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Texas Laws and Rules for Engineers

by

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Texas Laws and Rules for Engineers
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Course Outline:

Texas Occupations Code
Texas Engineering Practice Act
Texas Administrative Code
Board Rules
Practice of Engineering
Continuing Education
Sealing Requirements
Helpful References
Examination



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Texas Occupations Code

Laws enacted by the Texas Legislature (Texas House of Representatives and the Texas Senate) are called “Texas Statutes” or “Texas Codes”. The statutes are organized as follows:

Texas Statutes

- **Code**
 - **Title**
 - **Subtitle**
 - **Chapter**
 - **Subchapter**
 - **Section**

There is only one chapter concerning engineering, which is “Occupations Code 6.A.1001” (OC 1001) called “TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS”. The organization is shown on the next page and below:

Texas Statutes

- **Code: Occupations Code**
 - **Title: 6 REGULATION OF ENGINEERING, ARCHITECTURE, LAND SURVEYING, AND RELATED PRACTICES**
 - **Subtitle: A. REGULATION OF ENGINEERING AND RELATED PRACTICES**
 - **Chapter: 1001 TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**
 - **Subchapters: A (.1xx) to M (.6xx)**

Occupations Code 6.A.1001 (OC 1001) gives authority to the “Texas Board of Professional Engineers and Land Surveyors” to regulate professional engineering and land surveying. It also includes a definition of the practice of engineering.



See the “Helpful Resources” section for the websites to view the latest statutes and rules.



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Texas Statutes - Codes:

Agriculture Code

...

Natural Resources Code

Occupations Code

Parks and Wildlife Code

...

Vernon's Civil Statutes

Occupations Code - Titles:

1 General Provisions

2 General Provisions Relating to Licensing

3 Health Professions

4 Professions Related to Animals

5 Regulation of Financial and Legal Services

6 Regulation of Engineering, Architecture, Land Surveying, and Related Practices

7 Practices and Professions Related to Real Property and Housing

... ..

6 Subtitles:

A Regulation of Engineering and Related Practices

B Regulation of Architecture and Related Practices

C Regulation of Land Surveying and Related Practices

A. Chapters

1001 Texas Board of Professional Engineers and Land Surveyors

1002 Geoscientists





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Texas Engineering Practice Act

Occupations Code 1001 (OC 1001) has the official chapter title of “Texas Board of Professional Engineers and Land Surveyors” however, as defined in the first section 1001.001, the chapter may also be cited as the “Texas Engineering Practice Act”.

**THE TEXAS ENGINEERING PRACTICE ACT
 CHAPTER 1001 TEXAS OCCUPATIONS CODE
 SUBCHAPTER A. GENERAL PROVISIONS**

§ 1001.001. Short Title

This chapter may be cited as The Texas Engineering Practice Act.

The following are all subchapters of the Texas Engineering Practice Act, with bold items being of particular importance for practicing professional engineers:

OC 1001 - Texas Engineering Practice Act

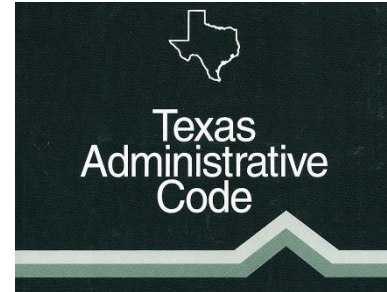
- A General Provisions**
- B Exemptions**
- C Texas Board of Professional Engineers and Land Surveyors
- D Board Personnel
- E Board Powers and Duties
- F Consumer Interest Information and Complaint Procedures
- F-1 General License, Registration, and Certification Requirement
- G Engineering License Requirements
- H Engineering License Renewal**
- I Practice of Engineering**
- J Prohibited Practices and Disciplinary Procedures**
- K Administrative Penalty
- L Other Penalties and Enforcement Provisions
- M Advisory Opinions



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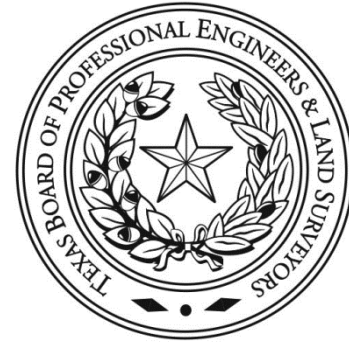
Texas Administrative Code

Statutes often lack implementing details. The legislature delegates regulatory agencies (state agencies) to manage implementation of statutes and to create additional rules and bylaws that complement the statutes. The collection of rules is called the Texas Administrative Code (TAC). These rules have the same force of law as Texas Statutes. The TAC is a collection of “titles”, each in a different area of government.



Board

The state agency for professional engineering is the “Texas Board of Professional Engineers and Land Surveyors”, hereafter referred to as the Board. The Board oversees around 70,000 Professional Engineers and 2,800 Registered Surveyors. It handles over 600 enforcement cases per year.



TAC Modifications

The Board can make modifications to rules under Title 22, Part 6 (22 TAC, Part 6). Thus Part 6 is known as the “Board Rules”. Proposed amendments are listed on the board website (<https://pels.texas.gov/>) and published in the Texas Register. The Board typically makes multiple amendments each year. Public comments are accepted for a time period before the TAC is officially modified.



