

Texas State Board of Registration
for Professional Engineers

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1917 IH 35 South
Austin, Texas 78741

Mail: P. O. Drawer 18329
Austin, Texas 78760-8329

(512) 440-7723 / Fax: (512) 442-1414

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NON-CIRCULATING



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TEXAS PROFESSIONAL ENGINEERS' BOARD
INFORMATION

BULLETIN

Number 22, August 1995

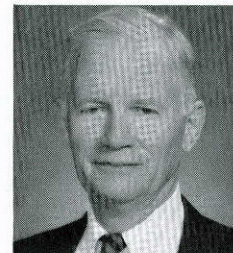
**BOARD OFFICERS
SELECTED**

Officers for the fiscal year of September 1, 1995 to August 31, 1996, were selected by the Board at the June meeting.



Board Chair will be Roxanne L. Pillar, P.E., of Ft. Worth. Ms. Pillar holds the distinction of being the first woman to serve on the Board and to serve in this position. She is currently a lead engineer and project manager for the Federal Aviation Administration. She has previously been a civil engineer with both Freese & Nichols and Rady & Associates. She has served as a chapter officer in the Texas Society of Professional Engineers (TSPE) and the American Society of Civil Engineers (ASCE) and was named Young Engineer of the Year of the Fort Worth Chapter of TSPE in 1985. She has also authored several papers for ASCE. She holds a Bachelor of Science in Civil Engineering from South Dakota State University. Ms. Pillar has been active in civic activities such as Leadership Ft. Worth, the Adult Girl Scout Network, YMCA and Toastmasters International. She and her husband, Steve Baker, have two children, Renee and Alec.

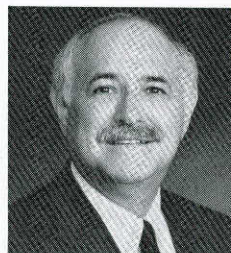
neer of the Year in 1984. He has served in many officer positions including state president of TSPE. He is active in civic activities such as Austin Chamber of Commerce, Austin Hispanic Chamber of Commerce, St. David's Hospital, Leadership Austin, and Ballet Austin. He has also served in leadership positions with Rotary International including that of District Governor. He holds a Bachelor of Science in Architectural Engineering from the University of Texas at Austin. He and his wife, Bertha, have one daughter, three sons, and five grandchildren.



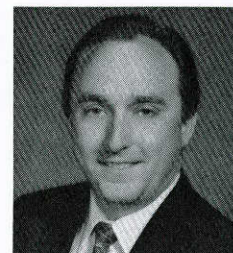
C. Herb Treat, Ph.D., P.E., of Austin has been elected Board Secretary. Following a combined total of 25 years on the faculty of the Engineering Science and Computing Science departments at Trinity University in San Antonio, Dr. Treat is now a partner in Forensic Engineering Services in Austin. He holds a Bachelor of Science in Civil Engineering and a Master of Science in Mechanical Engineering from Purdue University and a Ph.D. in Mechanical Engineering from the University of New Mexico.

**STAFF
APPOINTMENTS**

The Board staff has been reorganized following the retirement of the Executive Director, Charles E. Nemir, P.E., on May 31, 1995. (See "Comings and Goings" page 3.)



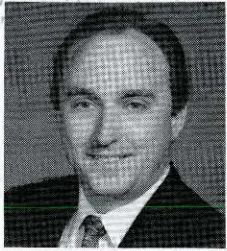
Jose I. Guerra, P.E., of Austin has been elected Board Vice-Chair. He is president of Jose I. Guerra, Inc., a consulting structural engineering firm. He is a member of TSPE, ASCE, the Consulting Engineers Council and numerous other professional and technical societies. He was Travis Chapter TSPE Engi-



John R. Speed, P.E., has been named Executive Director of the State Board of Registration for Professional Engineers. In this capacity, he directs

See Staff Appointments, Page 8

NEWS FROM THE EXECUTIVE DIRECTOR



As this is my first newsletter in the position of executive director, I would like to take a moment to thank the Board for their support during the transition and to thank Charles E. Nemir, P.E., my predecessor, for his guidance, wisdom and wit over the past sixteen months. Charles is, without question, one of the finest leaders in our profession, and I will certainly miss his counsel and presence.

