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PRESIDENT'S LETTER

With this month's issue, we shall have reached the midpoint in the year's activity. As a matter of information, the Board of Directors and Officers has had extremely busy meetings in Jefferson City and in Springfield, Missouri.

The next Board Meeting is scheduled for October 14, 1961, in St. Louis, and again we will have many items before us.

One of the most important services that the Association has performed, is the publication of the State Registration Laws, affecting the Architects and Engineers. You will note that a part of this month's issue is the printing of these laws. The Board has also authorized, in joint participation with the Engineers, a set of 1,000 books which will be available to anyone for a charge of \$1.00.

Concerning matters of organization, it is apparent that the Association must do more in the areas of legislation, public relations, and services to the Architects of Missouri. It is my own opinion that the way to do this is through the appointment of standing committees with dedicated Chairmen, who will, year in and year out, work toward the goals of that particular Committee.

We hope to have some more definite direction in this respect in the forthcoming issues of the magazine.

Sincerely,
David W. Pearce, President

OCTOBER BOARD MEETING

The next meeting of officers and directors of the Association will be held:

Saturday, October 14, 1961
11:00 a.m., St. Louis time, to 4:00 p.m.
Walnut Room, Schneidhorst Restaurant
Lindbergh Road and Clayton Road
Saint Louis, Missouri

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FOREWORD

The publication of the Laws affecting the Architectural and Engineering professions in this month's issue of the Missouri Architect is for the benefit of the membership. This is one direct result of the recent dues increase.

It is the hope of the Board of Directors and Officers that this ready reference will serve all members well and increase their awareness and concern with the laws affecting the profession.

Sincere appreciation is herewith expressed to the State Legislative Research Committee for cooperation in providing the copy for this publication.

Requests for registration applications and for other information pertaining to registration should be directed to:

Missouri State Board of Registration for
Architects and Professional Engineers,
Mrs. Clemmie Wall, Secretary,
P.O. Box 184
Jefferson City, Missouri

Members of the Missouri State Board of Registration for Architects and Professional Engineers as of September 1, 1961, are:

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Chapter 327

ARCHITECTS AND PROFESSIONAL ENGINEERS

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CROSS REFERENCE

Land surveyors, registration of, RSMo ch. 344

327.010. Purpose of chapter.—In the enactment of this chapter it is hereby declared to be the intent and purpose of the general assembly 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 or professional engineering practice, and generally to conserve the public welfare.

(L. 1941 p. 655 §1, A. L. 1951 p. 709)

327.020. Definitions.—For the purpose of indicating the legislative intent in the passage of this law, it is hereby declared that the general assembly understands the meaning of certain words

and phrases used in this chapter to be as follows:

(1) "Architecture", the art and science of architecture as defined, outlined, and treated in architectural textbooks and as included and taught in the architectural curricula of schools and colleges of architecture, and as applied to designing, planning and writing specifications for buildings and structures commonly designed and planned by architects, and built according to architectural specifications and, usually under the supervision of architects;

(2) "Qualified architect", a person who, by reason of special knowledge and skill acquired through education and training in architecture, however and wherever acquired, is qualified to practice architecture;

(3) "Registered architect", any architect registered, in good standing, and legally authorized to practice architecture in this state;

(4) "Practice of architecture"—"architectural practice"—"architectural work", rendering, or offering to render, any service, for gain, which requires, or would require, the application of the art and science of architecture;

(5) "Lawful practice of architecture", rendering, or offering to render, architectural services under authority of registration as required by law, or within the exemptions prescribed by section 327.090;

(6) "Unlawful practice of architecture", rendering, or offering to render, any architectural service in this state in violation of any provision of this chapter;

(7) "Architect-in-training", a person enrolled by the board as an architect-in-training;

(8) "Engineering", the art and science of engineering as defined, outlined, and treated in engineering textbooks and as included and taught in the engineering curricula of schools and colleges of engineering;

(9) "Qualified engineer", any person who, by reason of special knowledge and skill acquired through education and

training in engineering, however and wherever acquired, is qualified to practice engineering;

(10) "Professional engineer", one who engages in, or offers to engage in, the practice of engineering in this state;

(11) "Registered professional engineer", any engineer registered, in good standing, and legally authorized to practice engineering in this state;

(12) "Practice of engineering"—"Engineering practice"—"engineering work", rendering, or offering to render, any service, for gain, which requires, or would require, the application of the art and science of engineering in any of its branches and fields;

(13) "Lawful practice of engineering", rendering, or offering to render, any engineering service in this state under authority of registration as required by law, or within the exemptions prescribed by section 327.090;

(14) "Unlawful practice of engineering", rendering, or offering to render, any engineering service in this state in violation of any provision of this chapter;

(15) "Engineer-in-training", a person enrolled by the board as an engineer-in-training;

(16) "Board"—"state board"—"registration board", the state board of registration for architects and professional engineers, except when the context clearly indicates a reference to some other board;

(17) "Division", the architectural division or the professional engineering division of the board, as the context may provide.

(L. 1941 p. 655 §2, A. L. 1951 p. 709)

327.021. Additional definitions. — 1. Except as otherwise in this section provided or as clearly indicated in the context, all definitions in section 327.020 referring to persons or the activity of persons as architects or as professional engineers shall be construed to refer to natural persons only.

2. The words "certificate of registration" wherever used in this chapter shall be construed to mean any certificate of registration issued by this board to a natural person authorizing him to prac-

tice architecture or professional engineering.

3. The words "practice", "practice of architecture", and "practice of engineering" wherever used in this chapter as indicating architectural or engineering activities of a corporation rendering architectural or engineering services in this state under a certificate of authority issued to it by this board shall be construed to mean the performance for such corporation or its clients of architectural or engineering work, as the case may require, by a natural person or natural persons registered and in good standing on the records of the board.

4. The words "certificate", "certificate of authority", wherever used in this chapter in reference to a corporation shall mean and refer to any certificate of authority issued by this board to any corporation authorizing it to engage in architectural or engineering work in this state to the extent and in the manner authorized by this chapter.

(L. 1957 p. 639 §327.081)

327.030. Qualifications for registration.—1. Any citizen of the United States of America, Alaska, Hawaii or Puerto Rico, over the age of twenty-one years and of good moral character, shall be registered by the board, on recommendation of its architectural division and payment of the fee required by law, if he shall claim in his application to be, and show to the satisfaction of the architectural division that he is, qualified for such registration under any of the following subdivisions of this subsection:

(1) That he has had eight years of architectural experience and architectural education combined, which period of eight years shall include not less than three years of architectural experience, acquired after attaining the age of twenty-one years, nor more than five years of architectural education; that he is a graduate from an approved course in architecture in a fully accredited school or college of architecture approved by the board as of satisfactory standing, or that he has architectural knowledge equivalent to that required for such graduation, and shall, in either case, pass a four-day written examination given by or at the request of said division; or

(2) That he is qualified for, and entitled to, registration without examination by reason of his prior enrollment as an architect-in-training without examination, or after passing a written examination, or by reason of any rule or regulation of the board in effect on the first day of January, 1951, and the accumulation of four years of satisfactory architectural experience; or

(3) That he is qualified for registration under any rule of comity or reciprocity on the filing of the official certificate of another state registration authority showing that he is qualified for registration under any such rule.

(4) In determining satisfactory architectural experience, one year of satisfactory post-graduate work in architectural subjects in a school or college of architecture having an accredited curricula shall equal one year of active architectural experience, and one year of satisfactory teaching in architectural subjects in schools or colleges of architecture having an accredited architectural curricula shall equal one year of architectural experience, provided registration as an architect shall not be granted to any applicant, other than teachers of architecture in schools or colleges having an accredited curricula and members and honorably discharged and separated ex-members of the armed forces of the United States, entitled to additional experience credit, who shall fail to show that he has had at least three years of architectural experience satisfactory to the architectural division.

(5) In lieu of registration under any provision of this subsection, any registered architect, shown by the official certificate of another state board to have been in good standing on its records as a registered architect continuously during a period of at least five years next preceding the date of such certificate, and actively engaged in the practice of architecture during said period, may on payment of the fee required by law, secure a special permit for any single employment or project in this state, described in his request for such permit. Such special permit shall be renewable from year to year through the course of such single employment or project, on payment of the fee required by law for such renewal.