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Board Rules

TAC Title 22 is called “Examining Boards”. Title 22 Part 6 (22 TAC, Part 6) entitled “TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS” contains the rules for professional engineers. 22 TAC, Part 6 has the same official title as OC 1001. However, OC 1001 is referred to as the “Texas Engineering Practice Act” while 22 TAC, Part 6 is referred to as the “Board Rules”. Together they are called “Laws and Rules for Engineers”.

The contents of the Board Rules are as follows with the bold chapter being of particular importance for practicing professional engineers:

- 131 ORGANIZATION AND ADMINISTRATION
- 133 LICENSING FOR ENGINEERS
- 134 LICENSING, REGISTRATION, AND CERTIFICATION FOR SURVEYORS
- 135 ENGINEERING FIRM REGISTRATION
- 136 SURVEYING FIRM REGISTRATION
- 137 COMPLIANCE AND PROFESSIONALISM FOR ENGINEERS**
- 138 COMPLIANCE AND PROFESSIONALISM FOR SURVEYORS
- 139 ENFORCEMENT
- 140 CRIMINAL HISTORY AND CONVICTIONS

Chapter 137 Subchapters:

- A INDIVIDUAL AND ENGINEER COMPLIANCE**
- B SEALING REQUIREMENTS**
- C PROFESSIONAL CONDUCT AND ETHICS**
- D FIRM AND GOVERNMENTAL ENTITY COMPLIANCE**



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Practice of Professional Engineering

The Texas Engineering Practice Act and Board Rules help define what is and what is not considered practicing professional engineering. Texas is a generic licensure jurisdiction for engineering, so there are not specific licenses for each discipline and there are not separate requirements for Structural Engineers.

The following is a copy-paste of the relevant statutes and rules:

OC 1001 - Texas Engineering Practice Act

Sec. 1001.003. PRACTICE OF ENGINEERING.

(a) In this section:

(1) "Design coordination" includes the review and coordination of technical submissions prepared by others, including the work of other professionals working with or under the direction of an engineer with professional regard for the ability of each professional involved in a multidisciplinary effort.

(2) "Engineering survey" includes any survey activity required to support the sound conception, planning, design, construction, maintenance, or operation of an engineered project. The term does not include the surveying of real property or other activity regulated under Chapter 1071.

(b) In this chapter, "practice of engineering" means the performance of or an offer or attempt to perform any public or private service or creative work, the adequate performance of which requires engineering education, training, and experience in applying special knowledge or judgment of the mathematical, physical, or engineering sciences to that service or creative work.

(c) The practice of engineering includes:

(1) consultation, investigation, evaluation, analysis, planning, engineering for program management, providing an expert engineering opinion or testimony, engineering for testing or evaluating materials for construction or other engineering use, and mapping;

(2) design, conceptual design, or conceptual design coordination of engineering works or systems;

(3) development or optimization of plans and specifications for engineering works or systems;

(4) planning the use or alteration of land or water or the design or analysis of works or systems for the use or alteration of land or water;

(5) responsible charge of engineering teaching or the teaching of engineering;

(6) performing an engineering survey or study;

(7) engineering for construction, alteration, or repair of real property;

(8) engineering for preparation of an operating or maintenance manual;



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- (9) engineering for review of the construction or installation of engineered works to monitor compliance with drawings or specifications;
- (10) a service, design, analysis, or other work performed for a public or private entity in connection with a utility, structure, building, machine, equipment, process, system, work, project, or industrial or consumer product or equipment of a mechanical, electrical, electronic, chemical, hydraulic, pneumatic, geotechnical, or thermal nature;
- (11) providing an engineering opinion or analysis related to a certificate of merit under Chapter 150, Civil Practice and Remedies Code; or
- (12) any other professional service necessary for the planning, progress, or completion of an engineering service.

Sec. 1001.0031. PRACTICES OF ENGINEERING AND ARCHITECTURE.

(a) Except as provided by Subsection (d) or (e), the practice of engineering does not include, and engineers may not engage in or offer to engage in, the practice of architecture as defined by Sections 1051.001(7)(A), (B), and (C), as that definition existed on April 1, 2011, and by Section 1051.0016(a).

(b) An engineer may not prepare or provide a complete, comprehensive set of building plans for a building designed for human use or occupancy unless:

- (1) the plans and specifications as described by Section 1051.001(7)(A) or (B) are prepared by, or under the supervision of, an architect;
- (2) the building is part of a project described by Section 1051.601(b) or a building described by Section 1051.606(a)(4); or
- (3) the engineer has received administrative approval by the Texas Board of Architectural Examiners to practice architecture under Section 1051.607.

