabilitative Services, Board of
- 126 Respiratory Therapy, Advisory Board on
- 127 Rockfish State Scenic River Advisory Board
- 128 Safety and Health Codes Board
- 129 Seed Potato Board
- 130 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 131 Shenandoah State Scenic River Advisory Board
- 132 Small Business Advisory Board
- 133 Small Business Environmental Compliance Advisory Board
- 134 Small Grains Board, Virginia
- 135 Social Services, Board of
- 136 Social Work, Board of
- 137 Soil and Water Conservation Board, Virginia
- 138 Soybean Board, Virginia
- 139 State Air Pollution Control Board
- 140 Substance Abuse Certification Board
- 141 Surface Mining Review, Board of
- 142 Sweet Potato Board, Virginia
- 143 T & M Vehicle Dealers' Advisory Board
- 144 Teacher Education and Licensure, Advisory Board on
- 145 Transportation Board, Commonwealth
- 146 Transportation Safety, Board of
- 147 Treasury Board, The, Department of the Treasury
- 148 Veterans' Affairs, Board on
- 149 Veterinary Medicine, Board of
- 150 Virginia Board for Asbestos and Lead
- 151 Virginia Coal Mine Safety Board
- 152 Virginia Correctional Enterprises Advisory Board
- 153 Virginia Cotton Board
- 154 Virginia Employment Commission, State Advisory Board for the
- 155 Virginia Geographic Information Network Advisory Board
- 156 Virginia Horse Industry Board
- 157 Virginia Manufactured Housing Board
- 158 Virginia Retirement System, Board of Trustees
- 159 Virginia Schools for the Deaf and the Blind, Advisory Commission on the
- 160 Virginia Sheep Industry Board
- 161 Virginia Veterans Cemetery Board
- 162 Virginia Waste Management Board
- 163 Visually Handicapped, Virginia Board for the
- 164 Voluntary Formulary Board, Virginia
- 165 War Memorial Foundation, Virginia, Board of Trustees
- 166 Waste Management Facility Operators, Board for
- 167 Water Resources Research Center Statewide Advisory Board, Virginia
- 168 Waterworks and Wastewater Works Operators, Board for
- 169 Well Review Board, Virginia.
- 170 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 171 referred to as boards:
- 172 Compensation Board
- 173 State Board of Elections
- 174 State Water Control Board
- 175 Virginia Parole Board
- 176 Virginia Veterans Care Center Board of Trustees.
- 177 § 2.1-20.4. Bodies receiving compensation.
- 178 A. Notwithstanding any other provision of law, the following commissions, boards, etc., shall be
- 179 those which receive compensation from state funds pursuant to § 2.1-20.3:
- 180 Accountancy, Board for
- 181 Agriculture and Consumer Services, Board of
- 182 Air Pollution Control Board, State

183 Airports Authority, Virginia
184 Apprenticeship Council
185 Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape
186 Architects, State Board for
187 Athletic Board, Virginia
188 Auctioneers Board
189 Audiology and Speech-Language Pathology, Board of
190 Aviation Board, Virginia
191 Barbers, Board for
192 Branch Pilots, Board for
193 Building Code Technical Review Board, State
194 Charitable Gaming Commission
195 Chesapeake Bay Local Assistance Board
196 Coal Mining Examiners, Board of
197 College Building Authority
198 Commonwealth Competition Council
199 Commonwealth Transportation Board
200 Conservation and Development of Public Beaches, Board on
201 Conservation and Recreation, Board of
202 Contractors, Board for
203 Correctional Education, Board of
204 Corrections, Board of
205 Cosmetology, Board for
206 Criminal Justice Services Board
207 Deaf and Hard-of-Hearing, Advisory Board for the
208 Dentistry, Board of
209 Education, State Board of
210 Education Loan Authority, Virginia - Board of Directors
211 Elections, State Board of
212 Environment, Council on the
213 Fire Services Board, Virginia
214 Funeral Directors and Embalmers, Board of
215 Game and Inland Fisheries, Board of
216 Geology, Board for
217 Health, State Board of
218 Health Professions, Board of
219 Hearing Aid Specialists, Board for
220 Higher Education, State Council of
221 Historic Resources, Board of
222 Housing and Community Development, Board of
223 Information Management, Council on
224 Juvenile Justice, State Board of
225 Marine Resources Commission
226 Medical Assistance Services, Board of
227 Medical Complaint Investigation Committee
228 Medicine, Board of
229 Mental Health, Mental Retardation and Substance Abuse Services Board, State
230 Milk Commission
231 Mineral Mining Examiners, Board of
232 Motor Vehicle Dealer Board
233 Nursing, Board of
234 Nursing Home Administrators, Board of
235 Occupational Therapy, Advisory Board on
236 Oil and Gas Conservation Board, Virginia
237 Opticians, Board for
238 Optometry, Board of
239 Pesticide Control Board
240 Pharmacy, Board of
241 Physical Therapy, Advisory Board on
242 Port Authority, Board of Commissioners of the Virginia
243 Professional and Occupational Regulation, Board for
244 Professional Counselors, Board of

