

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 44 LANDSCAPE ARCHITECTS
PART 7 CODE OF PROFESSIONAL CONDUCT

16.44.7.1 ISSUING AGENCY: New Mexico Board of Landscape Architects, P.O. Box 25101, Santa Fe, NM 87504.
[16.44.7.1 NMAC - Rp, 16.44.7.1 NMAC, 9-30-16]

16.44.7.2 SCOPE: This part applies to the board, licensees, certificate holders, applicants for licensure or certification, and the general public.
[16.44.7.2 NMAC - Rp, 16.44.7.2 NMAC, 9-30-16]

16.44.7.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Landscape Architects Act, Sections 61-24-B1, 61-24-B3, 61-24-B6, 61-24-B7, 61-24-B10 NMSA 1978.
[16.44.7.3 NMAC - Rp, 16.44.7.3 NMAC, 9-30-16]

16.44.7.4 DURATION: Permanent.
[16.44.7.4 NMAC - Rp, 16.44.7.4 NMAC, 9-30-16]

16.44.7.5 EFFECTIVE DATE: September 30, 2016, unless a later date is cited at the end of a section.
[16.44.7.5 NMAC - Rp, 16.44.7.5 NMAC, 9-30-16]

16.44.7.6 OBJECTIVE: This part establishes the standards against which the required professional conduct of a registered landscape architect or a landscape architect in training is measured. Each licensee, certificate holder and applicant will be governed by this part whenever providing landscape architectural services. A violation of this part is sufficient reason for disciplinary action pursuant to the Landscape Architects Act.
[16.44.7.6 NMAC - Rp, 16.44.7.6 NMAC, 9-30-16]

16.44.7.7 DEFINITIONS: (Refer to Part 1)

16.44.7.8 CODE OF PROFESSIONAL CONDUCT:

A. This code expresses in general terms the level of professional conduct expected of licensees in the state of New Mexico. Such a code is no guarantee of moral actions on the part of the licensees but depends upon the integrity of each registrant or certificate holder to conduct himself or herself in a responsible and straightforward manner both in dealings with clients and other professionals.

B. Licensees should be more than a group of individuals offering a service to the public. They should comprise an entity with a bond between licensees based on mutual respect and a dedication to improving the quality of life for all persons.

C. The licensee shall:

- (1) exert every effort towards the preservation and protection of our natural resources and toward understanding the interaction of the economic and social systems with these resources;
- (2) further the welfare and advancement of the profession by constantly striving to provide the highest level of professional services, avoiding even the appearance of improper professional conduct;
- (3) serve the client or employer with integrity, understanding, knowledge, and creative ability and respond morally to social, political, economic, and technological influences;
- (4) make full disclosure to the client or employer of any financial interest, that even remotely bears upon the services or project;
- (5) truthfully and clearly inform the client or employer of his or her qualification and capabilities to perform services;
- (6) not make exaggerated, misleading, deceptive or false statements or claims to the public about his or her professional qualifications, experience or performance;
- (7) regard as confidential any information obtained by him or her as to the business affairs and technical methods or processes of a client or employer;
- (8) not give, lend, or promise anything of value to any public official in order to influence or attempt to influence the official's judgment or action in the letting of contracts;

- (9) refrain from lending his or her name or stamp/seal for plans or other documents for the preparation of which he or she was not directly responsible;
- (10) refrain from using the advantages of a salaried position to influence the letting of contracts;
- (11) not knowingly make false statements about the professional work of others; and
- (12) refrain from engaging in any discriminatory practices prohibited by law in the employment of his or her professional and non-professional personnel and in the conduct of his or her business.
- [16.44.7.8 NMAC - Rp, 16.44.7.8 NMAC, 9-30-16]

HISTORY OF 16.44.7 NMAC:

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

LAB 85-1, Rules and Regulations, 11-27-85;
LAB 85-1, Rules and Regulations, 12-02-85;
LAB 89-1, Rules and Regulations, 05-05-89;
Rule 4, NMBLA, Registration, 07-08-92

History of Repealed Material:

16 NMAC 44.7, Code of Professional Conduct - Repealed 10-05-02
16.44.7 NMAC, Code of Professional Conduct, filed 9-5-2002 - Repealed effective 09-30-16.