(c) An engineer is responsible for the engineering plans and specifications of a building unless the work is exempt under Section 1001.053 or 1001.056. In this section, the term "engineering plans and specifications" means:

- (1) plans for a structural, mechanical, electrical, electronic, fire suppression, or geotechnical system in a building;
- (2) specifications of structural elements and connections of a building;
- (3) foundation design;
- (4) hydrologic management calculations and design of surface water control and detention necessary for compliance with ordinances and regulations;
- (5) design of building drain and waste system plumbing, fresh water plumbing, graywater systems, and mechanical aspects of moving water in and out of a structure, other than simple roof drainage;
- (6) evaluation of structural framing members before the addition of roof-mounted equipment or a heavier roof covering;
- (7) design of changes in roof pitch by the addition of structural framing members;
- (8) evaluation and repair of damaged roof structural framing;
- (9) design of electrical and signal and control systems;



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(10) shop drawings by manufacturers or fabricators of materials and products to be used in the building features designed by the engineer; and

(11) specifications listing the nature and quality of materials and products for construction of features of the building elements or systems designed by an engineer.

(d) The preparation of engineering plans and specifications for the following tasks is within the scope of practice of both engineering and architecture:

(1) site plans depicting the location and orientation of a building on the site based on:

(A) a determination of the relationship of the intended use with the environment, topography, vegetation, climate, and geographic aspects; and

(B) the legal aspects of site development, including setback requirements, zoning and other legal restrictions, and surface drainage;

(2) the depiction of the building systems, including structural, mechanical, electrical, and plumbing systems, in:

(A) plan views;

(B) cross-sections depicting building components from a hypothetical cut line through a building; and

(C) the design of details of components and assemblies, including any part of a building exposed to water infiltration or fire-spread considerations;

(3) life safety plans and sheets, including accessibility ramps and related code analyses; and

(4) roof plans and details depicting the design of roof system materials, components, drainage, slopes, and directions and location of roof accessories and equipment not involving structural engineering calculations.

(e) The following activities may be performed by either an engineer or an architect:

(1) programming for construction projects, including:

(A) identification of economic, legal, and natural constraints; and

(B) determination of the scope of functional elements;

(2) recommending and overseeing appropriate construction project delivery systems;

(3) consulting with regard to, investigating, and analyzing the design, form, materials, and construction technology used for the construction, enlargement, or alteration of a building or its environment; and

(4) providing expert opinion and testimony with respect to issues within the responsibility of the engineer or architect.

Sec. 1001.403. PROFESSIONAL IDENTIFICATION.

A person licensed under this chapter shall use the term "Engineer," "Professional Engineer," or "P.E." in the professional use of the person's name on a sign, directory, listing, document, contract, pamphlet, stationery, advertisement, signature, or another similar written or printed form of identification.



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Sec. 1001.404. ELIGIBILITY FOR APPOINTED STATE POSITION. An engineer is eligible to hold any appointive engineering position with the state.

Sec. 1001.405. PRACTICE BY BUSINESS ENTITY; REGISTRATION.

- (a) In this section, "business entity" includes a sole proprietorship, firm, partnership, corporation, or joint stock association.
- (b) A business entity may not engage in the practice of engineering in this state unless:
- (1) the business entity is registered with the board; and
 - (2) the practice is carried on only by engineers.
- (c) A business entity may register under this section by filing an application with the board on a form provided by the board. In addition to any other information required by board rule, the application must list the name and address of each officer or director of the business entity and each engineer who engages in the practice of engineering on behalf of the business entity.
- (d) The registration of a business entity issued under this section expires on the first anniversary of the date the registration is issued. The registration may be renewed by the filing of an updated application under Subsection (c).
- (e) A business entity may not represent to the public that it is engaged in the practice of engineering under any business name or use or cause to be used the term "engineer," "engineering," "engineering services," "engineering company," "engineering, inc.," "professional engineers," "licensed engineer," "registered engineer," "licensed professional engineer," "registered professional engineer," or "engineered," or any abbreviation or variation of those terms, or directly or indirectly use or cause to be used any of those terms in combination with other words, letters, signs, or symbols as a part of any sign, directory, listing, contract, document, pamphlet, stationery, advertisement, signature, or business name unless:
- (1) the business entity is registered under this section;
 - (2) the business entity is actively engaged in the practice of engineering; and
 - (3) each service, work, or act performed by the business entity that is part of the practice of engineering is either personally performed by an engineer or directly supervised by an engineer who is a regular full-time employee of the business entity.
- (f) This section does not prohibit an engineer from performing engineering services on a part-time basis.
- (g) Notwithstanding the other provisions of this section, the board by rule may provide that a business entity that has not previously registered with the board and that is engaged in the practice of engineering in violation of Subsection (b) is not subject to disciplinary action for the violation if the business entity registers with the board not later than the 30th day after the date the board gives written notice to the business entity of the registration requirement. This subsection does not apply to a business entity whose registration has expired.

Sec. 1001.406. GRADUATE ENGINEERS.

- (a) A graduate of a university recognized by the American Association of Colleges and



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Universities who has a degree from an engineering program accredited by the Accreditation Board for Engineering and Technology (ABET) has the right to:

- (1) disclose any college degree received by the person; and
- (2) use the term "graduate engineer" on the person's stationery or business cards or in personal communications of any character.

