



# Texas Board of Professional Engineers and Land Surveyors

**September 13, 2022**

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## Focus on Compliance

### Objectiveness and Truthfulness

Board Rules 137.57 and 138.57 elaborate on the requirement that engineers and land surveyors must be objective and truthful.

Specifically, these rules require that licensees and registrants issue statements in an objective and truthful manner and ensure such statements are not fraudulent, deceitful, or misleading. Further, engineers and land surveyors must make affected parties aware of any professional concerns regarding a particular action or project and the consequences of overruling or disregarding these professional concerns. Lastly, these Board rules require that potential conflicts of interest be disclosed and all parties informed of the potential conflict in writing.

When taking on a project, the requirement to be objective and truthful should always be at the front of one's mind. Do not exhibit any sort of bias or preferential treatment based on your client. While it is acceptable to advocate for your client, the technical aspects of a project remain unchanged and any attempt to misrepresent them to favor your client could result in enforcement action.

Ultimately, all engineering and land surveying work should protect the health, safety, and welfare of the public. Being clear, unbiased, objective, and truthful allows your client and the public to better understand the project and make informed decisions.

For more information on the rules regarding the professional practice of engineering and land surveying, please see Chapters 137 and 138 of the Board rules, respectively, which can be found at <https://pels.texas.gov/lawrules>

*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)*



Govind Nadkarni, P.E. (left) is recognized by NCEES Immediate Past President Brian Robertson, P.E.

## **National Council of Examiners for Engineering and Surveying (NCEES) Honors Govind Nadkarni, P.E. For His Service**

TBPELS advisory member and former board member Govind Nadkarni, P.E., was awarded with the Distinguished Service Award with Special Commendation at the 101st NCEES annual meeting held in August in Carlsbad, California.

Nadkarni was honored for his extensive work on the state, national, and international level with NCEES and TBPELS. We congratulate him on this important recognition. The NCEES news release for the service award winners is posted online at <https://ncees.org/ncees-recognizes-long-standing-service-2022/>

Over his career with the board, Nadkarni has been recognized three times by NCEES, including the Distinguished Service Award in 2012. He is the only member from Texas and first Asian American to receive all three awards. He was appointed to the Texas Board of Professional Engineers and Land Surveyors (TBPELS) in 2000 and served through 2012. As an advisory member, he serves as a mentor to new board members, providing valuable information and historical knowledge regarding board operations.

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## **Board Appoints New Surveying Advisory Committee (SAC) Members**

The Surveying Advisory Committee (SAC) is a statutorily required advisory committee to the Texas Board of Professional Engineers and Land Surveyors (TBPELS) that is charged with providing advice and recommendations to the board on matters related to the regulation of land surveying. The Board has recently revised the structure of the SAC, setting the membership at nine members, each serving a three year term. The application for open positions was opened earlier in the year and we had an incredible response to the request – over 70 R.P.L.S. submitted an application for the three open spots. The review and selection process is complete and the board approved the new members at the August Board Meeting. The three new members to the SAC are:

- Vasileios Kalogirou, R.P.L.S.
- David McDow, R.P.L.S., L.S.L.S.
- Dorothy Taylor, R.P.L.S.

Thanks to everyone that submitted an application. Each year we will be selecting three additional SAC members and we encourage interested R.P.L.S. to continue to volunteer in the future. We will post the application information on the TBPELS website mid-2023 for the next round of nominations.

We look forward to working with the new members of the Surveying Advisory Committee.

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## **Notice to Engineers and Surveyors Doing Land Subdivision Work Near Texas-Mexico Border**



In late 2021, the Board requested an attorney general opinion on statutes regarding subdivision platting in specific circumstances. For background, an attorney general opinion is a written interpretation of existing law. On June 6, 2022, the Attorney General released Attorney General Opinion KP-0409 in response to the Board's questions. If you are a licensed professional engineer or registered professional land surveyor that works on subdivisions of land near the Texas-Mexico Border that are subject to Local Government Code Chapter 232, Subchapter B, please review this attorney general opinion. The full text of the opinion can be found here: <https://www.texasattorneygeneral.gov/sites/default/files/opinion-files/opinion/2022/kp-0409.pdf>.

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## Board and Committee Meetings

### August 17-18, 2022, Board Meeting

Meetings were held virtually. Agendas, minutes, and recordings are available at

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

### New Board Officers

In the August meetings, the board appointed a new vice-chair and secretary. Rolando Rubiano, P.E. will serve as the Board's vice-chair and Coleen Johnson, R.P.L.S. will serve as the Board's secretary. Board member bios can be found at <https://pels.texas.gov/board.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>

### Future Meetings

The next meetings will be held from November 16-17, 2022. Refer to our website for agendas and links to attend the meetings. <https://pels.texas.gov/boardmeetings.htm>

### Previous Meeting Recordings

The meeting recordings have been posted on the agency's YouTube Channel. Viewing these 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.

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

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## Exam News

### Engineer Exams

- F.E. and P.E. exams are all computer-based except structural exams which are still paper-and-pencil.
- Refer to NCEES for specific exam dates and deadlines - <https://ncees.org/exams/schedule/>



### Land Surveyor Exams

- September 30, 2022 - Exam Day at Norris Conference Center in Austin Texas.
- Exam Day Guidelines - <https://pels.texas.gov/downloads/SurveyorExamDay.pdf>



## Webinars and Outreach

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 webinars are September 14-15, 2022 at 10 a.m. and 2 p.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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## Agency Vacancies

We have openings for an Investigator II. For job descriptions and instructions to apply visit:

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



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### TBPELS Board Members:

Dr. Sina K. Nejad, P.E., P.Eng. - Chair  
Rolando Rubiano, P.E. - Vice-Chair  
Coleen M. Johnson, R.P.L.S. - Secretary  
Kiran Shah - Treasurer

Ademola Adejokun, P.E.  
Albert Cheng  
Karen A. Friese, P.E.  
Mark J. Neugebauer, R.P.L.S., L.S.L.S.  
Catherine Norwood, P.E.  
Dr. Marguerite McClinton Stoglin

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