

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
VIA VIDEOCONFERENCE
February 24, 2021—1:00 PM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters:

A. Call to Order.

Ms. Catherine Norwood, P.E., Chair, called the Licensing Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 1:00 p.m. via Videoconference. (NOTE: all votes are unanimous unless noted.)

B. Recitation of the Pledge of Allegiance.

Ms. Norwood led the recitation of the Pledge of Allegiance.

C. 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
Lamberto Ballí, P.E.	Member
Albert Cheng	Public Member
Coleen Johnson, R.P.L.S.	Member

Veena Mohan, Assistant Attorney General and General Counsel for the Board, was present via Videoconference 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
Janet Sobieski	Director of Operations
Mason Schoolfield	Lead Systems Developer
Cristabel Bodden	Executive Assistant

D. Excuse absent Committee members.

All Committee members were present.

E. Welcome Visitors.

Visitors: Mark Neugebauer, R.P.L.S., L.S.L.S., Board Member and Rolando Rubiano, P.E., Board Member were present via Videoconference.

Personal Appearances: Manuel Galvez was present via Videoconference.

F. Public Comment.

There were no public comments.

2. November 18, 2020 Licensing Committee Meeting Minutes.

It was MOVED/SECONDED (Ballí/Johnson) to approve the November 18, 2020 Licensing Committee minutes as submitted. A vote was taken and the MOTION PASSED.

3. Applications for Licensure: Personal Interviews Cases.

• **Galvez, Manuel.**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on February 25, 2021, 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. A vote was taken and the MOTION PASSED.

4. Adopt or Propose Amendments to Add 22 Tex. Admin. Code Chapter 134, Subchapter G - Examinations.

• **§134.67 – Examination on the Principles and Practice of Surveying.**

Dr. Kinney stated that Chapter 134, Subchapter G –Examinations rules were proposed last year and involve the RPLS and PS exams. The Board received feedback on the original versions of these rules which were reviewed by the Surveying Advisory Committee (SAC).

These rules were repropose with the language and modifications from the SAC, were posted on the Texas Register for public comment and the Board received three written comments. No changes were made based on the comments. The rules are ready for adoption.

The main modifications proposed do not state that the Board will move forward with the NCEES PS exams at this time and does not have a specific date in the rule, but does state that the Board may approve the NCEES PS exam in conjunction with a state-specific exam.

It was MOVED/SECONDED (Norwood/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on February 25, 2021, that the Board adopt Chapter 134, Subchapter G – Examinations rule §134.67 – Examination on the Principles and Practice of Surveying as presented. A vote was taken and the MOTION PASSED.

5. Adopt or Propose Amendment to 22 Tex. Admin. Code Chapter 133, Subchapter G – Examinations.

• **§133.67 – Examination on the Principles and Practice of Engineering.**

Dr. Kinney stated that Chapter 133, Subchapter G – Examinations rule §133.67 – Examination on the Principles and Practice of Engineering is for Engineers and involves what was originally

adopted as an emergency rule surrounding COVID that would allow an additional year to take the PE exam because of the April 2020 exam cancellation.

Emergency rules run out after half a year and it was recommended that staff put this in place as a standing rule because the exam delay could continue to impact these individuals.

This rule has gone through the rulemaking process and is ready for adoption. This rule was reviewed by the Governor's Office, was posted on the Texas Register for public comment, and no comments were received.

It was MOVED/SECONDED (Ballí/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on February 25, 2021, that the Board adopt Chapter 133, Subchapter G – Examinations rule §133.67 – Examination on the Principles and Practice of Engineering rule as presented. A vote was taken and the MOTION PASSED.

6. Discussion of Revision of Personal Interview and Criminal History Review Procedures.

Dr. Kinney stated that this is a white paper on ways to streamline and look at improvements for the Licensing committee process as it relates to criminal history background checks and the review of applications.

Board staff have discussed these procedures with Ms. Mohan and are bringing it to the committee for discussion. Due to potential legal impacts, it needs to be discussed and handled in an Executive Session.

Ms. Norwood announced that the Committee would go into a closed Executive Session to discuss agenda item # 6 at 1:30 p.m. and the Committee members, Ms. Mohan, Dr. Kinney, and Mr. Strong joined a separate meeting via a conference call.

Non-critical staff, Board and Advisory members, and visitors remained in the Licensing Committee Videoconference meeting as the Committee met in Executive Session.

The Licensing Committee meeting reconvened via Videoconference at 2:10 p.m. in open session.

No action was taken on this item during the closed Executive Session.

Staff was instructed to take the information in the white paper and revise it and prepare a set of draft rules for review by the committee.

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

Mr. Strong provided an update on exams and stated that a brief report is available in the Committee exhibits for their review.

The surveying exams were held on October 16, 2020, and were very successful. The primary goal for staff was to ensure the safety of the examinees, the proctors, and all the exam developers as related to the pandemic while delivering a secure exam.

The next exam date is April 16, 2021, and will be held again at the Norris Conference Center in Austin, TX.

Mr. Strong stated that the registration fee deadline is March 5, 2021, and does not have current counts for the Committee but estimates there will be around 100 individuals.

Mr. Strong stated that they are still working on the Texas state specific exam and need to return to it.

Mr. Strong stated that the NCEES October 2020 PE exams were very successful. NCEES had so many people that missed the April 2020 exams sign up for the October 2020 exams that they held a civil PE exam only date on January 26, 2021. There were 9 locations across the U.S. and Houston was the only location in Texas. The January civil engineering exam results have just been released and he will provide a summary of the report at the next Committee meeting.

No action was required on this agenda item.

8. Licensing Director’s Report.

- **Engineer Results and Statistics: Licensing Application and Examination Report.**
Mr. Strong reviewed the report with the Committee members and provided application and exam results.

No action was required on this agenda item.

- **Surveyor Results and Statistics: Registration Application and Examination Report.**
Mr. Strong reviewed the report with the Committee members and provided application and exam statistics.

No action was required on this agenda item.

9. Issues for consideration for future Committee meetings.

No issues were presented or addressed for consideration at the next Committee meeting.

10. Adjourn.

It was MOVED/SECONDED (Johnson/Ballí) to adjourn the meeting at 2:25 p.m. A vote was taken and the MOTION PASSED.

Date Committee approved minutes:	May 26, 2021
Date Board approved minutes:	May 27, 2021