(b) A graduate engineer who is employed in a firm registered under this chapter and who is working under the direct supervision of a licensed professional engineer may use the term "engineer" on the person's stationery or business cards or in personal communications of any character.

Sec. 1001.407. CONSTRUCTION OF CERTAIN PUBLIC WORKS. The state or a political subdivision of the state may not construct a public work involving engineering in which the public health, welfare, or safety is involved, unless:

- (1) the engineering plans, specifications, and estimates have been prepared by an engineer; and
- (2) the engineering construction is to be performed under the direct supervision of an engineer.

22 TAC, Part 6 "Board Rules"

137 COMPLIANCE AND PROFESSIONALISM FOR ENGINEERS

1. License Holder Designations

(a) Pursuant to §1001.301 of the Act, a license holder may use the following terms when representing himself or herself to the public:

- (1) "engineer",
- (2) "professional engineer",
- (3) "licensed engineer",
- (4) "registered engineer",
- (5) "licensed professional engineer",
- (6) "registered professional engineer",
- (7) "engineered," or
- (8) any variation or abbreviation of the terms listed in paragraphs (1) - (7) of this subsection.

(b) Certificates, seals, and other official documentation showing earlier terminology shall be considered valid for all purposes.

(c) License holders who have placed their license in an inactive status pursuant to §137.13 of this chapter (relating to Inactive Status) may use the terms in subsection (a) of this section but must include the term "inactive" or "retired" in conjunction with the designation.

...

3. Other Use of Term "Engineer"

A person may not use the name, title, or words that convey to the public that a person is offering to perform engineering services to the public unless licensed under the



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requirements of the Act. The Act allows for the use or variation of the term "engineer" in a limited manner as summarized in this section.

(1) Pursuant to §1001.004(e)(1) of the Act, a person may use the term "engineer" or variation of the term to identify the name and trade in affiliation with an engineers' labor organization.

(2) Pursuant to §1001.055(b)(2) of the Act, a person who installs, operates, repairs or services any equipment or apparatus as listed in the statute may not use the term "engineer" unless authorized by another provision in the Act.

(3) Pursuant to §1001.061(b)(2) of the Act, a person employed by an operating telephone company or an affiliate of an operating telephone company engaged strictly in the art and science of telephony may use the term "engineer" in the person's job title or personnel classification if the person does not offer engineering services to the public and if the designation does not imply that the person is licensed under the Act.

(4) Pursuant to §1001.062(b) of the Act, a person who is a regular full-time employee of a private business entity that implements the design or specification sealed by an engineer licensed under the Act may use the term "engineer" in the person's job title or personnel classification if the person does not use the designation in conjunction with an offer to perform engineering services for the public.

(5) Pursuant to §1001.066(2) of the Act, a person employed by a business entity whose products or services consist of space vehicles, services or technology required by the National Aeronautical and Space Administration (NASA) may use the terms "engineer" or "engineering" in the person's job title or personnel classification if the person only uses the designation in association with the products and services related to NASA.

(6) Pursuant to §1001.301(f) of the Act, a person who is a regular employee of a business entity that is engaged in engineering activities but exempt from the licensure requirements under §1001.057 or §1001.058 of the Act may use the term "engineer" on business cards and forms of correspondence made available to the public providing the person does not:

(A) offer to perform engineering services to the public;

(B) use the designation outside the scope of §1001.057 or §1001.058 to convey the ability or willingness to perform engineering services or make an engineering judgment requiring a licensed professional engineer.

(7) Pursuant to §1001.406(a)(2) of the Act, a person who has an undergraduate or graduate degree from an engineering program accredited by ABET may use the term "graduate engineer" on the person's business cards and in any forms of correspondence or personal communication.

(8) Pursuant to §1001.406(b) of the Act, a person who has an undergraduate or graduate degree from an engineering program accredited by ABET and who is employed by a firm registered pursuant to Chapter 135 of this title and under the direct supervision of a licensed professional engineer may use the term "engineer" on the person's business cards and in any forms of correspondence or personal communication.



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Continuing Education

Per 22 TAC 137.17, the following is required every renewal period, where a PDH is a professional development hour:

- Total 15 PDHs
- Minimum 1 PDH in any of the following areas (cannot carry over):
 - Professional ethics,
 - Roles and responsibilities of professional engineering, or
 - Texas Engineering Practice Act and Board Rules (this course)
- Maximum of 14 PDHs can be carried over, not including the 1 PDH above
Courses must have a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice
- A maximum of 5 PDH of self-study, including reading up on a new topic, researching a new design, or keeping up with current engineering periodicals.
- Retain PDH records for 3 years.
- Renews annually on March 31, June 30, September 30, or December 31, depending on the original license date.

Here is a copy-paste of the relevant statutes and rules:

OC 1001 - Texas Engineering Practice Act

Sec. 1001.210. CONTINUING EDUCATION PROGRAMS FOR ENGINEERS.

(a) The board shall recognize, prepare, or administer continuing education programs for engineers. An engineer must participate in the programs to the extent required by the board to keep the engineer's license.

(b) The board may not require an engineer to obtain more than 15 hours of continuing education annually. The board shall permit an engineer to certify at the time the license is renewed that the engineer has complied with the board's continuing education requirements.