This mid-year Information Bulletin is somewhat unusual, but there are several important items of which each licensed engineer should be aware. I encourage all license holders to take the opportunity to carefully evaluate the information enclosed in this bulletin. The following is a brief summary of the most important news items impacting Texas engineers.

VOLUNTARY CONTINUING PROFESSIONAL COMPETENCY

The Voluntary Continuing Professional Competency (CPC) program begins September 1, 1995. The program is designed to provide official recognition of the continuing professional competency activities currently being performed by our registrants, and to provide information to the Monitoring Team in their assessment of the value of the program. Please read pages 3, 4 and 5 to get a preview of what you will receive with your next renewal notice. Remember, this program is **NOT MANDATORY** and **may never become mandatory**. Its purpose is to recognize existing Voluntary CPC efforts on the part of our registrants.

SEALING RULES

The Board's Ad Hoc Committee on Sealing Rules Interpretation has developed a modified set of sealing rules and would like the input of our registrants. On pages 6 and 7 are the proposed rules and general comments on their meaning. Please send the Board any comments, in writing, by September 30, 1995.

SMALL FEE INCREASE

Beginning in September 1995, the renewal fee for all engineers will increase by \$2 to cover the increasing operation expenses of the Board. The renewal fee has not increased since 1991. In that year the Legislature increased the fee by \$200 and distributed \$150 to the General Revenue Fund and \$50 to the Foundation School Fund. The Board currently receives only \$25 of each renewal fee.

Persons exempt from the \$200 fee increase will pay \$27 on the next renewal cycle; all others will pay \$227. There will not be any additional cost for participating in the Voluntary CPC program unless an optional Certificate of Participation is desired. Engineers who would like a Certificate of Participation should submit the additional \$3 with the renewal fee for a total of either \$30 or \$230.

LAW CHANGE

HB 52 changed Section 19 of the Texas Engineering Practice Act concerning public works. Effective August 28, 1995, public works with contemplated completed construction costs of less than \$20,000 are exempt from the Act except for work involving structural, electrical or mechanical engineering. Those three branches still retain the limit of \$8,000.

BOARD RULE CHANGES

At the June Board meeting, several rules were modified. Board Rules 131.55, 131.71, 131.92 and 131.101 were altered to clarify and streamline the registration process. Board Rule 131.156 was amended to clarify the Board's prohibition on violations of other statutes, codes, regulations, rules or ordinances by registrants in the practice of engineering. The actual text changes will be published by the Board after September 1995, and will be available upon request.

REGISTRATION AND EXAMINATIONS

From January 1, 1995 through June 30, 1995, the Board licensed 137 people applying under licenses granted in other jurisdictions and licensed 324 people applying under the residency portion of the Law. This number includes persons passing the April 1995 Principles and Practice of Engineering (PE) examination. The pass rate in Texas for this exam was 43.8% on the PE exam and 75.6% on the Fundamentals of Engineering examination.

CHILD SUPPORT

On September 1, 1995, HB 433 will require state licensing agencies (including this Board) to suspend the professional license of any person who is 90 days or more in arrears on their child support payments. However, the Board will institute and enforce suspensions only upon receipt of a court order or other order from an authorized agency.

BOARD MEETINGS AND OTHER DATES

The Board has scheduled regular quarterly meetings for October 18 - 19, 1995 and January 10 - 11, 1996, in Austin at the Board headquarters. Both meetings begin at 8:30 a.m. each day.

Persons who have been approved to take the examination must sign up for those exams by September 15, 1995, for the October 1995 exams and March 8, 1996, for the April 1996 exams.

The Monitoring Team for the Voluntary CPC will be meeting in November (exact time is to be announced) to review the initial participation on the Voluntary CPC program. The Monitoring Team's Reporting Committee will meet on September 21, 1995.

The Board's Ad Hoc Committees on NAFTA and on Registration are also expected to meet this fall. Exact dates and locations will be published in the Texas Register or can be obtained by contacting the Board office.

ENFORCEMENT MATTERS

During the period January 1, 1995 through June 30, 1995, the Enforcement Division conducted 742 inquiries; 559 of those inquiries were resolved by achieving voluntary compliance with the Act. Four injunctive suits were also settled in the Board's favor in district courts.

DISCIPLINARY ACTIONS

Since publication of the March 1995 Information Bulletin, the following administrative actions have been taken:

Mr. Clyde Howard Burnett, P.E., by Agreed Board Order, had his engineering license suspended for six months with the entire period probated, for submitting unsealed engineering documents to a public entity.

