Webinar Info

- Webinar audio can be heard through your computer speakers or phone.
- All attendees will be in Listen-only mode.
- During the presentation, use the Question feature in the webinar software, not the chat feature or the hand raising feature.
- If there are questions, not addressed, please email the presenter.
Documentation of attendance for Continuing Education purposes will be the follow up email from the Webinar system.

Sent within 24 hours. Check spam or junk mail filters.

No certificate will be issued.

If registered as a group, please keep and distribute a sign-in sheet for all attendees with the follow up email from the Webinar system.
Agenda

- Covid-19 Update
- Agency / Merger Update
- Renewals / CHRC
- Performance Metrics
- Rule Updates
- Board Activities
Presenter

- Lance Kinney, Ph.D., P.E.
- Executive Director
- Lance Kinney@pels.texas.gov
Website and Social Media

- http://pels.texas.gov
- Facebook: Texas Board of Professional Engineers and Land Surveyors
- Twitter: TBPELS_Exec
- LinkedIn: Texas Board of Professional Engineers and Land Surveyors
- YouTube: https://www.youtube.com/channel/UCm0YTnJR3StveBxWhCT4MiA
COVID-19 Update

- Agency Offices CLOSED to public
- Will remain closed until further notice
- TBPELS Team is all teleworking
- Email communication best ([info@pels.texas.gov](mailto:info@pels.texas.gov))
- Telephone communication is limited
- Operations NORMAL
  - Processing applications
  - Processing enforcement cases
  - Renewals ongoing
TBPELS Merger Update

- Adds CHRC to Surveyor License (new and renewals); due 2020
- Rule Review / Adoption
- Effective and Efficient Merger
- Two distinct and separate areas of practice / one agency
- Optimize processes and services
- Budget and staff scale / combined
- COMPLETE
Our mission is to protect the health, safety and welfare of the people of Texas through the licensure and registration of qualified individuals as professional engineers and land surveyors, compliance with applicable laws and rules, and education about engineering and land surveying.
Surveyor Renewals

- Due DECEMBER 31, 2020
  - Continuing Education – 12 hours / 3 ethics
  - **$100 Renewal Fee**
  - Criminal History Background Check ("Fingerprinting") complete
  - Online via ECHO System – on website
CRIMINAL HISTORY RECORD CHECKS (CHRC)

- CHRC (‘Fingerprinting’) is required by HB1523
- Info on website - https://pels.texas.gov/recordcheck.html
- Get appointment from IdentoGo
- Need info and codes from TBPELS email / letter
- Schedule ASAP
- Required to do the check prior to renewing
- DEADLINE DEC 31, 2020
CRIMINAL HISTORY RECORD CHECKS (CHRC)

- FAQ on website
- Policies on website
- Renew once the check is done
  - Anything found on report will be addressed separately
As of November 1, 2020

- 2,405 RPLS (Active)
- 376 RPLS (Inactive)
  - Total: 2,781
- 275 SIT
- 1,559 Surveying Firms
- 60 LSLS
## PERFORMANCE METRICS

### October 2020 Exams

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<th>Scheduled</th>
<th>Pass</th>
<th>Pass %</th>
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<td>RPLS</td>
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# Performance Metrics

**October 2020 Exams**

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<td>34</td>
</tr>
<tr>
<td>Fail</td>
<td>7</td>
<td>51</td>
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</table>
Performance Metrics

Surveying Complaints Received
PERFORMANCE METRICS

Surveying Complaints Resolved

- Total
- Internal
- External
Of 50+ cases that came over at merger

- 12 Pending
  - 4 → SOAH
  - 4 → Informal Conferences
  - 4 → Staff Review
RULE UPDATE

- Board rules impacting surveying had to be migrated and updated as part of merger.
- Aligning rules for two professions when possible.
- Proposed rules were reviewed, discussed, and recommended by the Surveying Advisory Committee.
- Publication in Texas Register and on TBPELS website mid-2020
- Rule hearings were held and public comment received and reviewed.
- Most rules adopted at November 2020 Board Meeting and effective Jan 2021.
- A few rules remain to finalize or go back through process.
PREVIOUS RULES

661 – General Rules of Procedure and Practice

663 – Professional Standards and Rules of Conduct

664 – Continuing Education

665 – Exam Advisory Committee
RULE MIGRATION

661 – General Rules of Procedure and Practice
663 – Professional Standards and Rules of Conduct
664 – Continuing Education
665 – Exam Advisory Committee

131 – Organization and Administration
134 – Licensing and Registration
136 – Firm Registration
138 – Compliance & Professionalism
139 – Enforcement
Rule Update

- Rule Language copied from surveyor rules where possible
- Rule Language merged into current agency chapter where appropriate (Chapters 131, 139)
- Rule Language created new Chapters following format of engineering rules (Chapters 134, 136, 138)
- Rules in place starting Jan 2021
CHAPTER 131

