

Texas Board of Professional Engineers

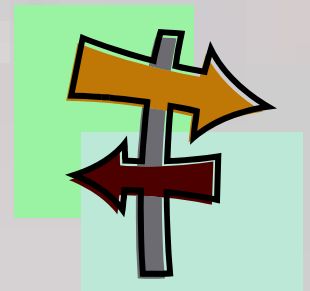
Professional Practice Update

**David Howell, P.E.
Director of Licensing
March 3, 2009**



Agenda

- What's New at the Board
- Rule Changes/Reminders
- Enforcement statistics



Board Organization & Responsibilities

- 9 members appointed by the governor; 6 PEs, 3 public members
- Approve rules
- Approve issuance of licenses and firm registrations, and testing
- Approve compliance actions
- Provide direction and oversight to Board staff through the Executive Director



What's New

New Chairman

G. Kemble Bennett,
Ph.D., P.E.

Vice Chancellor and Dean of
Engineering, Texas A&M



What's New

New Board Member

Gary Raba,
D.Eng., P.E.

Vice-Chairman
Raba-Kistner

San Antonio



What's New

New Board Member

Elvira Reyna

Ex-Member of Texas House
of Representatives

Little Elm, TX



Agency Organization & Responsibilities

- Executive Director:
 - Ms. Dale Beebe Farrow, P.E.
- Review and process all licensing applications
- Coordinate FE and PE Exams (~6000 in 08)
- Investigate all enforcement cases (~750 / yr)
- Administer Licenses for 50,000 PE's
- Administer Registrations for 7,000 Firms



Four Year Rule Review

- Required review of all Board rules
- 62 Rules with Changes
 - 21 Sections changed in 133 (licensing)
- Most are Minor / Administrative
- Proposed August 2008
- Adopted November 2008
- Published in Texas Register (Dec 12 Issue)
- Effective date December 21, 2008
- Revised Rule Book – Online NOW!



Four Year Rule Review

- Substantive Rule Packages:
 - PDH for K-12 or higher education outreach
 - Up to 3 hours for presentations
 - E-Week
 - Schools / Universities
 - NCEES Council Record for inter-state licensure



Four Year Rule Review

- Firm name / number on engineering work
 - PE required to include registered firm name / # on designs
 - Firms required to include name/# on released work
 - Connects PE to Legal Engineering Firm
 - Can be:
 - Title Block
 - Seal Block
 - Stamp
 - Handwritten
 - Education Period: Warning 2009 / Effective 2010



Four Year Rule Review

- Revision of international licensure rules
 - Clarified Requirements
 - Added AUSFTA
 - Temporary License
- Release of case documents
 - Clarified when enforcement documents can be released
- References for Additional Branch requests



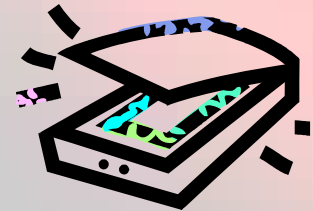
Adopted Board Rules

- **Electronic Seal and Signature**
 - Electronic Signatures Now Allowed
- **Waiver - Former Texas License Holder**
- **Experience Before Degree**
 - Limited to 2 years
- **Emergency Temporary License**
 - Effective until March 31, 2009
 - ~80 received
 - 180 day duration
 - Hurricane Ike - FEMA designated counties



Electronic Seals / Signature

- Current Rules
 - Allows electronic seals
 - Allows electronic signatures
 - Scanned
 - Digitized
 - Requires that ALL physical and electronic seals / signatures be protected
 - Does not prescribe encryption techniques



Electronic Seals / Signature

- Board Rules are the minimum solution.
- Clients and governmental entities may be more restrictive. (Can't violate Board Rules)
- Be prepared to provide a paper trail of originals & copies of sealed & signed engineering work.
- Stay current of advancing technology in the arena of encryption and file security.
- If you have a question or not sure; call us!



Government Advisory Committee

- Improve communication with gov't agencies / organizations and the Board
- Advisory in nature
- Examples:
 - TxDOT
 - TCEQ
 - Cities / Counties
 - School Districts



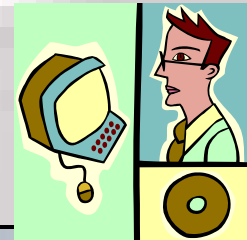
Update on NCEES

- Southern Zone elects Govind Nadkarni, P.E. (TX) as zone Assistant Vice President
- BS + 30
- Computer Based Testing Task Force
- Structural I and II exams are being combined for 16 hr exam by 2011
- Civil/Structural replaces stand alone Structural I
- Construction Engineering Module – April 2008



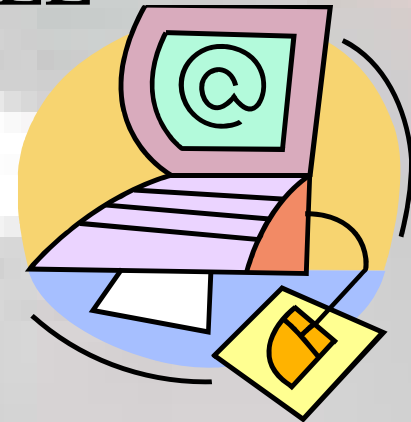
Software Engineering

- “Emerging Technology” – New Field of Engineering
- ABET Programs / Recognized Body of Knowledge
- Needs PE Exam
- Licensing Exam Consortium– NSPE, IEEE, NCEES, Other States
- Working on 10 states for exam development
- NSPE, IEEE endorsed