Mr. John Matthew Cannon, P.E., by Consent Order, was issued a Formal Reprimand for affixing his engineer's seal, signature, and date of execution to design plans while his engineering license was expired.

Mr. Norman Lloyd Rabbers, P.E., by Agreed Board Order, was issued a Formal Reprimand for affixing a rubber stamp reproduction of his signature to numerous engineered truss designs.

Mr. Donald Clark Richards III, P.E., by Consent Order, had his engineering license suspended for six months with the entire period probated. Mr. Richards failed to affix his engineer seal, signature, and date of execution to his engineering changes to an existing building and did not notify the original design engineer of his involvement and changes he made to the original design plans.

INJUNCTIVE MATTERS

Since publication of the March 1995 Information Bulletin, three injunctive suits for various violations of the Texas Engineering Practice Act have been resolved in district court in the Board's favor against the following parties:

Mr. James Allen Jester, Houston; Reverse Osmosis Engineering, Inc., Midland; and Mr. Clint Vitousek, doing business as American Engineering, San Antonio.

VOLUNTARY CONTINUING PROFESSIONAL COMPETENCY

It's here! Beginning in September, you will be asked at the time of your annual renewal if you wish to participate in Voluntary Continuing Professional Competency (CPC). All that is required for participation is to document at least 15 Professional Development Hours (PDH's) earned in the year immediately prior to your renewal. In future years, up to 15 hours may be carried over from previous years.

Page 4 is a copy of the Voluntary CPC Guidelines. Each registrant will have sole discretion in determining whether an activity meets the guidelines, shown in Section (c). The Monitoring Team will perform a random review of several hundred participants' records to evaluate how the program is working and how participants interpret the Guidelines.

Page 5 is an example of the Voluntary CPC reporting form for documenting your activities that will be enclosed with your next renewal notice. Please review its format and content to become familiar with the data that will be collected.

Debbie Rice has been named Voluntary CPC Coordinator (see page 8). If you have questions, please write to Ms. Rice at Professional Engineers' Board, P. O. Drawer 18329, Austin, Texas 78760-8329 or fax to (512) 442-1414. For your convenience, the most common questions are answered below.

Q. When will I report my Professional Development Hours?

A. Each registrant will receive a Voluntary CPC Reporting form along with their renewal statement. When you renew your license you should return this form. Do **NOT** send any other documentation. Add \$3 to your renewal fee only if you would like an optional certificate.

Q. Will the Board certify or approve any courses or activities?

A. Since the CPC program is strictly voluntary, the Board does not have any plans to certify or approve courses. It will be at the discretion of the individual to determine if the activity is in compliance with the CPC guidelines.

Q. What type of documentation do I need to maintain regarding my professional development activities?

A. You will need records to document information concerning attendance, type of activity claimed, sponsoring organization, location, duration, instructor's/speaker's name, specifics of self-study and PDH credits earned. The Board recommends keeping a personal log or copies of completion certificates.

Q. How long should I maintain my records?

A. Records should be maintained for a period of three years.

Q. How will the Board determine who will be required to send in supporting documentation?

A. This will be done through random selection of a percentage of the number of participants.

Q. What is the difference between continuing education and continuing professional competency?

A. None. The terms are used interchangeably.

Q. What is self-study?

A. Self-study is any activity such as assessing products, reading, "brushing-up" on specific techniques, learning new skills, or similar activities that add to your general body of knowledge or to your general skill base.

Q. When will CPC become mandatory?

A. Only the Legislature can make voluntary CPC mandatory. The voluntary CPC program will be evaluated for six years, until August 2001. This will enable the Board to make an informed recommendation to the Legislature regarding the future of CPC. It is possible that the program may never become mandatory.