(6) Registration as an architect may be granted pursuant to board regulation without examination if the architectural division shall find on examination of the application and officially certified documentary evidence in support thereof that the applicant, beyond a doubt, has qualifications as an architect so far beyond the minimum legal requirements for such registration in this state that it would be a waste of time, of both the applicant and the architectural division to subject the applicant to a written examination.

2. Any citizen of the United States of America, Alaska, Hawaii or Puerto Rico, over the age of twenty-one years and of good moral character, shall be registered by the board, on recommendation of its professional engineering division and payment of the fee required by law, if he shall claim in his application to be, and show to the satisfaction of the professional engineering division that he is, qualified for such registration under any of the following subdivisions of this subsection:

(1) That he has had eight years of professional engineering experience and professional engineering education combined, which period of eight years shall include not less than three years of professional engineering experience, acquired after attaining the age of twenty-one years, nor more than five years of engineering education; that he is a graduate from an approved course in engineering in a fully accredited school or college of engineering approved by the board as of satisfactory standing, or that he has engineering knowledge equivalent to that required for such graduation, and shall, in either case, pass a two-day written examination given by or at the request of said division; or

(2) That he is qualified for, and entitled to, registration without examination by reason of his prior enrollment as an engineer-in-training without examination, or after passing a written examination of the board in effect on the first day of January, 1951, and the accumulation of four years of satisfactory engineering experience; or

(3) That he is qualified for registration under any rule of comity or reci-

procuity on the filing of the official certificate of another state registration authority showing that he is qualified for registration under any such rule.

(4) In determining satisfactory engineering experience, one year of satisfactory post-graduate work in engineering subjects in a school or college of engineering having an accredited curricula shall equal one year of active engineering experience, and one year of satisfactory teaching in engineering subjects in schools or colleges of engineering having an accredited engineering curricula shall equal one year of engineering experience, provided registration as an engineer shall not be granted to any applicant, other than teachers of engineering in schools or colleges having an accredited curricula and members and honorably discharged and separated ex-members of the armed forces of the United States, entitled to additional experience credit, who shall fail to show that he has had at least three years of engineering experience satisfactory in the engineering division.

(5) In lieu of registration under any provision of this subsection, any registered professional engineer, shown by the official certificate of another state board to have been in good standing on its records as a registered professional engineer continuously during a period of at least five years next preceding the date of such certificate, and actively engaged in the practice of engineering during said period, may, on payment of the fee required by law, secure a special permit for any single employment or project in this state, described in his request for such permit. Such special permit shall be renewable from year to year through the course of such single employment or project, on payment of the fee required for such renewal.

(6) Registration as a professional engineer may be granted pursuant to board regulation without examination if the engineering division shall find on examination of the application and officially certified documentary evidence in support thereof that the applicant, beyond a doubt, has qualifications as an engineer so far beyond the minimum legal requirements for such registration in this state that it would be a waste of time, of

both the applicant and the engineering division, to subject the applicant to a written examination.

(L. 1941 p. 655 §11, A. 1949 H. B. 2067, A. L. 1951 p. 709, A. L. 1955 p. 636)

327.032. Minimum qualifications for registration after August 29, 1955.—After the effective date of this section, qualifications for registration in this state as a professional engineer are four years of engineering education and four years of professional engineering experience acquired after attaining the age of twenty-one years and the passing of a two-day written examination designed to show that the applicant has engineering knowledge equal to that required for graduation from a course in engineering in a fully accredited school or college of engineering approved by the board as of satisfactory standing; provided in the case of an applicant having completed a five-year course in such a school or college of engineering, not more than three years' professional engineering experience acquired after attaining the age of twenty-one years shall be required. No registration shall be granted on oral examination only to any applicant filing his application for registration after the thirtieth day of June, 1956. All registrations granted by the board shall take effect and, subject to revocation for cause, be in force on and after the date upon which granted.

(L. 1955 p. 636 §327.055)

327.035. Architect-in-training — preliminary examination — engineer-in-training.—1. The architectural division may provide and be responsible for the enrollment as architects-in-training of persons who shall pass a two-day written preliminary examination in architectural subjects included in fully accredited curricula of schools and colleges of architecture approved by said division as of satisfactory standing. Every architect-in-training enrolled by the board, on recommendation of its architectural division, who shall subsequently pass a two-day written final examination in architecture and show that he has acquired four years of active experience in architectural work of a character satisfactory to the division, including not less than two years of architectural work

above the draftsmanship level acquired in the office and under the direction of a registered architect, shall be registered as an architect without further examination; provided, any person passing successfully the four-day examination required for registration, who is unable to show that he has the architectural experience required by this chapter for registration, shall be enrolled as an architect-in-training and continue in that status until he has acquired the necessary architectural experience, upon proof of which he shall be registered as an architect without further examination. Enrollment as an architect-in-training shall depend solely upon successfully passing said two-day preliminary examination. Previous architectural experience shall not be required.

2. The engineering division shall provide and be responsible for the enrollment as engineers-in-training of all persons who shall pass satisfactorily a one-day written preliminary examination in the fundamentals of engineering education. Every engineer-in-training who shall, subsequent to his enrollment, pass a one-day written final examination and show that he has acquired four years of active experience in engineering work of a character satisfactory to the engineering division shall be registered as a professional engineer without further examination; provided, any person passing successfully the two-day examination required for registration as a professional engineer, who is unable to show that he has the engineering experience required by this chapter for registration, shall be enrolled as an engineer-in-training and continue in that status until he has acquired the necessary engineering experience, upon proof of which he shall be registered as a professional engineer without further examination. Enrollment as an engineer-in-training shall depend solely upon successfully passing said one-day written preliminary examination. Previous engineering experience shall not be required.

(L. 1951 p. 709 §327.035, A. L. 1955 p. 636)

327.040. Application for registration—contents—time of filing.—1. Applications for registration shall be in writing and on forms prescribed and furnished

by the board, shall contain statements made under oath showing the applicant's education and a detailed summary of his technical work, his previous examination, if any, and the results thereof, and such other pertinent information as shall be required by the board. Every application for registration shall have enclosed therewith three letters, each separately signed by a registered architect, or a registered engineer, as the case may require, having knowledge of the applicant's professional ability, integrity, qualifications and skill; and two letters, each separately signed by a reputable citizen having knowledge of the applicant's reputation as a citizen of good moral character. Said letters shall be on forms furnished by the secretary of the board, and shall contain interrogatories designed to elicit the answers the signer would give if present in person and testifying under oath before the board, any member thereof, or in court, and shall conclude with the statement that the answers therein were made by the signer, in the absence of the applicant, and that he, the applicant, was not informed, and has no knowledge of the nature and character of said answers. Each of said letters shall be enclosed and securely sealed by the signer in an envelope addressed to the board. All letters not so sealed and addressed shall be rejected by the secretary, and the applicant notified accordingly.

2. All such applications shall be filed with the secretary of the board at least sixty days before the date set for examination.

3. Before registration shall be granted on any application, the division having jurisdiction thereover shall require proof by official letter or certificate of:

- (1) Citizenship in the United States, in the case of a foreign born applicant;
- (2) Professional education; and
- (3) Registration in any other state or states.

4. The board shall also investigate the experience record of the applicant by letters of inquiry addressed to not more than three persons named in said experience record.

(L. 1941 p. 655 §12, A. 1949 H. B. 2067, A. L. 1951 p. 709)

327.045. Registration granted without examination, when — qualifications proved, how. — 1. Registration as an architect may be granted by the board without examination on the report and recommendation of its architectural division stating that it finds on examination of the application and officially certified documentary and other evidence in support thereof, that the applicant, in the opinion of said division, has qualifications as an architect so far beyond the minimum requirements of the law of this state for such registration that the public peace, health and safety of the people would not be endangered by his registration without examination.

2. Registration as a professional engineer may be granted by the board without examination on the report and recommendation of its professional engineering division stating that it finds on examination of the application and officially certified documentary and other evidence in support thereof, that the applicant, in the opinion of said division, has qualifications as a professional engineer so far beyond the minimum requirements of the law of this state for such registration that the public peace, health and safety of the people would not be endangered by his registration without examination.