(c) The board shall permit an engineer to receive continuing education credit for educational, technical, ethical, or professional management activities related to the practice of engineering, including:

- (1) successfully completing or auditing a course sponsored by an institution of higher education;
- (2) successfully completing a course certified by a professional or trade organization;
- (3) attending a seminar, tutorial, short course, correspondence course, videotaped course, or televised course;
- (4) participating in an in-house course sponsored by a corporation or other



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business entity;

- (5) teaching a course described by Subdivisions (1)-(4);
 - (6) publishing an article, paper, or book on the practice of engineering;
 - (7) making or attending a presentation at a meeting of a technical or engineering management society or organization or writing a paper presented at such a meeting;
 - (8) participating in the activities of a professional society or association, including serving on a committee of the organization; and
 - (9) engaging in self-directed study.
- (d) An engineer may not receive more than five continuing education credit hours annually for engaging in self-directed study.

SUBCHAPTER H. ENGINEERING LICENSE RENEWAL

Sec. 1001.351. ANNUAL RENEWAL REQUIRED.

(a) The board shall provide for the annual renewal of a license or registration issued under this chapter.

(b) The board by rule may adopt a system under which licenses and registrations expire on various dates during the year. For the year in which the license or registration expiration date is changed, the board shall prorate license or registration fees on a monthly basis so that each license or registration holder pays only that portion of the license or registration fee that is allocable to the number of months during which the license or registration is valid. On renewal of the license or registration on the new expiration date, the total license or registration renewal fee is payable.

22 TAC, Part 6 "Board Rules"

137.17 Continuing Education

(a) Each license holder shall meet the Continuing Education Program (CEP) requirements for professional development as a condition for license renewal.

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

(1) Professional Development Hour (PDH)--A contact hour (clock hour) of CEP activity. PDH is the basic unit for CEP reporting.

(2) Continuing Education Unit (CEU)--Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 hours of class in an approved continuing education course.

(3) College/Unit Semester/Quarter Hour--Credit for course in ABET-approved program or other related college course.

(4) Course/Activity--Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the license holder's field of practice.

(5) Self-directed study--Time spent engaging in professional development that is not otherwise identified in this rule. (Examples include, but are not limited to:



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reading/reviewing trade magazines or books, watching tutorials, and viewing other online content.)

(c) Every license holder is required to obtain 15 PDH units during the renewal period year.

(d) A minimum of 1 PDH per renewal period must be in the area of professional ethics, roles and responsibilities of professional engineering, or review of the Texas Engineering Practice Act and Board Rules. PDH units carried forward may not be counted to meet the professional ethics requirement.

(e) If a license holder exceeds the annual requirement in any renewal period, a maximum of 14 PDH units may be carried forward into the subsequent renewal period. Professional Development Hours must not be anticipated and cannot be used for more than one renewal period.

(f) PDH units may be earned as follows:

(1) Successful completion or auditing of college credit courses.

(2) Successful completion of continuing education courses, either offered by a professional or trade organization, university or college, or offered in-house by a corporation, other business entity, professional or technical societies, associations, agencies, or organizations, or other group.

(3) Successful completion of correspondence, on-line, televised, videotaped, and other short courses/tutorials.

(4) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, or conferences sponsored by a corporation, other business entity, professional or technical societies, associations, agencies, or organizations, or other group.

(5) Teaching or instructing as listed in paragraphs (1) through (4) of this subsection.

(6) Authoring published papers, articles, books, or accepted licensing examination items.

(7) Active participation in professional or technical societies, associations, agencies, or organizations, through:

(A) Serving as an elected or appointed official;

(B) Serving on a committee of the organization; or

(C) Serving in other official positions.

(8) Patents issued.

(9) Engaging in self-directed study.

(10) Active participation in educational outreach activities, including activities that build awareness or skills regarding engineering, that involve K-12 or higher education students.

(11) A passing score on the NCEES Principles and Practice of Engineering examination in accordance with §133.73 of this title (relating to Examination Results and Analysis).

(g) To receive PDH units, all activities described in subsection (f) of this section must be relevant to the practice of engineering and may include educational, technical, ethical, or managerial content.

(h) The conversion of other units of credit to PDH units is as follows:



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- (1) 1 College or unit semester hour--15 PDH.
 - (2) 1 College or unit quarter hour--10 PDH.
 - (3) 1 Continuing Education Unit--10 PDH.
 - (4) 1 Hour of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions, or conferences--1 PDH.
 - (5) 1 Hour of professional development through self-directed study--1 PDH (Not to exceed 5 PDH).
 - (6) Each published paper, article, or book--10 PDH.
 - (7) Active participation in professional or technical society, association, agency, or organization--1 PDH (Not to exceed 5 PDH per organization).
 - (8) Active participation in educational outreach activities--1 PDH (Not to exceed 3 PDH)
 - (9) Each patent issued--15 PDH.
 - (10) Other activities shall be credited at 1 PDH for each hour of participation in the activity.
 - (11) A passing score on the NCEES Principles and Practice of Engineering examination in accordance with §133.73 of this title - 14 PDH.
- (i) Determination of Credit.
- (1) The board shall be the final authority with respect to whether a course or activity meets the requirements of these rules.
 - (2) The board shall not pre-approve or endorse any CEP activities. It is the responsibility of each license holder to assure that all PDH credits claimed meet CEP requirements.
 - (3) Credit for college or community college approved courses will be based upon course credit established by the college.
 - (4) Credit for seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at programs presented at professional and/or technical society meetings will earn PDH units for the actual time of each program.
 - (5) Credit for self-directed study will be based on one PDH unit for each hour of study and is not to exceed 5 PDH per renewal period. Credit determination for self-directed study is the responsibility of the license holder and subject to review as required by the board.
 - (6) Credit determination for activities described in subsection (h)(4) of this section is the responsibility of the license holder and subject to review as required by the board.
 - (7) Credit for activity described in subsection (h)(7) of this section requires that a license holder serve as an officer of the organization, actively participate in a committee of the organization, or serve in other official positions. PDH credits are not earned until the end of each year of service is completed.
 - (8) Teaching credit is valid for teaching a course or seminar for the first time only.
- (j) The license holder is responsible for maintaining records to be used to support credits claimed. Records required include, but are not limited to:
- (1) a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned; and



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(2) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

(k) The license holder must certify that CEP requirements have been satisfied for that renewal year with the renewal application and fee.

(l) CEP records for each license holder must be maintained for a period of three years by the license holder.

(m) CEP records for each license holder are subject to audit by the board or its authorized representative.

(1) Copies must be furnished, if requested, to the board or its authorized representative for audit verification purposes.

(2) If upon auditing a license holder, the board finds that the activities cited do not fall within the bounds of educational, technical, ethical, or professional management activities related to the practice of engineering; the board may require the license holder to acquire additional PDH as needed to fulfill the minimum CEP requirements.

(n) A license holder may be exempt from the professional development educational requirements for one of the following reasons listed in paragraphs (1) - (4) of this subsection:

(1) New license holders shall be exempt for their first renewal period if the NCEES Principles and Practice of Engineering exam was taken within 12 months of the license issuance date.

(2) A license holder serving on active duty and deployed outside the United States, its possessions and territories, in or for the military service of the United States for a period of time exceeding one hundred twenty (120) consecutive days in a year shall be exempt from obtaining the professional development hours required during that year.

(3) License holders experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board.

(4) License holders who list their status as "Inactive" and who further certify that they are not providing professional engineering services in Texas shall be exempt from the professional development hours required.

(5) Exemptions must be claimed at the time of renewal.

(o) A license holder may bring an inactive license to active status by obtaining all delinquent PDH units and submitting copies of CEP records demonstrating compliance to the board or its authorized representative for verification purposes. If the total number required to become current exceeds 30 units, then 30 units shall be the maximum number required, and hours acquired must be within the two years prior to reactivation.

(p) Noncompliance:

(1) If a license holder does not certify that CEP requirements have been met for a renewal period, the license shall be considered expired and subject to late fees and penalties.

(2) Failure to comply with CEP reporting requirements as listed in this section is a violation of board rules and shall be subject to sanctions.



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(3) A determination by audit that CEP requirements have been falsely reported shall be considered to be misconduct and will subject the license holder to disciplinary action.

(4) If found to be noncompliant, the board may require additional audits of the license holder.

PDH Activity Log

The Board website provides the following log for tracking PDHs for each renewal.



CONTINUING EDUCATION PROGRAM ACTIVITY LOG
Texas Board of Professional Engineers and Land Surveyors

NAME: _____ LICENSE OR REGISTRATION NUMBER: _____ RENEWAL PERIOD COVERED: _____

DATE(s)	ACTIVITY (Title, Location, Instructor)	SPONSORING ORGANIZATION (Name and Address)	Duration	PDH Earned ¹	Carry over ² (Yes or No)	Ethics Related ³ (Yes or No)
Total						

PDH = Professional Development Hours. This is the standard unit of credit for the TBPELS Continuing Education Program.
 1 Minimum of 15 PDH per renewal cycle is required for PE renewal. Minimum of 12 PDH per renewal cycle is required for RPLS renewal.
 2 Maximum of 14 PDH can be carried over from the previous renewal cycle for PEs. Maximum of 9 PDH can be carried over from previous renewal cycle for RPLSs.
 3 Minimum of 1 PDH in Ethics is required for PE renewal. Minimum of 3 PDH in Ethics is required for RPLS renewal.

A maximum of 5 PDH of self-study is allowed per renewal cycle for PEs. A maximum of 4 PDH of self-study is allowed per renewal cycle for RPLSs.

See Board Rule 137.17 (PEs) or Board Rule 138.17 (RPLSs) for complete requirements of the Continuing Education Program, including activities for which PDH can be claimed.



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PDH Self-Study Worksheet

The Board website provides the following worksheet for tracking self-study activities that qualify as PDH credits.