COMINGS & GOINGS

On May 31, 1995, Charles E. Nemir, P.E., retired as executive director of the Board. During his 6 1/2 year tenure, he managed the administrative implementation of several significant events. Since he began with the Board over 15,000 registrants have been added to the roles, representing nearly one-fifth of all engineers registered in Texas since 1937. The Law change requiring examinations of all new applicants brought in over 7,600 applications in 1992 alone. In 1989, Mr. Nemir aided in the development of the Board's Professional Development Center for Engineering Professionalism at Texas Tech University. Over the last two years, he has been instrumental in studying the issues resulting in the new Voluntary Continuing Professional Competency Program. Prior to coming to the Board he spent over 20 years in Texas Water agencies, including service as Executive Director of both the Texas Department of Water Resources and the Texas Water Development Board. Prior to state service, he spent 9 years with Texaco, Inc. as a

CONTINUING PROFESSIONAL COMPETENCY GUIDELINES

(a) Continuing Professional Competency. The information set forth below is for the purpose of providing guidelines for continuing professional competency. The purpose of the continuing professional competency requirements is to demonstrate a continuing level of competency among professional engineers. Every registrant who meets these continuing professional competency guidelines shall be noted in the roster as an active participant in the Texas State Board of Registration for Professional Engineers' Voluntary Continuing Professional Competency (CPC) program.

(b) Definitions. Terms used in this section are defined as follows:

- (1) Professional Development Hour (PDH) - A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit.
- (2) Continuing Education Unit (CEU) - Unit of credit customarily used for continuing education courses. One CEU equals 10 PDH's. CEU's should be converted to PDH's for reporting this program.
- (3) College/Unit Semester/Quarter Hour - Credit for ABET-approved courses or other related college courses are determined in accordance with Section (e) of these guidelines.
- (4) Course/Activity - Any course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge of the licensee.

(c) Requirements for Participation. Every registrant who participates in this program must obtain 15 PDH units during the annual renewal period. If a registrant exceeds the annual requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period. PDH units may be earned for the following, provided the activity is relevant to the licensee's professional responsibilities in engineering practice, management, and ethics:

- (1) Documented self-study.* [See (d)(1) and (e)(1).]
- (2) Successful completion of correspondence, televised, videotaped, audiotaped and other short courses/tutorials. [See (d)(2) and (e)(2).]
- (3) Attending seminars, courses, workshops, or professional or technical presentations made in-house or at meetings, conventions or conferences. [See (d)(2) and (e)(2).]
- (4) Successful completion of continuing education courses. [See (d)(3).]
- (5) Successful completion of college courses. [See (d)(4), (d)(5) and (e)(3).]
- (6) Teaching, instructing, or presenting in (2), (4) and (5), above. [See (d)(6).]
- (7) Authoring published papers, articles, or books. [See (d)(7) and (e)(4).]
- (8) Active participation in professional or technical societies. [See (d)(8), (e)(5) and (e)(6).]
- (9) Active participation in examination preparation or grading. [See (d)(9) and (e)(6).]
- (10) Patents. [See (d)(10) and (e)(4).]

*All professional engineers are expected to participate in self-study related to their areas of responsibility or practice to maintain their professional competency and ethical standards.

(d) Units. The conversion of other units of credit to PDH units is as follows:

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (1) 3 hours of documented self-study | 1 PDH |
| (2) 1 hour of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions or conferences | 1 PDH |
| (3) 1 Continuing Education Unit | 10 PDH |
| (4) 1 College or unit semester hour | 15 PDH |
| (5) 1 College or unit quarter hour | 10 PDH |

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (6) For teaching or presenting in (d)(2) through (d)(5), apply multiple of 2** | 10 PDH |
| (7) (A) Each published paper or article (sole author) | 10 PDH |
| (B) Each published paper or article (co-author) | 5 PDH |
| (C) Each published book (sole author) | 30 PDH |
| (D) Each published book (co-author) | 15 PDH |
| (E) Each published book (editor/contributor) | 10 PDH |
| (8) 3 hours of active participation in professional or technical society (Each organization) | 1 PDH |
| (9) 1 hour of examination preparation or grading of examinations that are administered by the National Council of Examiners for Engineering and Surveying | 1 PDH |
| (10) Each patent | 30 PDH |

**Credit is valid for teaching or presenting a course or seminar for the first time only. Teaching credit does not apply to full-time engineering faculty.