3. Registration as a land surveyor may be granted by the board without examination on the report and recommendation of its land surveyors section and the engineering division stating that they find on examination of the application and officially certified documentary and other evidence in support thereof, that the applicant, in the opinion of said section and division, has qualifications as a land surveyor so far beyond the minimum requirements of the law of this state for such registration that the public peace, health and safety of the people would not be endangered by his registration without examination.

4. In determining the years of experience of an architect, an engineer, or a land surveyor, applying for registration on the basis of prior registration by another registration authority, the years of experience of the applicant at the time of such prior registration plus the years of experience acquired between date of

such prior registration and the date of filing his application for registration in this state shall constitute the experience of the applicant.

5. The board is authorized to, and may, accept in lieu of letters required to be filed with applications for registration and in lieu of further investigation the certificates issued by the secretary or by any board, bureau or committee acting under authority of any national association of architectural, engineering or land surveying registration authorities.

6. In lieu of reference letters filed by the applicant with his application for registration as an architect or professional engineer, the board's inquiry as to the character and professional competence of the applicant may be made through letters of inquiry addressed to employers or clients named in the experience record of the applicant as the same appears in his application; provided, when ordered by the board on recommendation of its architectural or engineering division the board may require personal appearance of the applicant and examine him under oath, and may likewise subpoena and examine witnesses under oath as to any matter germane to either the question of character or professional competence.

(L. 1957 p. 639 §327.031)

327.050. Examinations — time and place—procedure.—1. Written examinations for the registration of architects and for the enrollment of architects-in-training shall be given but twice each year. One of said examinations shall be given annually between the first day of March and the first day of June, and the other between the first day of September and the fifteenth day of November, as the architectural division may provide by regulation. Such examination shall be given at the same time and place, or places, within the dates herein fixed, as the architectural division may provide by regulation. The examination for enrollment as an architect-in-training shall constitute such part of the whole examination required for registration as an architect, as the architectural division may provide by regulation. All such examinations for registration as an architect shall be designed to show that

the examinee has architectural knowledge equivalent to that required for graduation from a course in architecture in a fully accredited school or college of architecture approved by the architectural division as of satisfactory standing.

2. Written examinations for the registration of professional engineers and for the enrollment of engineers-in-training shall be given but twice each year. One of said examinations shall be given annually between the first day of March and the first day of June, and the other between the first day of September and the fifteenth day of November, as the professional engineering division may provide by regulation. Such examination shall be given at the same time and place, or places, within the dates herein fixed, as the professional engineering division may provide by regulation. The examination for enrollment as an engineer-in-training shall constitute such part of the whole examination required for registration as a professional engineer, as the professional engineering division may provide by regulation. All such examinations for registration as a professional engineer shall be designed to show that the examinee has engineering knowledge equivalent to that required for graduation from a course in engineering in a fully accredited school or college of engineering approved by the professional engineering division as of satisfactory standing.

3. No special examination shall be given by either division of the board.

(L. 1941 p. 655 §13, A. L. 1951 p. 709, A. L. 1955 p. 636)

327.060. Certificate of registration—seal, how used—renewal of registration, certificate.—1. To each person registered by the board as an architect or as a professional engineer there shall be issued a certificate evidencing such registration. Every such certificate issued to an architect shall bear his serial number, preceded by the capital letter "A" and a hyphen, and shall include his name, conforming to the name in which his registration was granted and ordered; and every such certificate issued to a professional engineer shall bear his serial number, preceded by the capital letter "E" and a hyphen, and shall include his

name, conforming to the name in which his registration was granted and ordered. All such certificates shall be issued under the seal of the board, and signed by the chairman of the board, and in the case of registered architects, by the chairman of the architectural division, and, in the case of professional engineers, by the chairman of the professional engineering division, and, in either case, attested by the secretary. Every such certificate issued to an architect shall evidence his authority to practice architecture in this state while in good standing on the records of the board; and every such certificate issued to a professional engineer shall evidence his authority to practice professional engineering in this state while in good standing on the records of the board.

2. Every architect and every professional engineer, registered by the board, shall, before undertaking, completing or releasing any work requiring the personal seal of a registered architect or registered professional engineer, procure a personal seal, of a design approved by the board, bearing his name, registration number, and the legend "Registered architect" or "Registered professional engineer", as the case may require, and affix said seal to all plans, specifications, plats, reports, and other documents or instruments prepared by him, or under his direction, and for which he shall be held primarily and wholly responsible; provided, a rubber stamp facsimile of any such seal may be used with jet black ink on all but one of the sheets comprising such plans, specifications, plats, reports, or other documents or instruments.

3. The personal seal of a registered architect or professional engineer shall be the legal equivalent of his signature wherever used, and the owner of such seal shall be responsible for the whole architectural or engineering project when he places his personal seal on any plans, specifications, plats, reports, or other documents or instruments for or to be used in connection with such architectural or engineering project, unless he shall attach a statement over his signature, authenticated by his personal seal, specifying the particular plans, specifications, plats, reports, or other docu-

ments or instruments intended to be authenticated by such seal, and disclaiming any responsibility for all other plans, specifications, plats, reports, or other documents or instruments relating to or intended to be used for any other part or parts of such architectural or engineering project.

4. The registration of every registered architect shall be renewable annually on or before the first day of January, and if not renewed on or before the first day of April next following, shall on and after that date stand suspended, subject to the right of reinstatement on or before the thirty-first day of December next following, on payment of the reinstatement fee required by law. The registration of any architect suspended and not reinstated, as herein provided, shall expire on the said thirty-first day of December, and thereafter be void, whereupon all rights, privileges and benefits of such registration shall cease. Any architect whose registration has expired may, upon payment of the fee required by law, be reregistered under his original registration number, on recommendation of the architectural division, if found by said division to have the qualifications at that time required for registration.

5. The registration of every registered professional engineer shall be renewable annually on or before the first day of January, and if not renewed on or before the first day of April next following, shall on and after that date stand suspended, subject to the right of reinstatement on or before the thirty-first day of December next following, on payment of the reinstatement fee required by law. The registration of any professional engineer suspended and not reinstated, as herein provided, shall expire on the said thirty-first day of December, and thereafter be void, whereupon all rights, privileges and benefits of such registration shall cease. Any professional engineer whose registration has expired may, upon payment of the fee required by law, be reregistered under his original registration number, on recommendation of the professional engineering division, if found by said division to have the qualifications at that time required for registration.

6. The authority of every corporation authorized to practice professional engineering or architecture shall be renewable annually on or before the first day of January, and if not renewed on or before the first day of April next following, shall on and after that date stand suspended, subject to the right of reinstatement on or before the thirty-first day of December next following, on payment of the reinstatement fee required by law. The authority of every corporation to practice architecture or professional engineering suspended and not reinstated, as herein provided, shall expire on the said thirty-first day of December, and thereafter be void, whereupon all rights, privileges and benefits of such authority shall cease. Any corporation authorized to practice architecture or professional engineering whose authority has expired, may, upon payment of the fee required by law, be reauthorized under its original authority number, on recommendation of the architectural or professional engineering division, as the case may be, if found by said division to have the qualifications at that time required for authority.

7. Each application for renewal of registration shall be made on a form approved and provided by the board and every such application shall have attached thereto or be accompanied by a personal check, certified check, cashier's check, bank draft, or an express or post-office money order, payable to state department of revenue for the exact amount of the renewal fee required by law.

8. Each application for renewal of authority shall be made on a form approved and provided by the board and every such application shall have attached thereto or be accompanied by a personal check, certified check, cashier's check, bank draft, or an express or post-office money order, payable to state department of revenue for the exact amount of the renewal fee required by law.

9. On the annual renewal of his registration, a card certificate evidencing such renewal shall be issued to each architect and each professional engineer. Said certificate shall bear the facsimile signature of the chairman of the board,

the chairman of its architectural or professional engineering division, as the case may require, and its secretary, and shall have printed thereon a facsimile of the seal of the board.

10. On the annual renewal of its authority, a card certificate evidencing such renewal shall be issued to each authorized corporation. Said certificate shall bear the facsimile signature of the chairman of the board, the chairman of its architectural or professional engineering division as the case may require, and its secretary, and shall have printed thereon a facsimile of the seal of the board.