245 Professional Soil Scientists, Board for
 246 Psychology, Board of
 247 Public Defender Commission
 248 Public School Authority, Virginia
 249 Purchases and Supply Appeals Board
 250 Real Estate Appraiser Board
 251 Real Estate Board
 252 Recreation Specialists, Board of
 253 Rehabilitative Services, Board of
 254 Respiratory Therapy, Advisory Board on
 255 Safety and Health Codes Board
 256 Seed Potato Board
 257 Social Services, Board of
 258 Social Work, Board of
 259 State Health Department Sewage Handling and Disposal Appeal Review Board
 260 Substance Abuse Certification Board
 261 Surface Mining Review, Board of
 262 Treasury Board
 263 Veterans' Affairs, Board on
 264 Veterinary Medicine, Board of
 265 Virginia Board for Asbestos Licensing
 266 Virginia Health Planning Board
 267 Virginia Manufactured Housing Board
 268 Virginia Veterans Care Center Board of Trustees
 269 Virginia Waste Management Board
 270 Visually Handicapped, Virginia Board for the
 271 Waste Management Facility Operators, Board for
 272 Water Control Board, State
 273 Waterworks and Wastewater Works Operators, Board for
 274 Well Review Board, Virginia.
 275 § 9-6.25:2. Policy boards, commissions and councils.
 276 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
 277 following policy boards, commissions and councils:
 278 Apprenticeship Council
 279 Athletic Board
 280 Auctioneers Board
 281 Blue Ridge Regional Education and Training Council
 282 Board for Accountancy
 283 Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and
 284 Landscape Architects
 285 Board for Barbers
 286 Board for Contractors
 287 Board for Cosmetology
 288 Board for Geology
 289 Board for Hearing Aid Specialists
 290 Board for Opticians
 291 Board for Professional and Occupational Regulation
 292 Board for Professional Soil Scientists
 293 Board for Waterworks and Wastewater Works Operators
 294 Board of Agriculture and Consumer Services
 295 Board of Audiology and Speech-Language Pathology
 296 Board of Coal Mining Examiners
 297 Board of Conservation and Recreation
 298 Board of Correctional Education
 299 Board of Dentistry
 300 Board of Directors, Virginia Student Assistance Authorities
 301 Board of Funeral Directors and Embalmers
 302 Board of Health Professions
 303 Board of Historic Resources
 304 Board of Housing and Community Development
 305 Board of Medical Assistance Services