(e) Determination of Credit. The board of registration has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

- (1) Credit for activity (d)(1) shall be limited to no more than 5 PDH per renewal period.
- (2) Credit for seminars and workshops will be based on one PDH unit for each nominal hour of attendance. Attendance at programs presented at professional and/or technical meetings will earn PDH units for the actual time of each program.
- (3) Credit for college or community college courses will be based upon course credit established by the college.
- (4) Credit determination for activities (d)(7) and (d)(10) is the responsibility of the registrant (subject to review as required by the board).
- (5) Credit for activity (d)(8) requires that a licensee serve as an officer and/or actively participate in a committee of the organization involved in such functions as standards preparation, professional practice, peer reviews, or ethics. PDH credits are not earned until the end of each year of service.
- (6) Credit for activities (d)(8) and (d)(9) shall be limited to no more than 10 PDH per renewal period.

(f) Records. The responsibility of maintaining records to be used to support credits claimed is the registrant's. Acceptable records may include, but are not limited to:

- (1) A log showing identifying information such as the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, specifics of self-study, and PDH credits earned;
- (2) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance; or
- (3) Records as maintained by the National Professional Development Registry for Engineers (NPDRE) or similar repositories.

These records should be maintained by the registrant for a period of three years and copies may be requested by the Board for verification purposes.

(g) Non-Residents. Registrants who are residents of jurisdictions other than Texas should meet any mandatory CPC requirements of their resident jurisdiction. The guidelines for Texas will be deemed as satisfied when non-resident registrants provide evidence of having met any mandatory requirements of their resident jurisdiction.

(h) Reporting. Reporting of CPC activities will be made during the license renewal process. Verification of a registrant's CPC records will not be required for the license renewal process, but the board of registration may ask to review such verification.

EXAMPLE OF CPC REPORTING FORM - DO NOT RETURN THIS FORM TO THE BOARD.

VOLUNTARY CONTINUING PROFESSIONAL COMPETENCY (CPC) REPORTING FORM

_____, 19____ TO _____, 19____

NOTE: PARTICIPATION IN THE VOLUNTARY CPC PROGRAM IS NOT REQUIRED FOR LICENSE RENEWAL.

To be a participant in the VOLUNTARY CPC program, you must be able to report at least 15 professional development hours (PDH) of CPC since your last renewal. See the reverse side of this form for details of the program. Your participation will be denoted in the next roster of engineers. An optional Certificate of Participation, suitable for framing, is available for an additional charge of \$3.

Instructions: Complete this form and return it with your renewal statement. Do not send any documentation of your courses or any other items to the Board. Do not list your courses on this form; the only information required is the number of PDH's earned in each category. A random review of several hundred of the voluntary participants will be conducted to insure the accuracy of responses. You should maintain documentation of your CPC activities in your personal files for 3 years.

1. Enter the number of PDH's earned in each category since your last renewal under the column marked "This Year."
2. Enter the number of PDH's earned in the year prior to your last renewal, (not to exceed 15 PDH's) in the column marked "Carried Forward."
3. Sum both columns individually in the boxes beside "Total." Then sum boxes (a) and (b) and enter that number in the box beside "Grand Total."
4. You will be allowed to carry up to 15 PDH's forward from this past year to next year. Take the Grand Total, subtract 15 PDH's, and enter that number in the box beside "Carry Forward," unless that number exceeds 15 PDH's. If that number is greater than 15, enter 15.
5. Answer the questions and sign the affidavit.
6. If you would like to order an OPTIONAL certificate, check on the following line and include \$3 extra with your renewal fee. Allow 4-6 weeks for delivery. In subsequent years when you voluntarily participate, the Board will send you a free seal to update your certificate.

I WOULD LIKE TO ORDER A CERTIFICATE OF PARTICIPATION FOR \$3. _____ (CHECK HERE.)

Summary of Professional Development Hours (PDH's)		
Description of Activities	Number of Professional Development Hours (PDH's) Earned	
	This Year	Carried Forward (no more than 15)
1. Documented self-study (Combination of this year & carried forward not more than 5 PDH's).		
2. Correspondence, televised, video, other short courses or tutorials.		
3. Seminars, in-house courses, workshops, professional presentations at meetings/conventions/conferences.		
4. Continuing education courses.		
5. College Courses.		
6. Teaching in 2, 3, 4, and 5 above.		
7. Authoring papers, articles or books.		
8. Active participation in professional or technical societies. (Combination of this year & carried forward not more than 2 PDH's.)		
9. Active participation in examination preparation or grading.		
10. Patents.		
	Total (a)	(b)
	Grand Total [(a) + (b)]	
	Carry forward [(Grand Total) minus 15; if greater than 15, enter 15].	