(L. 1941 p. 655 §14, A. L. 1951 p. 709, A. L. 1955 p. 636)

327.070. Experience in armed forces, how credited—disabled veterans preference—exemption from renewal fee.—1.

(1) In determining the experience of an applicant for registration as an architect or as a professional engineer, members of the armed forces of the United States, and the applicants honorably discharged or separated therefrom, shall be given experience credit for architectural or engineering work performed while in such service, on the same basis as if such architectural or engineering work had been performed by them as civilians.

(2) Disabled veterans of the armed forces of the United States shall be given a credit of ten points in all examinations.

2. No fee shall be required for the annual renewal of the registration of any architect or professional engineer over the age of seventy-five years.

(L. 1945 p. 569 §1, A. L. 1951 p. 707, A. L. 1955 p. 636)

327.080. Registration not transferable—corporate authorization and practice—limitations.—1.

The right to engage in the practice of architecture or in the practice of professional engineering shall be deemed a personal right, based upon the qualifications of the individual, evidenced by his certificate of registration, and shall not be transferable; however, any registered architect or any registered professional engineer may practice his profession through the medium of, or as a member or as an employee of, a partnership or corporation, provided the plans, specifications, estimates and reports of such partnership or corporation are signed and stamped with the

personal seal of the registered architect or registered professional engineer by whom or under whose direction the same were prepared and the registered architect or registered professional engineer affixing his signature and personal seal to any such plans, specifications, estimates and reports shall be personally and professionally responsible therefor.

2. Any corporation, foreign or domestic, now or hereafter organized and having as a purpose or as one of its purposes the practicing of architecture or professional engineering and any existing corporation which amends its charter to propose to practice architecture or professional engineering may obtain a certificate of authority from the board and from and, after the date of such certificate of authority and while such authority or renewal thereof is in effect, may solicit, offer and render architectural or professional engineering services in this state provided that:

(1) At all times during such authorization the directors of such corporation shall have assigned responsibility for the proper conduct of all its architectural or professional engineering activities in this state to an architect registered and authorized to practice architecture in this state or, as the case may require, to a professional engineer registered and authorized to practice engineering in this state;

(2) The person or persons in responsible charge of the architectural or professional engineering activities of such corporation in this state shall be registered and authorized to practice architecture or professional engineering as provided in this chapter;

(3) All plans, specifications, plats and reports prepared for and on behalf of any such corporation shall be signed by the registered architect or registered professional engineer by whom or under whose supervision they were prepared when issued for filing with public officials within this state; and

(4) Such corporation pays such fees for such certificate of authority, renewals or reinstatements thereof and reauthorization after expiration as may be required by law.

(L. 1941 p. 655 §15, A. L. 1947 V. I p. 214, A. L. 1955 p. 636, A. L. 1957 p. 639)

327.090. Exemptions.—The following persons shall be exempt from the provisions of this chapter, to wit:

(1) Any employee of any architect or professional engineer registered under this chapter whose work is done under the direction and supervision of his employer and for which such employer is responsible. Any employee of a corporation authorized to practice architecture or professional engineering in this state whose work is done under the direction and supervision of a professional architect or engineer registered under this chapter, provided, that such work may not include responsible charge of design or supervision.

(2) Land surveyors whose work includes exclusively surveying of areas for their correct determination and description and for conveyancing, or for the establishment or reestablishment of land boundaries and the plotting of lands and subdivisions thereof, except as may be otherwise required by law.

(3) Landscape architects, landscape engineers, city planners and regional planners, in so far as their work concerns consultations and preparation of master plans of parks, land areas or communities, or the preparation of detailed plans and supervision of planting, grading, walks and paving, and such minor structural features as fences, steps, walls, pools, and garden structures, normally included as a part of their work, where such structural features could not constitute a possible menace to life, health or public welfare.

(4) Nothing contained in this chapter shall prevent persons, mechanics or builders from making plans, specifications for, or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employees for their own use, nor shall any provision of this chapter prevent persons, mechanics or builders in the regular and continuous employ of any person, firm or corporation, from making plans, specifications for, or supervising the erection, enlargement or alteration of buildings, or any parts thereof, to be owned by or leased to such person, firm, or corporation, unless the same shall endanger the public peace, health and safety; and provided

further, that the working drawings for such construction are signed by the author thereof in his true name followed by such title as he may be lawfully authorized to use; nor shall this chapter be construed in any way affecting superintendents, inspectors, foremen or building trades craftsmen while performing their customary duties; and nothing contained in this chapter shall be held or construed to have any application to the constructing, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purpose of outbuildings, or auxiliary buildings in connection with such residential or farm premises; nor shall this chapter apply to the constructing, remodeling or repairing of any privately owned residential, commercial or industrial building or structure inside or outside of the corporate limits of any city or village unless such building or structure, or the remodeling or repairing thereof provides for the employment, housing or assembly of ten or more persons or covers over twelve hundred square feet of ground area with height to uppermost ceiling over thirty feet or two habitable stories above basement, and with cubical volume over twenty thousand cubic feet.

(5) No provision of this chapter shall be construed to require the registration hereunder of any person engaged in his own behalf or as the employee or agent of another in the operation of any locomotive, stationary engine, marine engine, or power plant, as a prerequisite to any such operation or employment.

(6) No provision of this chapter shall be construed to require inspection and service work for insurance inspection and actuarial bureaus, insurance companies or their agents to be performed by registered architects or registered professional engineers.

(7) Engineering work of a technical character similar to that of a professional engineer when not for hire to the public and when not in public employment. Engineering work and services as done by employees of a company engaged in manufacturing operations, which are incidental to the manufacture and sale and

installation of the products of the company.

(8) Notwithstanding any other provisions hereof, the provisions of this chapter shall not be construed to apply to the practice of architecture, whether professional or otherwise, or to the practice of engineering, whether professional or otherwise, in the construction, remodeling or repairing of any privately owned dwelling house of any kind or character whatsoever; nor to the construction, remodeling or repairing of any multiple unit dwelling house, flat or apartment, which contains less than five units.

(9) No provision of this chapter shall be so construed as to prevent any architect from doing such engineering work as may be incidental and necessary to the completion of any architectural work lawfully undertaken by such architect; nor so construed as to prevent any engineer from doing such architectural work as may be incidental and necessary to the completion of any engineering work lawfully undertaken by such engineer.

(L. 1941 p. 655 §17, A. 1949 H. B. 2067, A. L. 1951 p. 709, A. L. 1955 p. 636)

327.100. Reciprocal registration.—1. Exchange or reciprocal registration may be granted to any registered architect or registered professional engineer of another state, territory or possession of the United States or of any country, on the same terms and under the same conditions as the officer or officers of such other state, territory, possession or country, authorized by law to register architects and professional engineers, will grant exchange or reciprocal registration to a resident architect or professional engineer registered by the board; provided, the qualifications and experience of the applicant, as shown by the certificate of the registering authority of such other state, territory, possession or country, are equivalent to the requirements for initial registration in this state.

2. The board is hereby authorized to negotiate and effect arrangements with the appropriate officers of other states, territories, possessions and countries, to facilitate such exchange or reciprocal registration.