306 Board of Medicine
307 Board of Mineral Mining Examiners
308 Board of Nursing
309 Board of Nursing Home Administrators
310 Board of Optometry
311 Board of Pharmacy
312 Board of Professional Counselors
313 Board of Psychology
314 Board of Recreation Specialists
315 Board of Social Services
316 Board of Social Work
317 Board of Surface Mining Review
318 Board of Veterinary Medicine
319 Board on Conservation and Development of Public Beaches
320 Chesapeake Bay Local Assistance Board
321 Child Day-Care Council
322 Commission on Local Government
323 Commonwealth Transportation Board
324 Council on Human Rights
325 Council on Information Management
326 Criminal Justice Services Board
327 Design-Build/Construction Management Review Board
328 Disability Services Council
329 Farmers Market Board, Virginia
330 Interdepartmental Council on Rate-setting for Children's Facilities
331 Library Board, The Library of Virginia
332 Marine Resources Commission
333 Milk Commission
334 Pesticide Control Board
335 Real Estate Appraiser Board
336 Real Estate Board
337 Reciprocity Board, Department of Motor Vehicles
338 Safety and Health Codes Board
339 Seed Potato Board
340 Southside Virginia Marketing Council
341 Specialized Transportation Council
342 State Air Pollution Control Board
343 State Board of Corrections
344 State Board of Elections
345 State Board of Health
346 State Board of Juvenile Justice
347 State Health Department, Sewage Handling and Disposal Appeal Review Board
348 State Library Board
349 State Mental Health, Mental Retardation and Substance Abuse Services Board
350 State Water Control Board
351 Substance Abuse Certification Board
352 Treasury Board, The, Department of the Treasury
353 Virginia Aviation Board
354 Virginia Board for Asbestos and Lead
355 Virginia Fire Services Board
356 Virginia Gas and Oil Board
357 Virginia Health Planning Board
358 Virginia Manufactured Housing Board
359 Virginia Parole Board
360 Virginia Public Broadcasting Board
361 Virginia Soil and Water Conservation Board
362 Virginia Voluntary Formulary Board
363 Virginia Waste Management Board
364 Waste Management Facility Operators, Board for.
365 § 13.1-549. Qualifications of shareholders; special provisions for corporations rendering services of
366 architects, professional engineers, land surveyors and certified landscape architects.
367 A corporation rendering the services of architects, professional engineers, land surveyors and certified

landscape architects, or any combination thereof, shall issue not less than two-thirds of its capital stock to individuals duly licensed or otherwise legally authorized to render the services of architect, professional engineer, land surveyor or certified landscape architect, and the remainder of said stock may be issued only to and held by individuals who are employees of the corporation whether or not such employees be licensed or otherwise authorized to render professional services. No other professional corporation may issue any of its capital stock to anyone other than an individual who is duly licensed or otherwise legally authorized to render the same specific professional services as those for which the corporation was incorporated. Notwithstanding the above limitations a professional corporation may issue its stock to a partnership each of the partners of which is duly licensed or otherwise legally authorized to render the same professional services as those for which the corporation was incorporated.

It is further provided, as an additional prerequisite for a corporation engaging in the practice of the professions of architecture, professional engineering, land surveying, or certified landscape architecture or any combination thereof, that such corporation shall secure a certificate of authority, which may be renewable and may be either general or limited, from the State Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects. Such certificate of authority shall be issued or renewed by the State Board when in its discretion such corporation is in compliance with rules and regulations which shall be promulgated by the said State Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 of Title 54.1 of the Code.

§ 13.1-1111. Qualifications of members and managers; special provisions for limited liability companies rendering service of architects, professional engineers, land surveyors and certified landscape architects.

Not less than two-thirds of the membership interests of a professional limited liability company rendering the services of architects, professional engineers, land surveyors and certified landscape architects, or any combination thereof, shall be held by individuals or professional business entities duly licensed or otherwise legally authorized to render the services of architects, professional engineers, land surveyors or certified landscape architects, and the remainder of the membership interests may be held only by individuals who are employees of the professional limited liability company whether or not those employees are licensed or otherwise authorized to render professional services. No other professional limited liability company may have as a member anyone other than an individual or a professional business entity that is duly licensed or otherwise legally authorized to render the same professional services as those for which the professional limited liability company was organized.

As an additional prerequisite for a professional limited liability company's engaging in the practice of the professions of architecture, professional engineering, land surveying, or certified landscape architecture, or any combination thereof, that professional limited liability company shall secure a certificate of authority, which may be renewable and may be either general or limited, from the State Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects. The certificate of authority shall be issued or renewed by the State Board when in its discretion the professional limited liability company is in compliance with rules and regulations which shall be promulgated by the State Board consistent with its jurisdiction to provide adequate safeguards for the public's health, welfare and safety. The fees for a certificate of authority as described above shall be the same fees as provided for in Chapter 4 (§ 54.1-400 et seq.) of Title 54.1.