**CONTINUING EDUCATION PROGRAM
SELF-STUDY WORKSHEET
Texas Board of Professional
Engineers and Land Surveyors**

Date: _____

Duration/PDH: _____

Ethics Related: Yes No

Activity: _____

Title / Author: _____

Topic / Description:



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Seal Requirements

Texas PE seal and signature requirements are found in OC 1001.401 and 22 TAC 137. Here are a few highlights that may differ from requirements in other states:

- Seal shall include name, license number, "State of Texas" on top, and "Professional Engineer" on bottom
- Seal design to have stars and rope exterior per Figure 22 TAC §137.31(c)
- Seal must be no larger than 2 inches
- Signature and date shall not obscure the engineer's name or license number
- Acceptable forms of signatures:
 - Hand signed (hard copy)
 - Electronic/digital signature:
 - Employ reasonable security measures to make the documents unalterable (third party validation not specified)
 - Electronic signed documents may be followed by a hard copy containing the engineer's printed name, date, signature and the designation "P.E." or other terms described in 22 TAC 137.1
 - Others cannot apply your seal or electronic signature without explicit permission

The following is a copy-paste of the relevant statutes and rules:

OC 1001 Texas Engineering Practice Act

Sec. 1001.401. USE OF SEAL.

- (a) On receiving a license, a license holder shall obtain a seal in a design authorized by the board, showing the license holder's name and the legend "Licensed Professional Engineer" or "Registered Professional Engineer."
- (b) A plan, specification, plat, or report issued by a license holder for a project to be constructed or used in this state must include the license holder's seal placed on the document. A license holder is not required to use a seal required by this section if the project is to be constructed or used in another state or country.
- (c) A person may not place a seal on a document if the license of the license holder named on the seal has expired or has been suspended or revoked.
- (d) A license holder is not required to use a seal under this section for a project for which the license holder is not required to hold a license under an exemption provided by Subchapter B.
- (e) A license holder shall not be required to provide or hold any additional certification, other than a license issued under this chapter, to seal an engineering plan, specification, plat, or report.



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22 TAC, Part 6 “Board Rules”

137.31 Seal Specifications

- (a) Upon issuance of a license, each license holder is required to obtain a seal under the requirements of §133.97 of this title (relating to Issuance of License).
- (b) In accordance with §1001.401(a) of the Engineering Act, physical and electronic seals shall be of the Board-authorized design illustrated in this section and shall be no larger than two inches in diameter. Regardless of seal size the engineer's name and number must be clearly legible.
- (c) All physical seals obtained and used by license holders shall be capable of leaving a permanent ink image or permanent impression of the seal attached to the engineering work.

Figure: 22 TAC §137.31(c):



- (d) All seals obtained and used by license holders shall contain any given name, commonly accepted variation of the given name, or initial combination with the surname as currently listed with the board and in the usual written signature. Nicknames shall not be permitted on a seal in lieu of a given name or initial combination. The name can be displayed on the seal using all uppercase letters such as "LESLIE H. DOE" or using the standard combination of upper and lowercase letters, such as "Leslie H. Doe". If after licensure, a license holder legally changes his/her name, the license holder must have a new seal or seals made showing the new legal name.
- (e) Preprinting of blank forms with an engineer's seal, or the use of decal or other seal replicas is prohibited.
- (f) When signing an engineering work, the engineer may utilize the designation "P.E." or other terms as described in §137.1 of this chapter (relating to License Holder Designations).
- (g) This section does not prevent the reproduction of sealed and signed, original works for distribution.

137.33 Sealing Procedures



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- (a) The purpose of the engineer's seal is to assure the user of the engineering product that the work has been performed or directly supervised by the professional engineer named and to delineate the scope of the engineer's work.
- (b) License holders shall only seal work done by them, performed under their direct supervision as defined in §131.2 of this title, relating to Definitions, or shall be standards or general guideline specifications that they have reviewed and selected. Upon sealing, engineers take full professional responsibility for that work.
- (c) When a license holder reviews and 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:
- (1) individually sealed by the license holder; or
 - (2) specified on an integral design/title/contents sheet that bears the engineer's seal, signature, and date with a statement authorizing its use.
- (d) License holders shall take reasonable steps to ensure the security of their physical or electronic seals and electronic signatures. For electronic seals and electronic signatures, the engineer must have reasonable security measures in place to protect these files. In the event of loss of a seal or electronic signature, the engineer will, as soon as possible, but within 30 days of discovery, give written notification of the facts concerning the loss to board.
- (e) Preliminary documents released from a license holder's control shall identify the purpose of the document, the engineer(s) of record and the engineer license number(s), and the release date by placing the following text or similar wording on the title sheet of bound engineering reports, specifications, details, calculations or estimates, and each sheet of plans or drawings regardless of size or binding, instead of a seal: "This document is released for the purpose of (Examples: interim review, mark-up, drafting) under the authority of (Example: Leslie H. Doe, P.E. 0112) on (date). It is not to be used for (Examples: construction, bidding, permit) purposes."
- (f) License holders shall affix their seal and original signature or electronic seal and signature with the date on the final version of their engineering work before such work is released from their control.
- (1) The signature and date shall not obscure the engineer's name or license number in the seal.
 - (2) Engineering work required to bear a seal and signature includes the original title sheet of bound engineering reports, specifications, details, calculations or estimates, and each original sheet of plans or drawings regardless of size or binding.
 - (3) All other engineering work, including but not limited to research reports, opinions, recommendations, evaluations, addenda, documents produced for litigation, and engineering software shall bear the engineer's printed name, date, signature and the designation "P.E." or other terms as described in §137.1 of this chapter (relating to License Holder Designations). A seal may be added on such work if required or at the engineer's discretion.
- (g) Work performed by more than one license holder shall be sealed in a manner such that all engineering can be clearly attributed to the responsible license holder or license



