



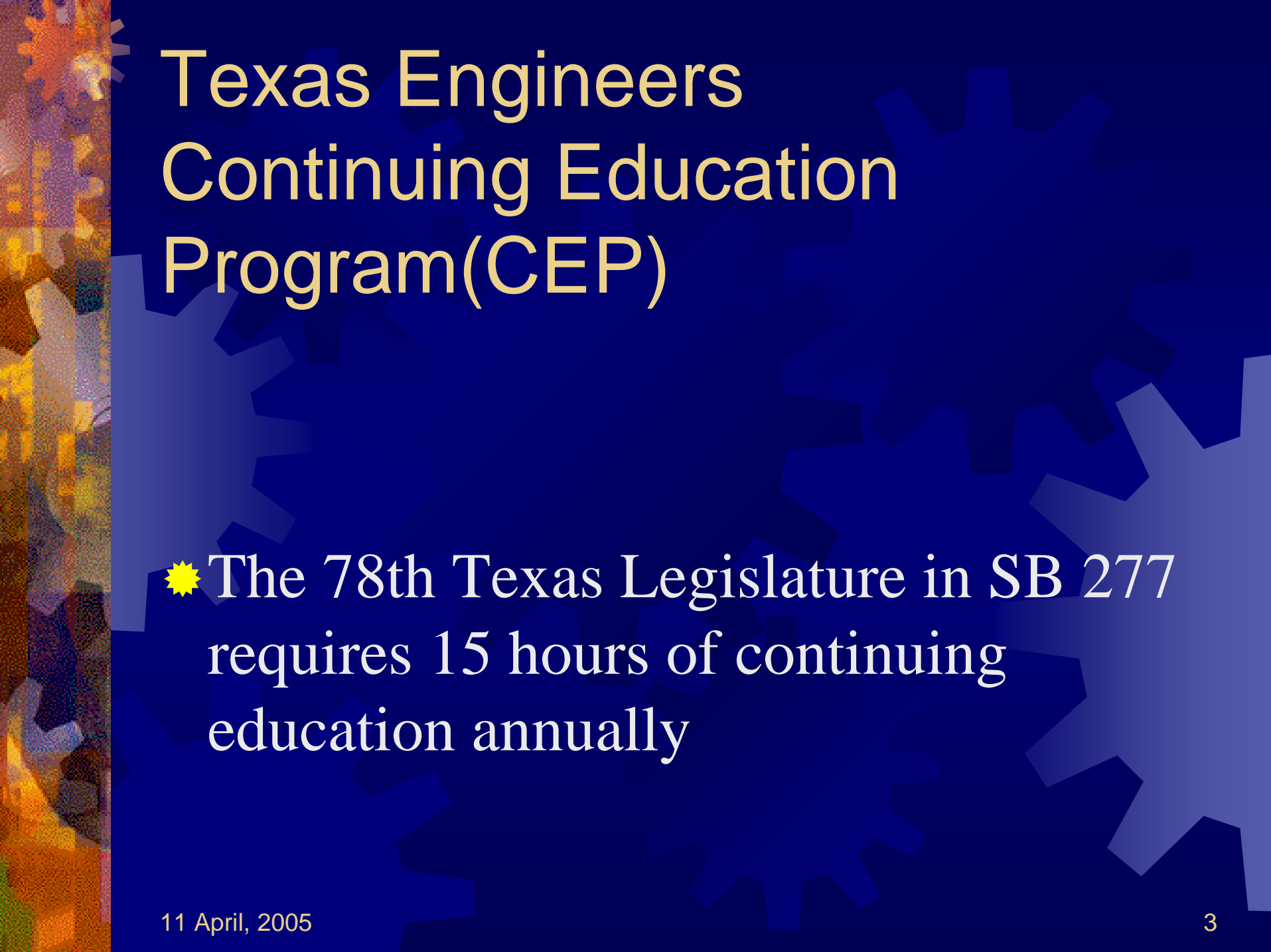
Texas Board of Professional Engineers Organization, Ethics, and “Engineer” Title

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Texas Board of Professional
Engineers

Board Organization & Responsibilities

- ★ 9 members appointed by the governor; 6 PEs, 3 public members
- ★ Approve rules
- ★ Approve issuance of licenses and firm registrations, and testing
- ★ Approve compliance actions
- ★ Provide direction and oversight to Board staff through the Executive Director



Texas Engineers Continuing Education Program(CEP)

- ★ The 78th Texas Legislature in SB 277 requires 15 hours of continuing education annually

Ethics

- ✦ As of 2004, you must complete at least one hour of ethics training before license renewal in 2005
- ✦ Annual requirement

Ethics

- ☀ How to meet requirement?
- ☀ Read Board rules for one or more hours
- ☀ Attend a formal ethics presentation

Ethics

- ☀ There are many things to consider in ethics. Most regard the use of the seal and relationships with other engineers and with clients.

