

**Texas Board of Professional Engineers and Land Surveyors
Licensing and Registration Committee Meeting Minutes
1917 S. Interstate 35
Austin, TX 78741
November 16, 2022
1:00 pm-4:00 pm Central Time**

1. Preliminary Matters (Catherine Norwood, P.E., Chair)

a. Call to Order

Ms. Catherine Norwood, P.E., Chair, called the Licensing and Registration Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 1:01 p.m. at the Texas Board of Professional Engineers and Land Surveyors at 1917 S. Interstate 35, Austin, TX. (NOTE: all votes are unanimous unless noted.)

b. Roll Call

Ms. Bodden called the roll. It was noted for the record that a quorum was present.

The following Committee members were present:

Catherine Norwood, P.E.	Chair
Albert Cheng	Public Member
Coleen Johnson, R.P.L.S.	Member
Rolando Rubiano, P.E.	Member

Melissa Juarez, Assistant Attorney General and General Counsel for the Board was present to provide legal counsel to the Board.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
Rick Strong, P.E.	Director of Licensing and Registration
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Mason Schoolfield	Lead Systems Developer
Ed Brannan, P.E.	Technical Engineering Specialist
Cristabel Bodden	Executive Assistant

c. Excuse absent Committee members

All Committee members were present.

d. Welcome Visitors

Ademola Adejokun, P.E., Board Member; Lamberto Ballí, P.E., Advisory Member; Zackary Thomas Bulloch, P.E.; Behrouz Eghtedari; Sina K. Nejad, P.E., P.Eng., Board Member; Abraham Van Vleck; Benjamin John-Franklin Purser; and Kiran Shah, Public Member, were present.

e. Public Comment

There were no public comments.

2. August 17, 2022 Licensing and Registration Committee Meeting Minutes

It was MOVED/SECONDED (Rubiano/Cheng) to approve the August 17, 2022, Licensing and Registration Committee minutes as presented. A vote was taken and the MOTION PASSED.

3. Applications for Licensure

• **Personal Interviews Cases:**

• **Bulloch, Zackary Thomas**

This applicant applied for licensure. Mr. Bulloch came before the Committee due to multiple and recent judgements. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Rubiano/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on November 17, 2022, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering Ethics, resubmit and expanded SER, and include one reference. A vote was taken and the MOTION PASSED.

• **Eghtedari-Tehrani, Behrouz**

This applicant applied for licensure. Mr. Eghtedari-Tehrani came before the Committee due to multiple and recent judgements and for the waiver of both exams. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Norwood/Rubiano) to recommend to the Board at its Regular Quarterly Board meeting on November 17, 2022, to allow licensure in Texas and waive the fundamentals exams but must take the PE exam upon the successful completion of the 60-hour Intermediate Level Ethics course from Texas Tech Murdough Center for Engineering Ethics. A vote was taken and the MOTION PASSED.

• **Van Vleck, Abraham**

This applicant applied for licensure. Mr. Van Vleck came before the Committee due to multiple and recent judgements. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Rubiano/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on November 17, 2022, to allow licensure in Texas upon the successful completion of the 60-hour Intermediate Level Ethics course from Texas Tech Murdough Center for Engineering Ethics and a new criminal history record pulled by agency staff. A vote was taken and the MOTION PASSED.

- **Purser, Benjamin John-Franklin**

This applicant applied for licensure. Mr. Purser came before the Committee to review his complete application including his work experience, character, and professionalism. The applicant has completed all court requirements. The Committee and applicant discussed his experience, character, and professionalism.

It was MOVED/SECONDED (Rubiano/Cheng) to present to the Board at its Regular Quarterly Board meeting on November 17, 2022, to deny Mr. Purser's request for licensure due to insufficient professionalism and inadequate qualifying engineering experience.

A vote was taken and the MOTION PASSED.

The Chair called for a break at 3:03 p.m.

The meeting reconvened at 3:10 p.m. All Committee members were present.