(L. 1941 p. 655 §18, A. L. 1947 V. I p. 214)

327.110. Suspension, revocation or refusal to renew registration, grounds.—

1. The board or the division having jurisdiction thereof may refuse to issue, or may refuse to renew, or may suspend, or may revoke, any certificate of registration or authority for any one, or any combination of, the following causes:

(1) The obtaining of a certificate of registration or authority by the practice of any fraud or deceit or misrepresentation;

(2) Any gross negligence, incompetency, or misconduct in the practice of his profession as a registered architect, or as a registered professional engineer;

(3) The violation of any provision of this chapter, whether in this or any other section of this chapter mentioned;

(4) Accepting compensation for services on any architectural project from any person other than his client or employer;

(5) Competing with another architect on the basis of professional charges, or making any donation in consideration of or as a device for obtaining competitive advantage;

(6) Engaging in or participating in any profits from any contractual work for which he has been employed as the architect;

(7) Falsely or maliciously injuring another architect in his professional reputation, prospects or practice;

(8) Attempting to supplant another architect after he has been definitely employed for any architectural services;

(9) Undertaking a commission for which he knows another architect has been employed until after he has notified such other architect in writing and has been informed by him that his employment in connection with architectural work involved has been terminated, and that he has been satisfactorily compensated for services previously rendered in connection therewith;

(10) Splitting or dividing fees for architectural services with any person except a registered architect or a registered professional engineer where such professional engineer is engaged to render any lawful professional service in connection with such project, or in payment for services rendered by employees in his own office;

(11) Printing, publication or use of self-laudatory, exaggerated or misleading publicity;

(12) Soliciting or permitting others to solicit in his name advertisement or other support for the cost of publication presenting his work;

(13) Violating the registration law of this or any other state in which he is permitted to practice by virtue of his registration in this state;

(14) Violating the code of ethics, by-laws, rules or regulations of any architectural association or society in which he holds membership;

(15) Accepting any secret profits from any owner, contractor, or other person whomsoever on the construction or operation of any engineering project, or any part thereof, for which he is employed as an engineer;

(16) Undertaking to supplant another professional engineer by any false or malicious representations, or accepting employment as the engineer on any project upon which any professional engineer has been previously employed, without first having determined that the service of such other engineer has been terminated, and that he has been satisfactorily compensated for the engineering services previously rendered;

(17) Maliciously and falsely injuring, or attempting to injure, any other registered professional engineer in his professional reputation and standing.

2. Violation of any of the foregoing provisions by a corporation shall not be grounds for the revocation or suspension of, or for refusal to renew a certificate of registration of an individual employee of such corporation unless the board finds that such employee was a party to the proscribed action.

(L. 1941 p. 655 §19, A. L. 1951 p. 709, A. L. 1955 p. 636)

327.120. Charges preferred, procedure — hearing. — Any person having knowledge of the facts in the case may prefer charges against any registered architect or registered engineer. All such charges shall be in writing, shall clearly set forth each violation of the registration law charged against the accused, and shall be signed and sworn to by the person making such charges. Such

charges, when presented, shall be filed by the secretary of the board and referred to the architectural or professional engineering division, as the case may require, for consideration. Unless such charges contain statements sufficient, if proved to be true, to authorize suspension or revocation of the registration of the accused, they shall, on recommendation of said division, be dismissed without a hearing. All charges containing statements which, if proved to be true, would authorize suspension or revocation of the registration of the accused, shall be heard by the division of the board having jurisdiction over the registration of the accused, at the second regular meeting of the board after date of filing thereof, or at a convenient date prior thereto, but before any such charges shall be heard, notice of time and place of such hearing, and a copy of said charges, shall be mailed to the accused by first class registered mail addressed to him at his last known post-office address as shown by the records of the board, at least twenty days prior to the date set for such hearing. The hearing on all such charges shall be conducted, in so far as same may be applicable, according to the procedure prescribed by chapter 536, RSMo. If the division of the board hearing such charges shall find the accused guilty, his registration shall be suspended or revoked, as said division may recommend, and an order entered accordingly on the records of the board. Unless said division shall find the accused guilty, and recommend revocation or suspension of his registration, he shall be declared not guilty, and his standing on the records of the board shall thereafter be the same as if no such charges had been filed or heard.

(L. 1941 p. 655 §20, A. L. 1951 p. 709)

327.130. Certificate may be reissued, when. — The board may, on recommendation of its architectural division, or on recommendation of its engineering division, as the case may require, set aside any order of revocation or suspension of registration of any registered architect or engineer, previously entered as authorized by section 327.120.

(L. 1941 p. 655 §21, A. L. 1951 p. 709)

327.140. Power of determination and review of same.—The board shall have power to determine all matters within its jurisdiction, subject to review of the circuit court of Cole county, or, at the option of the aggrieved party, by the circuit court of the county in which he resides, as authorized by the constitution, article V, section 22, and according to the procedure prescribed by chapter 536, RSMo.

(L. 1941 p. 655 §22, A. L. 1951 p. 709)

Administrative procedure and judicial review, RSMo ch. 536

327.150. State board created. — A state board of registration for architects and professional engineers is hereby created and established, which said state board of registration shall be vested with and possessed of the powers and duties in this chapter specified, and such incidental powers as may be necessary or proper to enable it to carry out fully and effectually all the purposes of this chapter.

(L. 1941 p. 655 §3)

Board within division of registration and examination of state department of education, RSMo 160.200

327.160. State board — appointment, qualifications, terms — vacancies, how filled—oath—chairman.—1. Said board shall consist of seven members, a chairman, who may be either a registered architect or a registered professional engineer, three registered architects, who shall constitute the architectural division of the board, and three registered professional engineers, who shall constitute its professional engineering division.

2. The chairman of the board and each member of its divisions shall, at the time of his appointment, possess the following qualifications:

(1) He shall have been a qualified elector in this state continuously for a period of five years next before the date of his appointment;

(2) He shall have been actively engaged in the practice of architecture, or in the practice of professional engineering, or actively engaged in the teaching of architecture or professional engineering as a full-time professor in a recognized, fully accredited school or college of architecture or professional engineering, continuously for a period of at least

fifteen years next before the date of his appointment.

3. The official term of office of the chairman of the board and each member of its divisions shall be six years, subject, however, to the provisions of the constitution, article IV, section 17, and section 106.010, RSMo.

4. Any vacancy in the chairmanship of the board, or in the membership of either of its divisions, shall be filled by appointment of the governor for the remainder of the term in which such vacancy exists, and the successor to any person so appointed shall be appointed for a full term of six years running from the expiration of the official term in which such vacancy occurred.

5. When a member of one of its divisions is appointed chairman of the board, the vacancy in the division created by such appointment shall be filled by the appointment of some qualified person to serve for the remainder of the term in which such vacancy exists.

6. The appointment of the chairman of said board and each member of its divisions, whether for a full term or for an unexpired term, shall be made by the governor, by and with the advice and consent of the senate. Every such appointment made when the senate is not in session shall be submitted to the senate for its advice and consent at its next session following date of such appointment.

7. The chairman and each member of the board, whether appointed for a full six-year term or to fill a vacancy, shall serve until the expiration of the term, or the unexpired portion of the term, for which appointed, and thereafter until his successor is appointed and qualified.

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

9. The chairman shall be the administrative and executive officer of the board, and it shall be his duty generally to supervise and expedite the work of the board and its divisions, and, at his

election, when a tie exists between the divisions of the board, to break such tie by recording his vote for or against the action upon which said divisions are in disagreement. Every motion or proposed action upon which the divisions of the board are tied shall be deemed lost, and the chairman shall so declare, unless he shall elect to break such tie as hereinabove provided.

10. Each division of the board shall, at its first meeting in each even numbered year elect one of its members as division chairman for a term of two years, beginning on the first day of July next following. The chairman of the divisions so elected shall be vice-chairmen of the board, and when the chairman of the board is an architect, the chairman of the architectural division shall be the ranking vice-chairman, and when the chairman of the board is a professional engineer, the chairman of the professional engineering division shall be its ranking vice-chairman. The chairman of each division shall be the administrative and executive officer of his division, and it shall be his duty generally to supervise and expedite the work of the division, and, in case of a tie vote on any matter, he shall, at his election, break the tie by his vote. Every motion or question pending before the division upon which a tie exists shall be deemed lost, and so declared by the chairman of the division, unless he shall elect to break such tie by his vote.

(L. 1941 p. 655 §4, A. L. 1951 p. 709)

327.170. Secretary of board—bond—architects' and professional engineers' fund.—1. The board shall appoint a secretary, who shall not be a member of said board, and who shall serve during the pleasure of the board. The secretary, before entering upon his duties shall file a bond with the secretary of state in such penal sum as the board may require, payable to the state of Missouri, to insure the faithful discharge of his duties in said office. The premiums for such bond shall be paid from the funds received as fees.

2. All fees payable under the provisions of this chapter shall be paid to and collected by the division of collection in

the department of revenue and deposited in the state treasury to the credit of a fund to be known as the Architects' and Professional Engineers' Fund" which is hereby created and established. The compensation and expense of members and officers of said board, and all expenses proper and necessary in the opinion of said board to discharge its duties under and to enforce the law, shall be paid out of such fund as herein provided.