- General Operational Rules of the Agency
- Single Chapter for both professions
- Added New Board Configuration
- Added Surveying Advisory Committee per HB1523
  - Language amended per SAC/comments
CHAPTER 134

- Licensing, Registration, and Certification of Surveyors
- NEW Chapter
- Formatted similarly to Chapter 133 (Engineering Licensure)
- Clear sections on SIT, RPLS process, LSLS Process
- Education / Experience / Exams
Kept general requirements for SIT, RPLS, LSLS the same

Changes:
- Switch from 4000 hours to 2 years for experience
- Added associates degree per HB1523
- SIT renewal good for 8 years, no re-examination
- Added LSLS process to rules
- Allow NCEES PS Exam – discussion and re-proposal
  - Removed Jan 1, 2021, implementation date
  - Includes requirement for Board Action to implement
CHAPTER 136

- Firm Registration
- NEW Chapter
- Formatted similarly to Chapter 135 (Engineering Firm Registration)
- Includes what is required on application for a firm
CHAPTER 138

- Professional Practice and Technical Standards
- NEW Chapter
- Formatted similarly to Chapter 137 (Engineering Professional Practice)
- Copied existing technical standards
- Also contains renewals and continuing education sections
Chapter 138

Rule Changes ongoing:

- Waiting on repeal of Chapter 663
- Renewal and CE sections ADOPTED
- Firm sections ADOPTED
- Professional Practice adopted; Feb 2021 implementation
- Previous rules still in place until Ch 663 repealed
Changes:

- Renewals – included CHRC
- Continuing Education – CE providers no longer need to register with Board
- Continuing Education – CE no longer needs to be from a registered provider
- Continuing Education – CE requirements remained the same (12 hours / 3 hours ethics)
- Continuing Education – 9 hours of roll-over (used to be 8)
CHAPTER 138

- Changes:
  - Aligned Professional Practice Language w/ Engineering format
  - Kept surveying technical standards the same
Firm Registration

- Firm branches do not have to be registered as a separate firm (reducing fees)
- You CAN register separately if wanted for clarity and completeness
- Branches must still be listed with the firm registration
- All RPLS must still be listed with the registration
- Separate and Unique RPLS does not have to be assigned to a branch
- All work must still be performed by or under direct supervision of a Texas RPLS, no matter where performed
- All work must still be by RPLS knowledgeable and competent to do the work
- All Professional Standards and Professional Practice must be upheld
New Language:

Firm Registration

§138.77(b) A firm shall provide that at least one full-time active registration holder is employed with the entity and that an active registration holder performs or directly supervises all surveying work and activities that require a registration that are performed in the primary, branch, remote, or project office(s).
New Language:

Firm Registration §136.3: To register a firm, the following must be provided to the Board:

(3) the name, address, and current active Texas registered professional land surveyor registration number of each land surveyor employee performing land surveying for the public in Texas on behalf of the firm;

(4) the name, location, and telephone numbers of each subsidiary or branch office offering to engage or engaging in the practice of professional surveying for the public in Texas, if any;
Enforcement Procedures

Merged with Engineering Enforcement Process per HB1523

Reviewed and revised sanction tables (still max $1,500 per violation per statute)

Added suspensions, other sanctions as appropriate
Proposed Rules

- Proposed 138.81 – Introduction to Chapter on Enforcement (comments due Jan 10)

- Re-Proposed 134.67 – related to PS exam (comments due Jan 17)

Final Cleanup:

- Repeal of Chapter 663 (due Jan 10)
- Repeal of Chapter 661 – 33, 57, 97, 99 (due Jan 10)
- Chapter 138 rules have been adopted

- Rules will be considered for adoption at Feb 2021 Board Meeting
Adopted Rules

- Combined rule document in editing process
- Will notify everyone when available
- Current rules on Texas Admin Code Website:

- Link on TBPELS website: [https://pels.texas.gov](https://pels.texas.gov) under Resources at bottom right of page
TBPELS – Technical Experts

We Need Your Help – Both Engineering and Surveying

- TBPELS keeps a list of qualified Technical Experts to be used to review Enforcement cases.
  - Volunteer/Pro bono or Service Contract as appropriate
  - Possible Continuing Education credit

Find out More:
- Board Rule 139.23
- http://pels.texas.gov/technical_experts.htm
Important Dates

- November 9, 2020 – Bill Filing Begins
- January 12, 2021 – Legislative Session Begins
- March 12, 2021 – Bill Filing Deadline
- May 31, 2021 – Adjourn Sine Die

TBPELS Tracks Bills

- Bills related to Engineering and/or Surveying listed on TBPELS website
Outreach

- Monthly and Quarterly Webinars
- Face to Face Outreach
- Includes K-12 / E-Week

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<tr>
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Thank You

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- Phone: 512-440-7723