AFFIDAVIT

I, _____, P.E. Number _____ do affirm that I have completed CPC activities corresponding to the number of PDH's shown above. I agree to retain records of the activities as described in part of the CPC Guidelines for a period of 3 years and I agree to submit copies of these records for review by the Board should I be selected at random to do so.

Signature

Date

SEALING RULE CHANGE PLANNED

At the June 14, 1995 quarterly meeting, the Board received a report from the Ad Hoc Committee on Sealing Rules Interpretation. Chaired by Roxanne L. Pillar, P.E., the Committee made recommendations to significantly reduce the number of documents requiring a seal. These recommendations were written into a proposed modification to Board Rule 131.138, published on July 18, 1995, in the Texas Register. Your comments on these proposed paragraphs to the rule are welcome and should be submitted, in writing, to the Board office before September 30, 1995.

The purpose of the engineer's seal is to assure the consumer of the engineering product that the work has been performed by the professional engineer named and to delineate the scope of the engineer's work. The board strongly encourages the engineer to utilize the designation "P.E." on all correspondence and in conjunction with all engineering performed. The seal shall be used as noted in this section and in other board rules. Physical seals of two different sizes will be acceptable: a pocket seal, the size commercially designated as 1-5/8-Inch seal, or desk seal, commercially designated as a two-Inch seal.

The proposed text emphasizes the importance of the "P.E." designation. Engineers are strongly encouraged to use "P.E." after their names on all correspondence. As you will see in Paragraph (9), the "P.E." designation, date and signature may be used in lieu of the seal in many instances. Seal sizes for impression seals and rubber stamp seals remain the same. However, Paragraph (5) will allow different sizes for computer-generated seals.

(1) All seals obtained and used by license holders may contain any given name or initial combination, except for nicknames, at their discretion, provided the surname appears on the seal and in the usual written signature.
This paragraph was reworded for clarity.

(2) The engineer shall only seal work done by him or under his responsible supervision, except as provided in paragraph (10) of this section concerning standards.

This paragraph was reworded for clarity. As in the existing rule, engineers may only seal work done under their responsible supervision.

(3) It shall be misconduct to knowingly sign or seal any engineering document or product if their use or implementation may endanger the health, safety, or welfare of the public.

(4) It shall be unlawful for a license holder whose license has expired, or has been revoked or suspended to sign or affix his seal on any engineering document or product.

These paragraphs were reworded for clarity.

(5) All seals obtained and used by license holders shall be capable of leaving a permanent ink or impression representation on the engineering work, or shall be capable of placing a computer-generated representation in a computer file containing the engineering work. Unless accompanied by an original signature and date, computer-generated seals shall be accompanied by the following text: "The seal appearing on this document was authorized by (example) John H. Doe, P.E. 0112 on , 19 . Alteration of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Practice Act." Computer-generated seals may be of a reduced size provided that the engineer's name and number are clearly legible.

This paragraph changes nothing about impression seals or rubber stamp seals, but clarifies the use of computer-generated seals such as CADD seals. Computer-generated seals are always acceptable. Whenever they are used, computer-generated seals must be accompanied by the statement listed above or an original signature and date. Signatures must never be digitized. Whenever computer files are completed and released to another party as the final product, a computer-generated seal and the statement listed above must be in that file. Alteration of that product without proper notification to the original engineer is a violation of the Texas Engineering Practice Act by the other party. If the engineer is not comfortable with the security of his/her seal in a computer file, then the engineer should not use a computer-generated seal and should use an impression seal or a rubber stamp seal instead [see Paragraph (7)]. Under circumstances such as the plotting of 1/2 scale plans, the computer-generated seal may be reduced in size. However, the engineer's name and number should always be clearly legible, even on subsequent copies.

(6) Preprinting of blank forms with an engineer's seal, or the use of decal or other seal replicas is prohibited.
As in the existing rule, sticky-back seals, pre-printed seals and blank forms with an engineer's seal are strictly prohibited.

(7) The engineer shall insure the security of his physical or computer-generated seal at all times. In the event of loss of a seal, the registrant will immediately upon learning of such loss communicate in writing all facts relative to the loss to the executive director of the board.

The use and security of the seal is the sole responsibility of the engineer. If a situation appears to compromise that security, then the engineer is encouraged to avoid that situation.