More Board Updates

- Broadcasting of Board Meetings
- Exam Irregularity Investigations
- ECHO System
 - Online Transactions are FREE
 - Renewals (PE / Firm)
 - Personal Info Updates
 - CEP Log



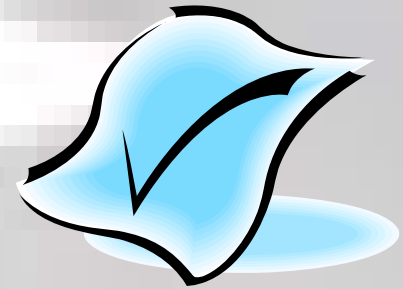
Licensing

- Exam Irregularities
 - NCEES collusion analysis
 - NCEES withheld grades pending investigation
 - 45 examinees investigated in Texas
2005 through 2008
 - 8 resulted in retake of exams
 - 9 banned from exam for 2 yrs
 - Working with NCEES



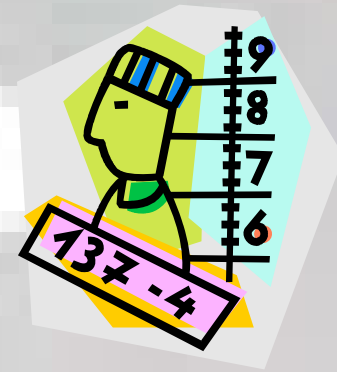
Reminders

- **Continuing Education**
 - Audits Ongoing (~2%)
 - Keep Documentation 3 years
 - Be prepared to substantiate your 15 hours
 - Enforcement Cases
 - Suggested Sanction: \$2,500



Reminders

- **Criminal Convictions**
 - All New Licensees
 - Required to Report on Renewal
 - Board will Review Incidents
 - Severity
 - Recidivism
 - Relevant to Engineering
 - Other Factors



Reminders

- **Reference Statements**
 - Experience is a vital component of licensure
 - Board relies on PE references
 - Give fair, honest, accurate evaluations
 - **PE needs to know applicant**
 - Do not give 'buddy' references
 - Do not retaliate



Reminders

- **Reference Statements**
 - PE not required to provide a reference
 - Do not provide reference if not comfortable with applicant
 - “Cold Calls”
 - Not familiar with work
 - Reference Form
 - Review SER - edit if necessary!



Reminders

- **Areas of Competency**
 - PE can only practice in areas where competent
 - Branch listed on website
 - Listing does not restrict practice
 - Verify current listing
 - Education / Exam / Experience



Rule change regarding reference Providers

Reminders

- **Purpose of Seal**

- Seal represents work done by PE or directly supervised by PE
- Represents that design is correct (code, calculations, etc.)
- Cases of incomplete, incorrect, non-compliant designs
- “They’ll catch it in review.”



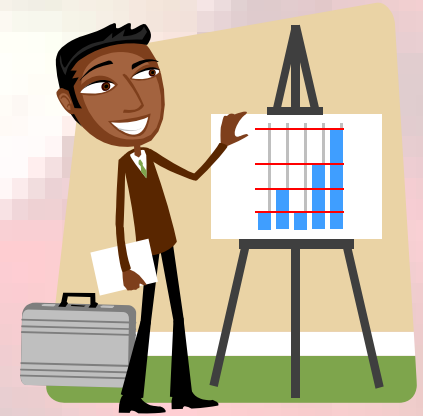
Outreach

FY	Attendees	Presentations
2007	5,965	108
2008	5,739	100

- Includes K-12
- E-Week
- Introduce a Girl to Engineering Day



C&E Statistics



- **FYs 2007-2008**

- 1519 Cases Opened

- 759 Opened by Staff

- 763 Opened at Request of Public

- 1522 Cases Closed

- 923 Voluntary Compliance

- 114 Disciplinary Actions

- 175 Dismissed / No Violation



C&E Statistics



- **FYs 2007-2008**
 - Cases Opened
 - 515 - Unlicensed Practice ↓
 - 313 - Corporate Name ↑
 - 170 - Cases against PE's ↑
 - 54 - Illegal Use of Title ↑



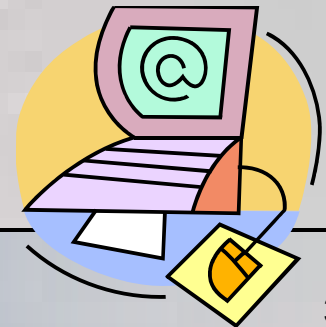
Filing a Complaint

- Violations are determined by the Board's Law & Rules (Refer to Table in §139.35(b)-(e)).
- Complaint Form against a PE is online – Detailed email or letter is also acceptable.
- Complaint and Evidence should answer the questions: Who?, What?, When?, Where?, How? and if possible, Why?
- Include names, addresses, and phone numbers of those who know about the complaint issue.



Filing a Complaint (cont.)

- Put Complaint & evidence in an envelope or box and send to the Board. Scanned & emailed documents are also acceptable.
- Anonymous complaints are processed identically and need the same information.
 - Do not include your name or other identifying information in the complaint.
 - Remember, anonymous means we don't know who you are or how to contact you, so provide all possible evidence with your complaint.



Ethics and Code of Conduct

§137.63 Engineers' Responsibility to the Profession

“(b)(4) The engineer shall act as a faithful agent for their employers or clients;”

What does that mean?



Contact TBPE

- 1917 IH-35 South
- Austin, TX 78741
- Phone: 512-440-7723
512-440-3054
- Web: <http://www.tbpe.state.tx.us>
- email: David.Howell@tbpe.state.tx.us