4. Propose Amendments to 22 Tex. Admin. Code Chapter 140, Subchapter A – Criminal History and Convictions

- **§140.1 Criminal History and Convictions – Engineers**
- **§140.3 Criminal History and Convictions – Surveyors**

Dr. Kinney stated that these rules are part of the ongoing SOAH and the CHRC criminal history background review.

Dr. Kinney stated that at the last Board meeting, staff proposed a series of rules all passed to be proposed and sent to the Governor's Office for feedback and then possibly posted in the Texas Register.

Rules 140.1 and 140.3 came back with recommendations to look at a different way of presenting these rules in alignment with occupations code 53 and a way

to put the rules together.

A smaller rule similar to others in use would instead of itemizing it all in the rule, it would refer to occupations code 53 and a guideline which is what we previously had at the agency. We redeveloped, reformatted, and will present at the next meetings to go along with the rules.

The revised versions of these rules are proposed and presented here which basically say that the Board follows Chapter 53.

It was MOVED/SECONDED (Norwood/Johnson) to propose to the Board at its Regular Quarterly Board meeting on November 17, 2022, to adopt the amendments to Rules 140.1 and 140.3. A vote was taken and the MOTION PASSED.

5. Texas Board of Professional Engineers and Land Surveyors' Land Surveying Exam Update

Mr. Strong stated the report was available as an exhibit and would be discussed fully at the Regular Quarterly Board meeting.

Mr. Strong briefly discussed the Surveying exams held on September 30, 2022, and the results are available for examinees.

Mr. Strong stated that the event at Norris Conference Center was very successful, extra safety precautions were taken, and has proven to be a good partnership for the exams.

There were 57 RPLS's for 8-hour exam, 29 reciprocals for the 4-hour exam, and 2 LSLS's wanting the advanced license state land surveyor. Based on those that passed, we were able to register 40 additional RPLS's and 1 additional LSLS in the state of Texas.

No action was required on this agenda item.

6. Review and approval of the national NCEES Principles and Practice of Surveying (PS) examination in conjunction with a state-specific Texas Land Surveying examination to meet the requirements to become an RPLS

Mr. Strong stated there was a 2-page write-up of what staff have done so far

over the last two years and next steps moving forward.

The Texas State Specific Exam (TSSE) would be given in conjunction with the national PS exam. Both exams will work together and there will be no overlap between exams.

Dr. Kinney stated that the first three exams in 2024 would be offered in Austin and then additional locations would be looked at for rotation of future exams.

Dr. Kinney stated that the PS and TSSE could be take in order and the only requirement is that they must take both exams.

It was MOVED/SECONDED (Norwood/Johnson) to present to the Board at its Regular Quarterly Board meeting on November 17, 2022, to convert the current Texas surveying exam and process to the National NCEES Principles and Practice of Surveying (PS) examination in conjunction with a state-specific Texas Lance Surveying examination meet the requirements to become an RPLS. A vote was taken and the MOTION PASSED.

7. Licensing and Registration Director's Report

- **Engineer Results and Statistics: Licensing Application and Examination Report**

Mr. Strong stated the report was available as an exhibit and would be discussed fully at the Regular Quarterly Board meeting.

No action was required on this agenda item.

- **Surveyor Results and Statistics: Registration Application and Examination Report**

Mr. Strong stated the report was available as an exhibit and would be discussed fully at the Regular Quarterly Board meeting.

No action was required on this agenda item.

8. Licensed State Land Surveyor (LSLS) New License Recognition: Davis Trent Busch

Ms. Norwood stated that the recognition of Mr. Davis Trent Busch as a new LSLS would be postponed until Mr. Neugebauer can be present at the next committee meeting in February 2023.

No action was required on this agenda item.

9. Future Committee Meetings: Agenda items, dates, locations, and other arrangements

Mr. Rubiano requested that the entire Board be given additional training as to the real application of these rules and ensure applicants are properly addressed and communicated to the new standards.

10. Adjourn

It was MOVED/SECONDED (Johnson/Cheng) to adjourn the meeting at 3:56 p.m. A vote was taken and the MOTION PASSED.

Date Committee approved minutes:

February 15, 2023

Date Board approved minutes:

February 16, 2023