§ 22.1-140. Plans for buildings to be approved by division superintendent.

No public school building or addition or alteration thereto, for either permanent or temporary use, shall be advertised for bid, contracted for, erected, or otherwise acquired until the plans and specifications therefor have been approved in writing by the division superintendent and are accompanied by a statement by an architect or professional engineer licensed by the ~~Virginia~~ Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects that such plans and specifications are, in his professional opinion and belief, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code. The division superintendent's approval, architect's or engineer's statement, and a copy of the final plans and specifications shall be submitted to the Superintendent of Public Instruction.

§ 54.1-300. Definitions.

As used in this chapter unless the context requires a different meaning:

"Board" means the Board for Professional and Occupational Regulation.

"Certification" means the process whereby the Department or any regulatory board issues a certificate on behalf of the Commonwealth to a person certifying that he possesses the character and minimum skills to engage properly in his profession or occupation.

"Department" means the Department of Professional and Occupational Regulation.

"Director" means the Director of the Department of Professional and Occupational Regulation.

429 "Inspection" means a method of regulation whereby a state agency periodically examines the
430 activities and premises of practitioners of an occupation or profession to ascertain if the practitioner is
431 carrying out his profession or occupation in a manner consistent with the public health, safety and
432 welfare.

433 "Licensure" means a method of regulation whereby the Commonwealth, through the issuance of a
434 license, authorizes a person possessing the character and minimum skills to engage in the practice of a
435 profession or occupation which is unlawful to practice without a license.

436 "Registration" means a method of regulation whereby any practitioner of a profession or occupation
437 may be required to submit information concerning the location, nature and operation of his practice.

438 "Regulatory board" means the Athletic Board, Auctioneers Board, Board for Accountancy, Board for
439 Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape
440 Architects, Board for Barbers, Board for Branch Pilots, Board for Contractors, Board for Cosmetology,
441 Board for Geology, Board for Hearing Aid Specialists, Board for Opticians, Board for Professional Soil
442 Scientists, Board for Waterworks and Wastewater Works Operators, Real Estate Appraiser Board, Real
443 Estate Board and Board for Waste Management Facility Operators.

444 § 54.1-400. Definitions.

445 As used in this chapter unless the context requires a different meaning:

446 "Architect" means a person who, by reason of his knowledge of the mathematical and physical
447 sciences, and the principles of architecture and architectural design, acquired by professional education,
448 practical experience, or both, is qualified to engage in the practice of architecture and whose competence
449 has been attested by the Board through licensure as an architect.

450 The "practice of architecture" means any service wherein the principles and methods of architecture
451 are applied, such as consultation, investigation, evaluation, planning and design, and includes the
452 responsible administration of construction contracts, in connection with any private or public buildings,
453 structures or projects, or the related equipment or accessories.

454 "Board" means the Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior*
455 *Designers* and Landscape Architects.

456 "Certified interior designer" means a design professional who meets the criteria of education,
457 experience, and testing in the rendering of interior design services established by the Board through
458 certification as an interior designer.

459 "Certified landscape architect" means a person who, by reason of his special knowledge of natural,
460 physical and mathematical sciences, and the principles and methodology of landscape architecture and
461 landscape architectural design acquired by professional education, practical experience, or both, is
462 qualified to engage in the practice of landscape architecture and whose competence has been attested by
463 the Board through certification as a landscape architect.

464 The "practice of landscape architecture" by a certified landscape architect means any service wherein
465 the principles and methodology of landscape architecture are applied in consultation, evaluation,
466 planning (including the preparation and filing of sketches, drawings, plans and specifications) and
467 responsible supervision or administration of contracts relative to projects principally directed at the
468 functional and aesthetic use of land.

469 "Improvements to real property" means any valuable addition or amelioration made to land and
470 generally whatever is erected on or affixed to land which is intended to enhance its value, beauty or
471 utility, or adapt it to new or further purposes. Examples of improvements to real property include, but
472 are not limited to, structures, buildings, machinery, equipment, electrical systems, mechanical systems,
473 roads, and water and wastewater treatment and distribution systems.