(8) The engineer shall affix his unobscured seal, original signature, and date of signature to the originals of all documents containing the final version of any engineering work as outlined in paragraph (9) before such work is released from his control; except that incomplete or review documents released from his control shall bear the following text or similar wording instead of his seal: "This document is released for the purpose of interim review under the authority of (example) John H. Doe, P.E. 0112 on , 19 . It is not to be used for (example) construction, bidding or permit purposes." Computer files need not contain an original signature or date provided that they conform with paragraph (5) of this section.

This paragraph is used in direct conjunction with paragraph (9). All final documents must have a seal, signature and date in accordance with paragraphs (5) and (9). Incomplete documents must have the statement shown above, or a similar statement that conveys the same idea before they are released from the engineer's control. The statement must emphasize the incompleteness of the document and specifically denote ways it should not be used. No signature is required with this statement. Engineers are strongly encouraged to use this procedure during preliminary reviews with public officials and customers.

(9) The engineer shall sign, seal and date the original and final title sheet of bound engineering reports, specifications, details, calculations or estimates, and each original and final sheet of plans or drawings regardless of size or binding. All other engineering work, including but not limited to research reports, opinions, recommendations, evaluations, documents produced for litigation, and engineering software shall bear the engineer's printed name, date, signature and the designation "P.E." or other terms allowed under the Act, §1.2; a seal may be added on such work at the engineer's discretion or as required by others. Electronic correspondence of this type shall be followed by a hard copy containing the engineer's printed name, date, signature and the designation "P.E." or other terms allowed under the Act, §1.2.

Two types of final documents require a seal in addition to the engineer's signature and date. The first is a plan sheet with details, designs, layouts, etc. Even if the sheet is a part of a bound set, it must be individually sealed. The largest plan sheets are treated exactly the same as the smallest plan sheets. The second type of final product requiring a seal is a bound engineering document. A seal (or seals) must be placed on the title page. "Binding" may be as simple as a staple or as sophisticated as hard cover. Documents in three-ring folders are considered bound. Documents that are sufficiently short and simple do not require a seal. Instead, those documents should be authorized by the engineer's printed name, date, signature and the "P.E." designation. These elements may be placed in a title block of a letter, a header, footer or other reasonable location at the discretion of the engineer. Page numbering such as "2 of 5" etc., may be desirable to allow the customer to know whether a document is complete.

The primary idea behind this paragraph is to give the engineer some additional latitude in sealing and to minimize the use of the seal in areas where it is not entirely practical. The seal and other designations should be used to assure the customer that the work has been performed by the engineer named and to clearly delineate the scope of the engineer's work.

(10) Work performed by more than one engineer shall be sealed in a manner such that all engineering can be clearly attributed to the responsible engineer or engineers. Licensed employees of the state, its political subdivisions, or other public entities are responsible for sealing their original engineering work; however, such licensed employees engaged in review and evaluation for compliance with applicable law or regulation of engineering work submitted by others, or in the preparation of general planning documents, a proposal for decision in a contested case or any similar position statement resulting from a compliance review, need not seal the review reports, planning documents, proposals for decision, or position statement. When an engineer elects to use standards or general guideline specifications, those items shall be clearly labeled as such, shall bear the identity of the publishing entity, and shall be:

(A) Individually sealed by the engineer; or

(B) specified on an integral design/title/contents sheet that bears the engineer's seal, signature, and date with a statement authorizing their use.

This paragraph places the sealing responsibility for work performed by more than one engineer on each engineer. Each engineer should make it easy for a customer or reviewer to determine who performed each element of the work. As in the existing rule, engineers in public employ need not seal their review, but must still seal original work. New wording is employed to more clearly define sealing requirements on the use of standards. An engineer may either individually sign, seal, and date each page or may authorize its use on a title page. Standards that are altered cease to be "standards" and must be individually signed and sealed.

Often, customers or public officials want more seals to appear on documents than our rules require. Although it may be inconvenient, it is perfectly acceptable for those persons to demand it. If the customer demands more, then the engineer should meet the customer's demands provided the work is actually engineering performed under the engineer's direct supervision. In fact, failure to meet the rules of a political subdivision of the state is also a violation of Board rules.

Comings & Goings, Cont'd from page 3

petroleum engineer in north Texas and was a commissioned officer in the U.S. Navy. Mr. Nemir plans to spend time ranching in Goliad County and playing serious games of gin and golf in his spare time.