Ethics

- ✱ A PE may not seal if the license is inactive, expired, revoked, or suspended
- ✱ Seal ensures competent person designed and delineates work done
- ✱ License holder will seal only work done by them or performed under their direction

Ethics

- ✦ If using standards or general guidelines, they must be clearly labeled and indicate the publishing entity
- ✦ That page must be individually sealed
- ✦ Statement specifying its use

Ethics

- ✦ Ethics (Use of Seal)
- ✦ License holder must safeguard seal (physical and digital)
- ✦ Preliminary documents must include statement of purpose and use
- ✦ Seal will be clearly seen and have original signature and date or electronic signature

Ethics

- ★ Seals of more than one licensed engineer will have a notation as to what they designed or supervised

Ethics

- ✦ Changing designs sealed by others
- Client provides original of previous design
- 2nd engineer notifies the 1st of work to be done
- 2nd engineer seals the new, modified design as his/her own

Ethics

- ✦ Electronic seals
 - Include either an electronic signature or wording that the seal is authorized by the PE
 - Original hard copy of design must have a seal and original signature
 - Digital seal and electronic signature carries the same weight if defined as the original drawings

Ethics

- ✦ Disciplinary action for:
 - Knowingly endangering the public
 - Uses seal when license is not active
 - Alters a seal of another without notification to the original PE

Ethics

- ✦ Rules and law binding on PEs and firms to protect the public
- ✦ PEs having knowledge of violations shall cooperate with the Board
- ✦ PEs shall promptly answer Board requests and comply with decisions
- ✦ PEs will supervise subordinates and not work with organizations not in compliance

Ethics

- ★ PEs will not submit bids to a governmental agency unless authorized by law
- ★ Bidding includes engineering services, submission of costs in initial qualifying step, and any other cost information until contract negotiation
- ★ PEs allowed to bid in private sector

Ethics

- ★ PEs are entrusted to protect the health, safety, property, and welfare of the public in the practice of their profession
- ★ PEs shall not perform an engineering function that is fraud, gross negligence, misconduct, unethical, or illegal and will report the same
- ★ PEs shall notify affected parties
- ★ PEs shall make the best possible judgments within their competence

Ethics

- ★ PEs shall make statements that are objective and truthful and attempt to inform of consequences if they are overruled or disregarded
- ★ Misconduct if statements are fraudulent, deceitful, or misleading to create a misleading impression
- ★ PE shall notify of possible conflict of interest
- ★ Conflict exists if PE will gain other benefits not divulged to the client

Ethics

- ★ PE shall only practice within their area of competence and IAW appropriate codes and standards
- ★ PE shall not perform duties not qualified by education or experience
- ★ PE shall not express an opinion in court or other public forum that is not supported by scientific or engineering principles without divulging the basis for that opinion or rationale

Ethics

- ✦ PE shall engage in all activities in an honest and ethical manner
- ✦ Engineer shall:
 - Endeavor to meet all legal requirements and standards
 - Exercise reasonable care not to violate the Engineering Practice Act and Rules
 - Prevent association of name and seal with any unlawful practice

Ethics

4. Act as faithful agent for client and employer
5. Conduct engineering and business affairs that are respectful of all parties (no inappropriate behavior, misrepresentation of billing, unprofessional correspondence or language, performance of unnecessary work, or harassment)

References

- ★ A Professional Engineer (PE) who is a reference for an applicant has the obligation to:
 - ★ Evaluate the character of the applicant
 - ★ Evaluate the engineering accomplishments of the applicant (diverse, complex, increased responsibility)
 - ★ Evaluate on suitability to be a PE

References

- ✦ Critical review of the Supplemental Experience Record (SER)
- ✦ Does it look like engineering?
- ✦ Is there an increase in engineering knowledge?
- ✦ Are you competent to judge the engineering accomplishment?

Ethics-Case Study

☀ Scenario –

- ☀ You are a P.E. with competency in the mechanical arena. You have a very qualified and competent employee (not licensed) in the electrical field. Your employee, who you directly supervise, designs and you seal and sign the electrical documents. Is this acceptable, per TEPA Rule, Section 137.59 (b)?

Ethics- Case Study

☀ Answer

- ☀ No. No matter how qualified your employee is, he/she is not a licensed engineer and you do not have electrical competency. Therefore, can not seal.
- ☀ This section only allows you to engage others outside your competency if they are 'legally qualified'. (Professional Engineer)

Use of the Title “Engineer”

The new law allows someone to use the title “engineer” if:

1. In private practice have an engineer degree and work under a licensed professional engineer.
2. In an exempt industry may use title internally

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Questions

And Answers