474 "Interior design" by a certified interior designer means any service rendered wherein the principles
475 and methodology of interior design are applied in connection with the identification, research, and
476 creative solution of problems pertaining to the function and quality of the interior environment. Such
477 services relative to interior spaces shall include the preparation of documents for nonload-bearing interior
478 construction, furnishings, fixtures, and equipment in order to enhance and protect the health, safety, and
479 welfare of the public.

480 "Land surveyor" means a person who, by reason of his knowledge of the several sciences and of the
481 principles of land surveying, and of the planning and design of land developments acquired by practical
482 experience and formal education, is qualified to engage in the practice of land surveying, and whose
483 competence has been attested by the Board through licensure as a land surveyor.

484 The "practice of land surveying" includes surveying of areas for a determination or correction, a
485 description, the establishment or reestablishment of internal and external land boundaries, or the
486 determination of topography, contours or location of physical improvements, and also includes the
487 planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall
488 include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and
489 sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to
490 existing state or local standards.

"Professional engineer" means a person who is qualified to practice engineering by reason of his special knowledge and use of mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and experience, and whose competence has been attested by the Board through licensure as a professional engineer.

The "practice of engineering" means any service wherein the principles and methods of engineering are applied to, but are not necessarily limited to, the following areas: consultation, investigation, evaluation, planning and design of public or private utilities, structures, machines, equipment, processes, transportation systems and work systems, including responsible administration of construction contracts. The term "practice of engineering" shall not include the service or maintenance of existing electrical or mechanical systems.

"Responsible charge" means the direct control and supervision of the practice of architecture, professional engineering, or land surveying.

§ 54.1-403. Board members and officers; quorum.

A. The Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects shall be composed of thirteen members as follows: three architects, three professional engineers, three land surveyors, two certified landscape architects and two certified interior designers. However, the two certified interior designer members initially appointed to the Board shall be qualified for certification pursuant to this chapter. Each interior designer appointment to the Board may be made from nominations submitted by the Council of Certified Virginia Interior Designers, who shall nominate three persons for each interior designer vacancy. In no case shall the Governor be bound to make any appointment from the nominees.

Board members shall have actively practiced or taught their professions for at least ten years prior to their appointments. The terms of Board members shall be four years *unless otherwise provided in subsection B*.

The Board shall elect a president *and vice-president* from its membership.

Eight Board members, consisting of two engineers, two architects, two land surveyors, one certified landscape architect and one interior designer, shall constitute a quorum.

B. 1. *Of the 1998 appointments, the terms shall be as follows: the landscape architect shall serve a one-year term, one interior designer shall serve a two-year term and one interior designer shall serve a four-year term. Of the 2000 appointments, the terms shall be as follows: one architect shall serve a three-year term, one architect shall serve a four-year term, one professional engineer shall serve a two-year term, one professional engineer shall serve a four-year term, one land surveyor shall serve a two-year term, and one land surveyor shall serve a three-year term. Of the 2001 appointments, the terms shall be as follows: the architect shall serve a four-year term, the professional engineer shall serve a four-year term, the land surveyor shall serve a three-year term, and the landscape architect shall serve a four-year term.*

2. *Any appointments to a term of less than four years as specified in subdivision 1 shall not be considered a full term pursuant to § 54.1-107.*

§ 54.1-407. Land surveying.

Notwithstanding the provisions of any regulation promulgated by the Board for Architects, Professional Engineers, Land Surveyors, *Certified Interior Designers* and Landscape Architects, a land surveyor shall not be required by Board regulations to set corner monumentation or perform a boundary survey on any property when (i) corner monumentation has been set or is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.1-465 or subdivision 7 of subsection A of § 15.1-466, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty, or (ii) the purpose of the survey is to determine the location of the physical improvements on the said property only, if the prospective mortgagor or legal agent ordering the survey agrees in writing that such corner monumentation shall not be provided in connection with any such physical improvements survey. The provisions of this section shall apply only to property located within the Counties of Arlington, Fairfax, King George, Loudoun, Prince William, Spotsylvania and Stafford; and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas and Manassas Park.