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holders. When sealing plans or documents on which two or more license holders have worked, the seal and signature of each license holder shall be placed on the plan or document with a notation describing the work done under each license holder's responsible charge.

(h) 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 statements.

(i) A license holder, as a third party, may alter, complete, correct, revise, or add to the work of another license holder when engaged to do so by a client, provided:

(1) the first license holder is notified in writing by the second license holder of the engagement immediately upon acceptance of the engagement; and

(2) any work altered, completed, corrected, revised, or added to shall have a seal affixed by the second license holder. The second license holder then becomes responsible for any alterations, additions or deletions to the original design including any effect or impact of those changes on the original license holder's design.

(j) A local authority may require an original seal and/or signature on reproduced documents.

(k) A plan, specification, plat, or report issued by a license holder for a project to be constructed or used in this state must include the license holder's seal placed on the document. A license holder is not required to use a seal if the project is to be constructed or used in another state or country.

(l) An engineer may securely transmit his or her final version of engineering work electronically provided that work bears the engineer's seal and uses one of the techniques described in §137.35(a) of this chapter (relating to Electronic Seals and Electronic Signatures) and must employ reasonable security measures to make the documents unalterable. Electronic correspondence of this type may be followed by a hard copy containing the engineer's printed name, date, signature and the designation "P.E." or other terms described in §137.1 of this chapter.

(m) A license holder is not required to use a seal for a project for which the license holder is not required to hold a license under an exemption set forth under the Act, Texas Occupation Code §§1001.051 - 1001.066.

(n) All engineering documents released, issued, or submitted by a licensee, including preliminary documents, shall clearly indicate the firm name and registration number of the engineering firm by which the engineer is employed.

(1) If the engineer is employed by a local, State, or Federal Government agency, then only the name of the agency shall be required.

(2) If the engineer is exempt from sealing a document under subsection (m) of this section, but elects to seal a document, then only the name of the employer shall be required.



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(o) Use of a seal that is not in compliance with the requirements of §137.31 of this title (relating to Seal Specifications) by a license holder is a violation of Board rules and subject to sanctions.

137.35 Electronic Seals and Electronic Signatures

(a) Licensed professional engineers shall maintain the security of their electronic seals and electronic signatures. The following methods are allowed:

(1) Licensed professional engineers may electronically copy their original hard copy work that bears their seal, original signature, and date and transmit this work in a secure electronic format.

(2) An engineer may create an electronic seal and electronic signature for use in transmitting electronically formatted engineering work, regardless of whether the work was originally in hard copy or electronic format.

(b) As an alternative to electronic sealing and electronic signatures, engineers shall affix their original seals and signatures and date to their engineering work as specified in §137.33(f) of this chapter (relating to Sealing Procedures).

137.37 Sealing Misconduct

(a) A license holder is guilty of misconduct and subject to disciplinary action if the license holder:

(1) knowingly signs or seals any engineering document or product if its use or implementation may endanger the health, safety, property or welfare of the public.

(2) signs or affixes a seal on any document or product when the license is inactive or has been revoked, suspended, or has expired.

(3) alters a sealed document without proper notification to the responsible license holder.

(4) allows others access to his or her electronic files containing his or her seal and/or electronic signature, unless access is explicitly authorized for particular engineering work.

(b) A person not licensed by the board shall not use, cause to be used, affix, or cause to be affixed or in any other manner, regardless of the means, attach or in any way depict an engineering seal or a representation of an engineering seal without the express permission of the currently active licensee.

(c) A person shall not use, cause to be used, affix, cause to be affixed, or in any other manner, regardless of the means, attach or in any way depict a fraudulent engineering seal or a fraudulent representation of an engineering seal.



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Helpful References

PELS Board:

General: <https://pels.texas.gov/>
License Manage & Renew: https://pels.texas.gov/echo_login.php
Update name, address, employer: <https://pels.texas.gov/change.htm>
Board documents for PEs: <https://pels.texas.gov/downloads.htm>
News & proposed amendments: <https://pels.texas.gov/>

Texas Administrative Code, Title 22, Part 6:

[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=22&pt=6](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=22&pt=6)

Texas Engineering Practice Act and Rules Concerning the Practice of Engineering and Professional Engineering Licensure:

https://engineers.texas.gov/downloads/enf_pub.pdf
<https://engineers.texas.gov/downloads/lawrules.pdf>

Texas Statutes:

<https://statutes.capitol.texas.gov/?link=OC>