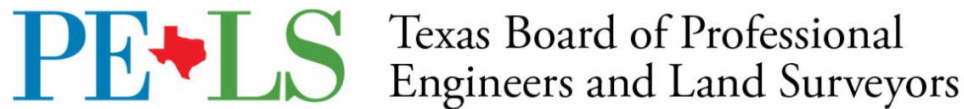


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**June 22, 2023**



## **In This Issue**

- Focus on Compliance
- Board and Committee Meetings
- Career Opportunities
- Exam News
- Outreach and Webinars

## **Focus on Compliance**

### **Criminal Convictions**

At its February 2023 Board meeting, the Texas Board of Professional Engineers and Land Surveyors adopted Chapter 140, relating to Criminal History and Convictions. This chapter updates and replaces the Board rules on criminal convictions that were previously found in Chapter 133 of the Board rules and were repealed upon the adoption of Chapter 140. The updated rules address both engineering and surveying applicants and current licensees and registrants.

...As a reminder, per Board Rule 137.5 for professional engineers and Board Rule 138.5 for professional land surveyors, a license holder shall notify the Board in writing not later than 30 days after a misdemeanor or felony criminal conviction. This notification applies to all criminal convictions except ordinary traffic violations. Please note, notification is only required upon conviction and does not apply to arrests.

...Newly adopted Chapter 140 and the associated [Guidelines for Applicants, Licensees, and Registrants with Criminal Convictions](#) details how the Board will evaluate any criminal convictions against a licensee or registrant. Generally speaking, while all criminal convictions other than traffic violations must be reported, the Board may take action for any criminal conviction in which there is a direct relationship between the criminal offense and the duties and responsibilities of a Professional Engineer or Registered Professional Land Surveyor in Texas. Examples of crimes the Board considers to have a direct relationship to the duties and responsibilities of one our licensees or registrants includes:

- any crime that involves a disregard for the health, safety, or welfare of the general public or individuals.
- violent crimes against a person, such as homicide, kidnapping, assault, crimes involving prohibited sexual conduct, or crime involving children or elderly persons as victims.
- any crime of which theft, fraud, or deceit is an essential element or crimes involving financial or other loss for a client or the public.
- any crime related to property violations or trespassing.
- any crime that demonstrates a lack of professional judgment expected of a Professional Engineer or Registered Professional Land Surveyor, including a crime involving drugs or alcohol.

...Upon receipt of notice of a criminal conviction, the notice is reviewed by the Compliance & Enforcement Department. If Compliance & Enforcement staff believes a reported criminal conviction by a licensee or registrant meets the standard established in the aforementioned guidelines, an enforcement case and associated investigation will be opened. The investigation will follow the standard procedures laid out in Chapter 139 of the Board Rules, relating to Enforcement.

...To ensure compliance with the Board rules on timely reporting of criminal convictions, please review the newly adopted Chapter 140 and the [Guidelines for Applicants, Licensees, and Registrants with Criminal Convictions](#). Should you have any questions about the expectations of reporting a conviction, please reach out to the Board.

*As part of our ongoing commitment to education and outreach we are adding a new section to our eNewsletters related to compliance, enforcement and ethics issues. We will cover a different topic each newsletter as a reminder and example of the importance of different aspects of your professional practice.*

*If you have suggestions about a topic for us to consider addressing in a future issue, please email your idea to the Board at: [info@pels.texas.gov](mailto:info@pels.texas.gov)*



## **Board and Committee Meetings**

### **May 10-11, 2023, Board Meeting**

Agendas, minutes, and recordings are available at <https://pels.texas.gov/boardmeetings.htm>

### **Disciplinary Actions**

All enforcement actions approved in the Board meeting are posted on the TBPELS website. Enforcement actions are reported based on the date of the Board meeting at which the actions were taken.

<http://pels.texas.gov/disciplinary.htm>

### **Rules and Adoptions**

The board adopted a rule package related to the application review process and including an option for review at the State Office of Administrative Hearings (SOAH) for an application proposed for denial due to criminal history.

### **Future Meetings**

The next meetings will be held from August 09-10, 2023. Refer to our website for agendas and links to attend the meetings.

<https://pels.texas.gov/boardmeetings.htm>

## Board Meeting Recordings

The recording for May 2023 main board meeting has been posted on the agency's meeting page at <https://pels.texas.gov/boardmeetings.htm>.

Viewing meeting recordings or attending the live stream qualifies for continuing education credit under the category of self-directed study. A maximum of five credit hours may be accrued for engineer self-directed study. The maximum credit for surveyors is four hours.

## Career Opportunities

We have openings for a Program Specialist I, Investigator IV and an Engineer II or III. For job descriptions and instructions to apply visit: <https://pels.texas.gov/employment.htm>

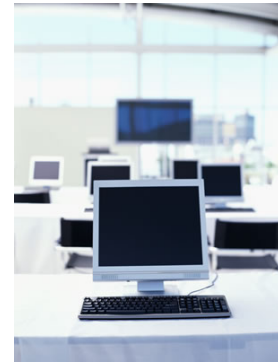


## Exams

### Engineer Exams

F.E., P.E. and F.S exams are all computer-based except for structural exams, which are still paper-and-pencil.

-Refer to NCEES for specific exam dates and deadlines - <https://ncees.org/exams/schedule/>.



### Surveying Exams

As of May 2023, applicants to become an RPLS will need to pass a combination of the National Council of Examiners for Engineering and Surveying (NCEES) Principles and Practice of Professional Surveying (PS) exam and a new Texas Specific Surveying Exam (TSSE). More information regarding the new exam will be provided on the TBPELS website soon.

## Outreach and Webinars

TBPELS provides online outreach presentations at no charge to license holders, associations, societies, and companies. The following guidelines are used in reviewing outreach requests:

- The default method of presentation is via webinar.
- A minimum of 50 attendees is recommended for a face-to-face presentation request.
- All requests are subject to review and approval.
- Request processing can take up to 14 working days.
- Please submit your request at least three (3) weeks prior to the proposed date of the event.
- Rescheduling will require a new request.
- Presentations are typically 1 hour in length.



Request an event by clicking on the link below.

<https://pels.texas.gov/outreach.html>

## **Engineer and Surveyor Ethics Webinars**

The Board is offering these one-hour, free ethics webinars to assist license and registration holders with meeting their ethics requirements. Each webinar provides an up-to-date overview of agency activities, case studies, and a review of professional ethics topics.

The next ethics webinar is July 19, 2023 at 10 a.m. CDT each day. Registration is open. Please note that each registration is capped at 1,000 attendees per webinar and will close when this cap is reached.

<https://pels.texas.gov/webinars.html>

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