

AUGUST 2012 MEETING

Wednesday, August 08, 2012 (1.0 PDH)

WORKSHOP

Ethics

Speaker: David Howell, P.E., Director of Licensing for the Texas Board of Professional Engineers, Tel. 512-440-7723.

David Howell is the Director of Licensing for the Texas Board of Professional Engineers. He has over 20 years of engineering experience working for the State of Texas, five of them with the Board. As the Director of the Licensing Division, he oversees the review of all PE applications, Firm registrations, EIT certifications and renewals in the State of Texas. The Licensing division reviews more than 2,500 PE applications per year and handles the renewals for close to 54,000 licensed Texas PEs and approximately 8,400 registered engineering Firms. The Licensing division also coordinates the exams for more than 6,900 examinees each year. David earned a Bachelor of Science in Mechanical Engineering from the University of Texas, El Paso. Prior to coming to the Board, his work was primarily in the field of environmental engineering.



WORKSHOP SUMMARY

To an audience of about 65 at the HESS Club, Mr. Howell presented a one-hour workshop on ethics designed to fulfill the Texas Board of Professional Engineers' annual one-hour ethics requirement needed to maintain a PE license. Aided by his slide presentation, Mr. Howell spoke about recent changes in the TBPE organization, recent Texas legislature law changes, and disciplinary case histories. He also answered numerous questions about the TBPE's philosophy and interpretation of its rules. Some points made by Mr. Howell during the workshop included:

- PE's can only practice in areas of competence, education and experience. The judgment of competence is left to the engineer and is not explicitly defined
- HB 3, HB 2067 and HB 2284 from the 2011 legislative session were reviewed.
- License holders should keep their PDH documentation for three years though it is unlikely the board will go back that far. The board shreds its records after three years.
- Engineers are required by the rules to report all code violations by other engineers that come to their attention.
- On CEUs: If you do not complete the required CEUs for a year, you must list yourself as "inactive" with the board; you do not have to have written documentation of your CEUs if you are able to list them as "self-study"; you can carryover up to 14 hours (all but the ethics hour) each year; the board audits less than 2 percent (about 250) of its licensed engineers each quarter.
- If you could have a conflict of interest, you must notify your client of it in writing and get a written OK to proceed from your client.
- Though Texas courts allow an expert that is not an engineer to testify, the board rules say you must be an engineer to testify on engineering matters.
- The board will be subjected to a sunset review in 2013.
- For the new windstorm rules that became effective recently, about 45 engineers have thus far been grandfathered by the test administered by TBPE to become windstorm certified. After January 1, 2013, it will become more difficult to become windstorm certified.
- In 2020, NCEES will require a BS + MS degree, or at least 30 hours post-grad if not an MS, to qualify as an engineer. The legislature will need to change TBPE's rules prior to then.
- The board now has an in-house attorney to assist with violations of the rules that involve the courts. Of the 800 complaints filed in 2011, 9 involved the courts.

To view David Howell's previous FPA Presentations, click on the link below

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