

ETHICS IN ENGINEERING

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LEARNING OBJECTIVES

By attending this session, participants will be better able to:

1. Better understand the responsibilities of a Licensed Professional Engineer in the State of Texas.
2. Become familiar with the mission, purpose, and role of TBPE and of Professional Engineers in the practice of engineering in Texas.
3. Better understand TBPE rule applicability and application to the practice of engineering in Texas.

ABSTRACT

The mission of the Texas Board of Professional Engineers (Board) is to protect the health, safety, and welfare of the people in Texas by ensuring that the practice of engineering in the state is carried out only by those persons who are proven to be qualified and by regulating the practice of Professional Engineering in Texas.

The course provides a review of engineering ethics and professional responsibilities while highlighting important aspects of the Engineering Practices Act Rules and Regulations. The one hour presentation also provides P.E.s the required one hour Continuing Education Credit for Ethics, Rules and Regulations as well as informs any Engineer on updated information related to the practice of engineering in Texas.

CONTENT OF PRESENTATION

The presentation will cover the following topics as they pertain to the Texas Board of Professional Engineers (TBPE), its mission and its authority:

1. The structure of the TBPE
2. The history of the TBPE and the Texas Engineering Practice Act (TEPA)
3. The authority given the TBPE by the TEPA
4. Meaning and importance of professionalism
5. Board Policy Advisory Opinions
6. Legislative updates
7. New Issues for the Board
8. Board Initiatives

TBPE STRUCTURE

The TBPE is comprised of 9 members. Six of the members are licensed professional engineers and three members are members of the general public. All board members are appointed by the governor. The standard term of a board member is six years. The board convenes its regular meetings once per quarter.

Customers typically communicate with agency staff and not the board members. The TBPE office is located in Austin. There are 31 staff in five departments: Executive, Compliance and Enforcement, Licensing, Finance, and Information Technology.

HISTORY OF TEPA AND THE TBPE

The Texas Engineering Practice Act (TEPA) was the result of the 35th regular legislative session in 1937. The motivation for the TEPA was the catastrophic explosion at the large school in New London, Texas. Over 300 died in the explosion. The TEPA led to the formation of the Texas Board of Professional Engineers (TBPE).

Once the TBPE was formed, rules were developed outlining professional competency and ethical standards for licensure. The board's primary function is protection of the public. The board's rules provide the mechanisms to license competent engineers and enforce standards of conduct.

At this point there will be several scenarios testing the participants' knowledge of the board rules and how to implement the rules. Explanation of the most appropriate responses will be provided.

POLICY ADVISORY OPINIONS

Though the TEPA provides the framework and board rules the mechanisms to implement the law, there are gray areas that are not so easily addressed by either the law or the rules. The board has the authority to provide policy advisory opinions on a case by case basis. These basis for the opinions are listed on the TBPE website.

LEGISLATIVE UPDATES AND RULE CHANGES

The 84th regular legislative session did pass several bills that impacted the TBPE and its customers. The most significant was the repeal of the professional services fee. Other significant legislation was repeal of the windstorm roster statute from the TEPA, licensing fee and deadlines for active duty military and military veterans, and legal use of unmanned aerial vehicles. All rule changes to implement the legislation are in place.

The board has approved for adoption rules to decouple the approval for the principles and practice of engineering (PE) exam from approval for licensure as a professional engineer. These will be two separate processes for individuals who have not taken the PE exam before. The rules are effective May 1, 2016.

BOARD INITIATIVES

The Board is encouraging all licensees and prospective licensees to become more engaged and involved in the engineering profession. TBPE rules obligate licensees attempt to enhance society's awareness of engineers' responsibilities to the public and encourage the communication of these principles of ethical conduct among engineers. This can be achieved through active involvement in professional or technical organizations.

BIOGRAPHY

Robert Opiela has been the Director of Licensing for the Texas Board of Professional Engineers since April 2014. He has over 25 years of engineering experience working for the State of Texas and in the private sector. As Director of Licensing, he directs, supervises, and evaluates the activities and performance of the Licensing staff. He is responsible for application reviews and analyses and recommends applicant approval, non-approval, or personal appearance to the Executive Director, Licensing Committee and Board members. He gives Licensing and Ethics live and webinar presentations to engineering organizations, universities and other groups.

Robert has a Bachelor of Science in Mechanical Engineering from the Stanford University and a Master of Mechanical Engineering from the University of Houston. Prior to coming to the Board, his work was primarily in the field of environmental engineering.