(L. 1941 p. 655 §5, A. 1949 H. B. 2067)

327.180. Board meetings—time, place, quorum—powers of board.—1. The first meeting of said board shall be held at the seat of government within thirty days next following date of the appointment of the members thereof. At its first meeting the board shall elect a vice chairman for each of its respective divisions, and such vice-chairman shall be *ex officio* chairman of the division from which he is elected. Said board shall meet semiannually at the seat of government and at such times and places as the business of the board may require. The dates for the semiannual meetings of said board shall be determined at its first meeting. The respective divisions of said board shall meet semiannually at the seat of government and at such other times and places as their duties may require. The date for the semiannual meetings of the divisions of said board shall be fixed and determined by the respective divisions thereof, subject to the approval of the chairman of said board. No meeting of either division thereof shall interfere with any semiannual or other meeting of said board. A quorum for the transaction of any business for the performance of any duty or for the exercise of any power of the board shall consist of not less than two architect members and two professional engineer members, exclusive of the chairman, who shall vote only in case of tie vote by other members.

2. The board shall have power to administer the provisions of this chapter, prescribe the duties of its officers and employees and adopt rules and regulations not inconsistent with this chapter or the Constitution of the state of Missouri to govern its proceedings. The board shall establish and maintain an office at

Jefferson City where all records and files of the board shall be kept. Under the direction of the board the secretary shall have general charge of its office, superintend its clerical business and perform such other duties as the board may prescribe.

3. Special meetings of the board, or of either division thereof, shall be held at such times and places as the rules hereafter prescribed by the board may provide. Notice of all meetings shall be given in such manner as may be provided by the board.

4. The board shall adopt an official seal which shall be affixed to all certificates issued by the board, and to all other instruments as the board shall direct. The board shall have power to employ such consultants, technical inspectors and such legal, clerical and other assistants as are necessary for the proper performance of its work, and may make expenditures of the fund herein provided for any purpose which in the opinion of the board is reasonably necessary for the proper performance of its duties under this chapter, including the purchase of supplies, equipment, books, and instruments, and may pay the necessary traveling expenses of its members and employees for travel on official business.

(L. 1941 p. 655 §6)

327.190. Divisions of board — jurisdictions—procedure.—1. All matters pertaining to the qualification, examination and registration of architects, all matters pertaining to the hearing and disposition of charges against architects, and all matters pertaining solely to the practice of architecture, shall first be presented to the board with the recommendations of said division.

2. All matters pertaining to the qualification, examination and registration of professional engineers, all matters pertaining to the hearing and disposition of charges against professional engineers, and all matters pertaining solely to the practice of professional engineering, shall first be presented to and considered by the professional engineering division, and presented to the board with the recommendations of said division.

3. The board shall provide by regulation for taking and filing a separate

signed pre-conference ballot, and a separate signed post-conference ballot, on all questions involving the qualifications of an applicant for registration; on the question of guilt or innocence of a registrant against whom charges are heard, and on the question of whether the registration of a registrant found guilty after such hearing shall be suspended or revoked.

(L. 1941 p. 655 §7, A. 1949 H. B. 2067, A. L. 1951 p. 709, A. L. 1955 p. 636)

327.200. Compensation, members and employees.—Members of the board shall receive compensation at the rate of ten dollars per day for each day or part thereof during which they shall be in attendance on board meetings or otherwise engaged under the direction of the board in the discharge of official duty. The compensation of all employees shall be fixed by the board and shall be commensurate with their duties. No such compensation shall exceed the amount allowed by law to be paid to accountants, clerks and stenographers in other state departments. All compensation for board members and employees and all legitimate necessary expenses incident to the administration of this chapter incurred by members in attending meetings and by the board in administering the provisions of this chapter shall be paid out of the funds set apart for the board in section 327.170 hereof upon a warrant on the state treasurer issued upon a requisition signed by the chairman and attested by the secretary under the seal of the board. But no expense of this board shall ever be paid out of any other fund of the state, either by deficiency bill or otherwise.

(L. 1941 p. 655 §8, A. 1949 H. B. 2067)

327.210. Board records.—An accurate record of the proceedings of the board, and of its divisions, shall be kept, and certified copies of such records shall be admitted in evidence in all courts of this state, and have the same evidentiary value as certified copies of the proceedings of courts of record.

(L. 1941 p. 655 §9, A. L. 1951 p. 709)

327.220. Board reports—to governor —to general assembly.—Annually, as of December thirty-first the board shall submit to the governor, prior to the follow-

ing February first, a report of its transactions of the calendar year next preceding, and shall also transmit to him a complete statement of the receipts and expenditures of the board attested by the affidavit of its secretary, and signed by its chairman. Said board shall also make a biennial report to the general assembly, which report shall include the annual reports of said board to the governor, and such other matters as the board may deem advisable. Said biennial reports shall be delivered to the general assembly within twenty days next following the convening of each regular session thereof.

(L. 1941 p. 655 §10, A. 1949 H. B. 2067)

327.230. Power of board to subpoena, administer oaths.—1. The board, either division thereof, or any member of the board acting under written authority of its chairman, and under the seal of the board, may issue subpoenas requiring the attendance of witnesses, and subpoenas *duces tecum* requiring the production of books, records, papers and documents desired as evidence in any hearing on charges filed against any registered architect or registered professional engineer, and may also administer oaths or affirmations to all such witnesses.

2. The board, and each division thereof, with the approval of the board, shall adopt, publish and be governed by rules and order of procedure for the conduct of its business and the management of its internal affairs. The board, and each of its divisions, with the approval of the board, shall adopt, publish, observe and enforce such regulations, not inconsistent with the constitution and laws of this state, as may be deemed necessary for the effectual administration of the provisions of this chapter.

(L. 1941 p. 655 §23, A. L. 1951 p. 709)

327.240. Failure to obey — penalty.—If any person subpoenaed to appear before the board, or either division thereof, fails to obey the command of such subpoena without lawful cause, or if any person in attendance upon the board, or either division thereof, shall, without lawful cause, refuse to be sworn or to be examined, or answer any question, or to produce any book or paper when ordered to do so by the board, or either division

thereof, or to subscribe or swear to his deposition after it has been correctly produced in writing, he may be prosecuted in a court of competent jurisdiction; and upon conviction thereof he may be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment; and in case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense.

(L. 1941 p. 655 §24)

327.250. Registry roster.—1. The directory required by section 160.230, RSMo, shall be combined with the roster of registered architects required by this section, and shall contain the name and the latest address of record of each registered architect in good standing on the records of the board on the thirtieth day of June next preceding its date of publication, and so much of the information required by said section 160.230, as the records of the board disclose.

2. The directory required by section 160.230, RSMo, shall be combined with the roster of registered professional engineers required by this section, and shall contain the name and the latest address of record of each registered professional engineer in good standing on the records of the board on the thirtieth day of June next preceding its date of publication, and so much of the information required by said section 160.230, as the records of the board disclose.

3. Two copies of the directory and roster of registered architects shall be filed in the office of the secretary of state, and one copy mailed to each registered architect whose name appears therein. Two copies of the directory and roster of registered professional engineers shall be filed in the office of the secretary of state, and one copy mailed to each professional engineer whose name appears therein.

4. Copies of said directories and rosters, if any are available after complying with the requirements of subsection 3, may be distributed, without cost, on request in writing, but not more than one copy of each to any one person.

(L. 1941 p. 655 §25, A. L. 1951 p. 709)

Directory to be prepared, RSMo 160.230

327.260. Contracts void, when. — Every contract, written or oral, for architectural or engineering services made by any architect or professional engineer in violation of any provision of this chapter shall be void, and it shall be a complete defense to any action to enforce payment for any such services if the defendant shall allege and prove that the plaintiff was not, at the time such services were rendered, legally authorized to contract for or render architectural or engineering services in this state.