DeLoris Dunn retired on July 31, 1995, after over 12 years as the Board accountant. She will be relocating to Lake Desota, Hot Springs Village, Arkansas. She intends to spend her time flying with the Village Flying Club, participating in music and dance groups, and enjoying various outdoor activities.

T. M. "Tommy" Newton, P.E., will retire on August 31, 1995, after three years with the Board as Assistant to the Executive Director. He has been instrumental in the development of the Board's Voluntary CPC program and in the transition from a non-exam based registration process to an exam based process. Prior to joining the Board, he spent over two decades as a research engineer, training specialist and division head with the Texas A & M University system, and served as Texas State Railroad Engineer. He has held a variety of other positions including self-employment as an insurance agent, Deputy County Surveyor for Bell County and a radio announcer. His retirement plans include flying both gliders and small aircraft, traveling and conducting continuing professional competency courses in railroad and highway safety.

The Board and staff wish these three the best in all their future endeavors.

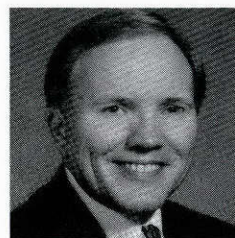
Helen Pena joined the Board staff on July 1, 1995, as a clerk after relocating to Austin from California. She is working in the operations section and will be handling various data entry duties for renewals and continuing professional competency.

the activities of the Board staff, manages the State's licensing process for engineers, enforces the Texas Engineering Practice Act, and regulates the practice of engineering in Texas. He has over 10 years of experience with the State of Texas, eight of which were with the Texas Department of Transportation (TxDOT). While with TxDOT, he was the Department's Manager of Engineering Professional Development and served as a supervising design engineer in the Wichita Falls District. He has authored several works on engineering professional development and engineering economics. He is a member of the Texas Society of Professional Engineers, the American Society of Civil Engineers and Chi Epsilon. Mr. Speed earned a Bachelor of Science in Civil Engineering from Texas A&M University where he was a President's Endowed Scholar and a National Merit Scholar. He also holds a Master of Arts in Political Science from Midwestern State University. He and his wife Lee Ann make their home in Austin.

Mr. Speed named the following three people as the senior management team on June 1, 1995.



Randi Warrington has assumed the position of Deputy Executive Director. She has almost two decades of service to the Board and has worked in a variety of capacities over the years. She will have general administrative responsibility for the agency's support and records operations. She will also be responsible for the Board's budget, agency liaison activities, and human resource management. In addition to her responsibilities at the Board, Randi is the incoming President of the Texas State Agency Business Administrators' Association and is also Recording Secretary of the Austin Texas A&M University Mothers' Club. She is married and has one son.



Paul Cook has been appointed Director of Enforcement after ten years as an investigator and supervising investigator. He will be responsible for enforcement of the Texas Engineering Practice Act. Paul retired from the United States Air Force after serving 21 years, 12

years of that as a Special Agent, Air Force Office of Special Investigations (AFOSI). Paul's wife, Patty, is also an ex-AFOSI Special Agent and now serves as a supervising investigator with another state agency. He has two children and two grandchildren. He is a private pilot and may often be found at the local airports searching for something to fly.



C. Walter May, Jr., P.E., is the new Director of Registration and will manage policy and procedure for registration of engineers in Texas. He will also be performing the initial evaluation of all applications for registration. Walter is a native of Austin and a graduate of the University of Texas at Austin with a Bachelor of Science in Electrical Engineering. He is a registered professional electrical engineer with 26 years of experience at the Lower Colorado River Authority. He is a Certified Safety Professional and Past Chairman of the Central Texas chapters of the Power Engineering Society and the Institute of Electrical and Electronic Engineers. Walter has also earned masters degrees in education, administration, and theology. He is married to Virginia and has 3 grown sons.

VOLUNTARY CONTINUING PROFESSIONAL COMPETENCY COORDINATOR NAMED



Debbie Rice has been designated as the Voluntary Continuing Professional Competency Coordinator. She joined the Board staff in September 1982, working as a clerk in the Enforcement department. In March 1990, Debbie was promoted to Operations Supervisor. In addition to her supervisory duties she handles the agency purchasing, type-setting, and acts as liaison with the Department of Information Resources regarding computer operations. Debbie is married and has two daughters.

**TEXAS STATE BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
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