



## Is landscape licensing a good idea?

**O**ur society provides us with the wonderful opportunity to start a business — to run our own show, to be our own boss. We choose the profession we want to pursue, taking into consideration some professions are more difficult to master and to join than others.

Historically, the landscape profession has been one of the easiest to enter. In most locations, that remains true today. Slap a magnetic sign on the side of your pickup truck proclaiming yourself a landscaper, load up a mower and trimmer, and off you go, a landscaper. But you're hardly a professional.

Would you agree?

I don't want this to sound like I'm railing against the beginner or the small-time operator, because almost every successful landscape company owner I've met started out with little more than a willingness to work hard and the faith he or she could make a go of it in our industry.

The difference between those folks and the operators targeted by a landscaper licensing law under consideration in New Jersey (S-2302), however, is that these small-timers and beginners eventually got smart. There's no better way to put it. They acquired the proper insurances, became bonded, and they keep learning and improving both their business and technical skills.

Obviously, you can't legislate a person into doing the right thing. But most professions that can be legitimately referred to as professions have licensing laws. Some are good; some are probably not so good. The NJ licensing law, at least in the opinion of the New Jersey Landscape Contractors Association (NJLCA), falls into the not-so-good category — at least as it's written.

The NJLCA polled its 500-plus member companies on the proposal this past winter and most of them did not like it. They believe it needs changes. Plus, there's always the difficult question of enforcement.

The NJ licensing law proposal would establish

a 15-member Landscape Professional License Review Board, including six landscape company professional members and two from the nursery industry. It would require, among other things, applicants acquire 90 hours of classroom instruction from an accredited educational institution and that they work in the landscape industry for four years before they can be considered for licensure. It also establishes a canon of ethics that nearly duplicates, it would seem, what the NJLCA members have already agreed to abide by.

The NJLCA offers this quick look at the pros and cons of landscape licensing.

### Pros:

- › Establishes industry best management practices.
- › Enhances expertise and promotes safety through ongoing professional education.
- › Increases professional responsibility.
- › Provides greater consumer protection.
- › Enhances public perception of the industry.
- › Identifies those committed to a greater level of responsibility and higher quality of work.
- › Replaces individual municipal licenses.
- › May protect our livelihoods from future restrictions of regulatory authorities.

### Cons:

- › Increases regulatory requirements and governmental involvement.
- › Increases professional costs, including initial fee and renewals.
- › Exposes contractors to new regulatory compliance requirements.
- › Exposes contractors to disciplinary action.
- › Encourages professionalism that will be involuntary only.
- › Provides no guarantee that non-licensed contractors would halt business.
- › May require more documentation on each job or project.

What do *you* think about landscape licensing?