(L. 1941 p. 655 §27, A. L. 1951 p. 709)

327.270.—(Repealed L. 1951 p. 709)

327.271. Fees.—For the official service of the board there shall be paid to the collector of revenue, in advance, fees as follows:

(1) For examination for enrollment as an architect-in-training or as an engineer-in-training, five dollars;

(2) For filing each application for registration as an architect or as a professional engineer, twenty-five dollars, which shall include the right to an original examination and one reexamination, when necessary, and certificate of registration if and when registration is granted;

(3) For annual renewal of registration as an architect or as a professional engineer, five dollars;

(4) For reinstatement of suspended registration of an architect or a professional engineer, ten dollars;

(5) For reregistration of an architect or a professional engineer under his original number, twenty-five dollars;

(6) For an original and one reexamination of architects and professional engineers registered without examination on or after the effective date of this section, fifteen dollars;

(7) For each official certificate, one dollar and fifty cents;

(8) For typewritten copies of files and records, fifty cents per one hundred words and figures, but not less in any case than one dollar, plus certificate fee of one dollar and fifty cents when certified;

(9) For certificate authenticating photostatic copies of board records and files furnished by and at the expense of

the person requesting such certificate, one dollar and fifty cents;

(10) For certificate of registration in replacement of one lost, mutilated or destroyed, three dollars;

(11) For card certificate of renewal of registration in replacement of one lost, mutilated or destroyed, three dollars;

(12) For temporary permit, twenty-five dollars; for annual renewal thereof, ten dollars;

(13) For a certificate of authority or reauthorization of a corporation, fifty dollars; for annual renewal or reinstatement thereof, twenty-five dollars.

(L. 1951 p. 709 §327.270, A. L. 1955 p. 636)

327.280. Violation — penalty — enforcement. — 1. After the taking effect of this law, any person who shall practice, or offer to practice, the professions of architecture or professional engineering in this state, or any person who shall use the title "architect" or "designer" or "draftsman" as indicating professional architectural service as in this chapter defined, or "professional engineer" or "consulting engineer", or "engineer" as indicating professional engineering service as in this chapter defined, with or without qualifying adjectives, or who shall use any other words, letters or figures indicating or intending to imply that the person using the same is an architect or professional engineer, without being registered or exempted in accordance with the provisions of this chapter, or any person pretending or attempting to use as his own the certificate of registration or the seal of another, or the affixing of a registered architect's or professional engineer's seal on any plans, specifications, drawings, or reports which have not been prepared by him or under his immediate personal supervision, or any person who shall give any false or forged evidence of any kind to the board, or to any member thereof, in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person duly registered under the provisions of this chapter who shall knowingly allow his name or seal to be

used upon plans or work not actually performed by him, or any person who shall violate any of the provisions of this chapter, shall be guilty of a misdemeanor, and shall be punished upon conviction by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for a term not exceeding three months, or both.

2. It shall be the duty of all duly constituted officers of the law of this state, or any political subdivisions thereof, to enforce the provisions of this chapter and to prosecute any person violating the same. The attorney general of the state shall, when requested by the board, render such legal assistance as may be

necessary in carrying out the provisions of this chapter.

(L. 1941 p. 655 §26)

327.290. Law not to be construed as authorizing acts inimical to public welfare.—No provision of this chapter shall ever be construed as authorizing or legalizing any act or thing endangering, or that might endanger, the life, health, peace and safety of the inhabitants of this state; or as authorizing or legalizing any act or thing damaging or destroying, or that might damage or destroy, their property, or interfere with their peaceful enjoyment of the gains of their own industry; or as authorizing or legalizing any act or thing inimical to the public welfare.

(L. 1951 p. 709 §327.290)

§343.250

OCCUPATIONS AND PROFESSIONS

3014

MISSOURI REVISED STATUTES — 1959

Chapter 344

LAND SURVEYORS

Sec.

- 344.010 Definitions
- 344.020 Practicing as land surveyor without registration prohibited
- 344.030 Right to practice personal—practice through firm or corporation
- 344.040 Qualifications for registration, examination
- 344.070 Reciprocity in registering practitioners from sister states
- 344.080 Applications for registration and renewals
- 344.090 Registration and renewal fees—suspension—registration of engineer, fee
- 344.100 Registration revoked, when
- 344.110 Seal—affixed to surveys before filing
- 344.120 Survey, map or plat not to be recorded unless bearing seal of surveyor
- 344.130 Violations of chapter, penalty

CROSS REFERENCE

Surveys, made how, RSMo 60.180 to 60.310

344.010. Definitions.—For the purposes of this chapter:

(1) "Land surveying" means the surveying and measuring of the area of any portion of the earth's surface; locating and measuring the lengths and directions of the boundaries of land, and the contour of the surface thereof; and the plotting of lands, and subdivisions thereof in this state, for compensation in any form or manner;

(2) A "land surveyor" is one who surveys land, or who offers his services to the public as a land surveyor or surveyor of land, or who, by advertising or in any other manner whatsoever, holds himself out to the public as being authorized by law to practice land surveying, or to survey land in this state.

(L. 1955 p. 632 §1)

344.020. Practicing as land surveyor without registration prohibited.—It shall be unlawful for any person to practice, or offer to practice, or to in any manner advertise or indicate to the public that he is engaged in, or will engage in the practice of land surveying in this state, without first registering with the state board of registration for architects and professional engineers, as a land surveyor.

(L. 1955 p. 632 §5)

Survey as legal evidence, when, RSMo 60.150, 60.370

344.030. Right to practice personal—practice through firm or corporation.—The right to engage in the practice of land surveying shall be deemed a personal right, based upon the qualifica-

tions of the individual, evidenced by his certificate of registration, and shall not be transferable. Any registered land surveyor may practice his profession through the medium of, or as a member or as an employee of, a partnership or corporation, provided all surveys of such partnership or corporation are signed and stamped with the personal seal of the registered surveyor by whom or under whose directions they were made, and the registered surveyor signing and sealing such surveys shall be responsible, personally and professionally, therefor.

(L. 1955 p. 632 §12)

344.040. Qualifications for registration, examination. — Any person who shall show to the satisfaction of the professional engineering division of the state board of registration for architects and professional engineers that he is a person of good moral character, over the age of twenty-one years, with six years or more of active experience in land surveying of a character satisfactory to said division, or possessed of a degree in civil engineering from an accredited college or university, and who shall pass a written examination designed to show that he is qualified to practice land surveying, shall be eligible for registration as a land surveyor, and shall be so registered by the board on recommendation of its professional engineering division. In determining the land surveying experience of an applicant for registration, two years of acceptable work in an accredited college shall be deemed equivalent to two years experience in land surveying.

(L. 1955 p. 632 §2)

344.070. Reciprocity in registering practitioners from sister states. — The board may register, without examination, any registered land surveyor residing and registered in another state or country, having qualifications equal to the qualifications required by this chapter for registration of land surveyors in this state, upon the same terms and conditions as such other state will register land surveyors of like qualifications residing and registered in Missouri.

(L. 1955 p. 632 §11)

344.080. Applications for registration and renewals.—Applications for registration as a land surveyor and for the renewal of registration shall be made on forms furnished by the board, and all applications for registration shall be signed and sworn to by the applicant. Applications for renewal of registration shall be signed and sworn to by the applicant when and as required by the board.

(L. 1955 p. 632 §6)

344.090. Registration and renewal fees—suspension—registration of engineer, fee.—1. Every application for registration as a land surveyor shall be accompanied by an application fee of twenty-five dollars, no part of which shall ever be returned to the applicant.

2. Any registered professional engineer who shall show by the evidence submitted in support of his application that he has the qualifications required by this chapter for registration as a land surveyor may be so registered on payment of a registration fee of twenty-five dollars.

3. Every registration as a land surveyor shall be renewable on or before the first day of January, each year on payment of an annual renewal fee of five dollars. If not renewed on or before the first day of April next following, the registration shall be suspended subject to the right of reinstatement on or before the thirty-first day of December next following upon payment of a reinstatement fee of ten dollars. Any registration suspended and not reinstated shall expire and be void on the thirty-first day of December. Any registered land surveyor whose registration has expired may be reregistered under his original registration number upon recommendation of the professional engineers division, if the division finds him qualified at the time of reinstatement.

