

**Legislative Regulation
Review Committee**

2008-035

Department of Consumer Protection

**ELECTRONIC SEALS FOR LANDSCAPE
ARCHITECTS**

**STATE OF CONNECTICUT
REGULATION
OF
DEPARTMENT OF CONSUMER PROTECTION
CONCERNING ELECTRONIC SEALS FOR LANDSCAPE
ARCHITECTS**

Section 1. Section 20-368-12a of the Regulations of Connecticut State Agencies is amended to read as follows:

(a) Each person granted a [certificate of registration] license shall purchase and use a seal, the design, arrangement, size, and wording of which shall conform to that indicated in the figure below. The seal impression may be made on hardcopy documents by a stamping or embossing device, provided the impression shall be clear and legible, or on electronic documents by use of a computer-generated representation of the seal.

(b) Facsimile of seal:



(c) A seal conforming to the above figure, bearing the name and [certificate] license number of the licensed landscape architect, is approved. The use of any other seal or any variation from the above is disapproved. Seals may be purchased and used after the receipt from the board of the [certificate of registration] license number.

Sec. 2. Section 20-368-13a of the Regulations of Connecticut State Agencies is amended to read as follows:

(a) The seal of each licensed landscape architect shall be applied to plans, drawings, specifications or other documents pertaining to any project submitted to the licensee's client.

(b) The use of a licensed landscape architect's seal on any plan, drawing, specification or other document submitted for public review shall be required for all works involving the practice of landscape architecture as defined in Section 20-367 of the Connecticut General Statutes and Section 20-368-1a of [these regulations] the Regulations of Connecticut State Agencies.

(c) A landscape architect shall not sign or seal drawings, specifications, reports, or other professional work for which he or she does not have direct professional knowledge and direct supervisory control; provided, however, that in the case of the portions of such professional work prepared by the landscape architect's consultants, the landscape architect may sign or seal that portion of the professional work if the landscape architect has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

(d) An electronic seal shall be permitted on electronic documents if all the following criteria are met:

(1) It is unique to the landscape architect;

(2) It is verifiable;

(3) It is under the landscape architect's direct and exclusive control;

(4) It is linked to the electronic document in such a manner that causes changes to be easily determined and visually displayed if any data in the electronic document file is changed subsequent to the electronic seal having been affixed to the electronic document;

(5) An attempt to change the electronic document after the electronic seal is affixed shall cause the electronic seal to be removed or altered significantly enough to invalidate the electronic seal; and

(6) If the electronic document is to be electronically transmitted, the electronic document is converted to a read-only format.

(e) A landscape architect may electronically transmit an electronic document without affixing an electronic seal provided there is inserted the following language in lieu of the seal: "This shall not be considered a sealed document."

Statement of Purpose:

(A) Purpose: This regulation permits the use of an electronic seal by Landscape Architects. Existing regulations were adopted at a time when seals were placed only on hardcopy documents by stamping or embossing. With the development of electronic documents, there is now a need for regulations permitting an electronic seal.

(B) Summary: This regulation adds regulations permitting and regulating the uses of electronic seals. The regulation requires that electronic seals have certain protections to prevent the alteration of the document after it has been sealed.

(C) Legal Effects: Connecticut General Statutes, Section 20-372 requires a landscape architect to place his or her seal on drawings or reports that are required to be completed by a licensed landscape architect. These amendments permit landscape architects to apply electronic seals to those drawings and plans that are prepared in electronic form.

CERTIFICATION

M-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 20-368(b) of the General Statutes and

Sections _____ of the General Statutes, as amended by Public Act. No. __ of the __ Public Acts.

Public Act. No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on March 18, 2008 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on the 22nd day of April, 2008.

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.
(OR)

The _____ day of _____.

In Witness Whereof:	DATE <u>6/4/8</u>	SIGNED (Head of Board, Agency or Commission) <i>Jerry Farrell</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>William B. A. H.</i>	DATE <u>6/30/08</u>	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY
INSTRUCTIONS		

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.