(L. 1955 p. 632 §7)

344.100. Registration revoked, when.—If the board finds, after a hearing, that any registered land surveyor secured his registration through the practice of any

fraud or deceit, or through any false statement made in his application for registration, or in any document subsequently filed, or in any oral testimony subsequently given in support of such application, or that he has been guilty of negligence in the performance of any professional employment, guilty of any act of incompetency, or has been convicted of any felony or crime involving moral turpitude the board shall revoke the registration of the accused.

(L. 1955 p. 632 §8)

344.110. Seal—affixed to surveys before filing.—Every registered land surveyor shall procure a personal seal, in form approved by the professional engineering division of the board, and shall affix the seal, and his signature upon all maps, plats, surveys, or other documents, before the delivery thereof to any client, or before offering to file or record any such map, plat, survey, or other document, in the office of the recorder of deeds of any county, or in the office of the city clerk of any city or town, or with the clerk or other proper officer of any school, road, drainage, or levee district, or other civil subdivision of this state.

(L. 1955 p. 632 §9)

344.120. Survey, map or plat not to be recorded unless bearing seal of surveyor.—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 civil subdivision of this state, to file or record any map, plat, survey, or other document prepared by any land surveyor, which does not have impressed thereon, and affixed thereto, the personal seal and signature of the registered land surveyor by whom, or under whose authority and direction, the map, plat, survey, or other document was prepared.

(L. 1955 p. 632 §10)

344.130. Violations of chapter, penalty.—Any person who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail for a term of not less than thirty days nor more than six months, or by both such fine and imprisonment.

(L. 1955 p. 632 §13)

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REGULATIONS ADOPTED BY THE STATE BOARD OF REGISTRATION FOR ARCHITECTS AND PROFESSIONAL ENGINEERS

(Effective April 10, 1961)

1-2-61-a. Proof that any registered architect has engaged, or is engaged, in the practice of engineering without registration as a professional engineer shall be deemed such a violation of the registration law as to authorize revocation of his registration as an architect; proof that any registered architect has engaged, or is engaged, in the practice of land surveying without registration as a land surveyor shall be deemed such a violation of the registration law as to authorize revocation of his registration as an architect.

1-2-61-pe. Proof that any registered professional engineer has engaged, or is engaged, in the practice of architecture without registration as an architect shall be deemed such a violation of the registration law as to authorize revocation of his registration as a professional engineer; proof that any registered professional engineer has engaged, or is engaged, in the practice of land surveying without registration as a land surveyor shall be deemed such a violation of the registration law as to authorize revocation of his registration as a professional engineer.

1-2-61-LS. Proof that any registered land surveyor has engaged, or is engaged, in the practice of professional engineering without registration as a professional engineer shall be deemed such a violation of the registration law as to authorize revocation of his registration as a land surveyor; proof that any registered land surveyor has engaged, or is engaged, in the practice of architecture without registration as an architect shall be deemed such a violation of the registration law as to authorize revocation of his registration as a land surveyor.

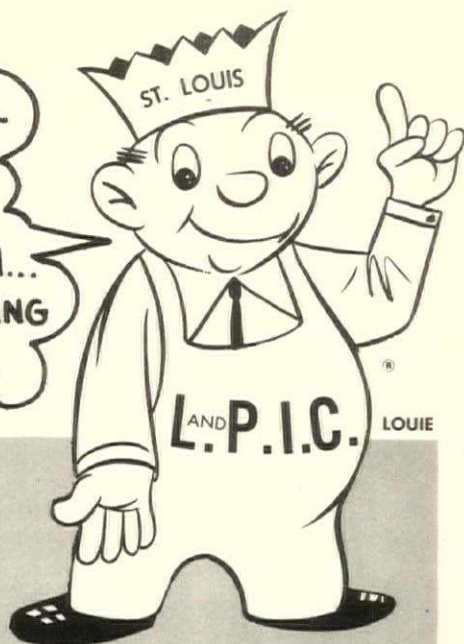
2-2-61-LS. The words "civil engineering" as used in Section 344.040 of the land surveyors' registration law shall be construed to apply to any person holding a degree in a fully accredited course of engineering in any school or college of engineering approved by the Board as of satisfactory standing.

STATE BOARD OF REGISTRATION FOR ARCHITECTS AND PROFESSIONAL ENGINEERS

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No applicant for registration as an architect shall be permitted to retake any part of the written examination more than twice on his first application, nor shall any person be permitted to file a second application for registration as an architect until after the expiration of one year next following date of denial of registration on his first application.



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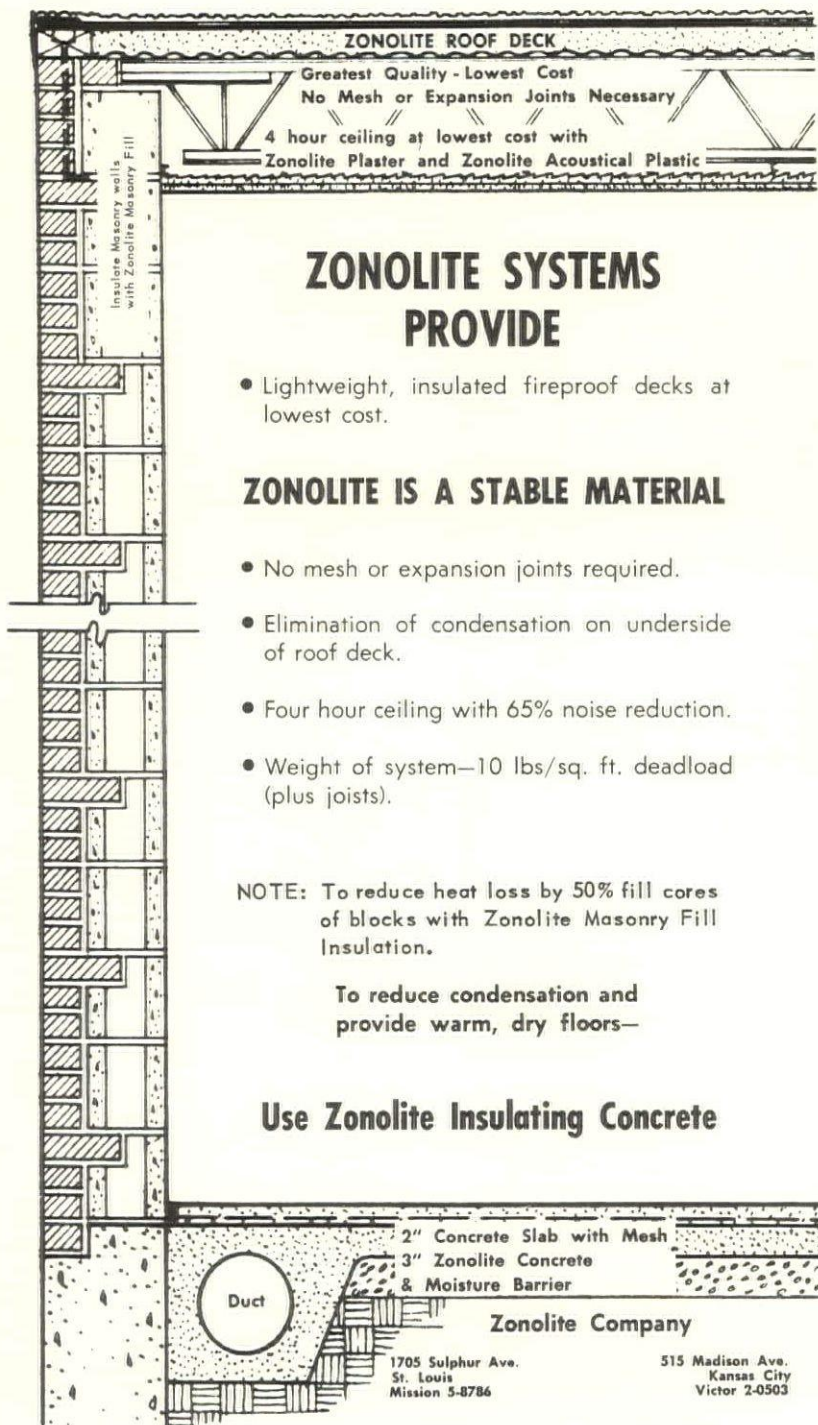
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