

Regional Codes Coordinating Committee

JANUARY 19, 2021

STAFF CONTACT: CAROLYN HORNER

1. Welcome and Introductions.

Please type your name and entity in the chat box for attendance purposes

2. Meeting Summary.

The October 13, 2020 meeting summary will be presented for approval.

Presentation

3. Engineer Seals presentation

Mr. Dan Lepinski, P.E., member of the Regional Codes Coordinating Committee

PE Seals on Documents and Texas Law

North Central Texas Council of Governments
Regional Codes Coordinating Committee
January 19, 2021

Presenter: Dan Lepinski, P.E.
Texas License 123654 Firm # 17965

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Licensed Professional Engineer in Texas and other states.

- Involved in the solar industry since 1972 (48 years), and still active.
- Voting Member, UL 1741 Standards Technical Panel authoring the UL 1741/UL62109 Safety Standard.
- Member of EPRI - National Smart Grid Standards Development.
- Member - Intertek Consultancy Group. Intertek is an authorized national testing laboratory and twice the size of UL.
- Member - NEC Code-making Panel 4 “Work Group”. (Not CMP-4).
(Collaborate with CMP-4 on NEC Articles 690, 705, 710, and other solar aspects of the Code.)
- 2016 State of Texas Subject Matter Expert on Solar Energy. (Contracted by the State.)
Conducted training sessions statewide for Permit Reviewers, Code Inspectors, Fire Marshals & Chiefs, and others.
- 2016-2017 - US DoE Building Codes Assistance Project. National instruction on solar energy to Code Officials , Architects, and Engineers. (One of only two engineers selected for this program in a nationwide vetting process.)

... and more.

PE Seals on Documents and Texas Law

“Authorized Seal” & “Plan Stamping”

§137.33 SEALING PROCEDURES

- (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 §131.81 of this title...

§131.81 DEFINITIONS

- (10) Direct supervision--The control over and detailed professional knowledge of the work prepared under the engineer's supervision. The degree of control should be such that the engineer personally makes engineering decisions or personally reviews and approves proposed decisions prior to their implementation. The engineer must have control over the decisions either through physical presence or the use of communications devices.
- (36) "Responsible charge" -- An earlier term synonymous with the term "direct supervision"; the term is still valid and may be used interchangeably with "direct supervision" when necessary.

All references to Texas PE Laws herein are cited directly from Texas Administrative Law applicable to Licensed Professional Engineers and Surveyors.

<http://engineers.texas.gov/downloads/lawrules.pdf>

PE Seals on Documents and Texas Law

“Authorized Seal” & “Plan Stamping”

§133.13 BRANCHES OF ENGINEERING

The Texas Board of Professional Engineers & Surveyors recognizes the following list of disciplines:

- | | |
|----------------------------------|---|
| 1. Aeronautical/Aerospace | 15. Manufacturing |
| 2. Agricultural | 16. Mechanical |
| 3. Architectural | 17. Metallurgical |
| 4. Biomedical | 18. Mining/Mineral |
| 5. Ceramic | 19. Naval Architecture/Marine Engineering |
| 6. Chemical | 20. Nuclear |
| 7. Civil | 21. Ocean |
| 8. Control systems | 22. Petroleum |
| 9. Electrical | 23. Sanitary |
| 10. Engineering Sciences/General | 24. Software |
| 11. Environmental | 25. Structural |
| 12. Fire protection | 26. Textile |
| 13. Geological | 27. Welding |
| 14. Industrial | 28. Other |

PE Seals on Documents and Texas Law

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§133.13 BRANCHES OF ENGINEERING

Disciplines in **BOLD BLUE** are typically encountered in municipal projects.

- | | |
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| 2. Agricultural | 16. Mechanical |
| 3. Architectural | 17. Metallurgical |
| 4. Biomedical | 18. Mining/Mineral |
| 5. Ceramic | 19. Naval Architecture/Marine Engineering |
| 6. Chemical | 20. Nuclear |
| 7. Civil | 21. Ocean |
| 8. Control systems | 22. Petroleum |
| 9. Electrical | 23. Sanitary |
| 10. Engineering Sciences/General | 24. Software |
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PE Seals on Documents and Texas Law

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§133.13 BRANCHES OF ENGINEERING

Why is it important to be aware of the different PE disciplines?

Because Professional Engineers aren't permitted to practice outside of their area(s) of proven expertise, but some do.

§137.59 ENGINEERS' ACTIONS SHALL BE COMPETENT

(a) Engineers shall practice only in their areas of competence.

(b) The engineer shall not perform any engineering assignment for which the engineer is not qualified by education or experience to perform adequately and competently. However, an engineer may accept an assignment which includes phases outside of the engineer's area of competence if those other phases are performed by qualified licensed professionals, consultants, associates, or employees.

Problem: PE seals in Texas don't show their area of expertise. Consequently, it's up to Permit Inspectors and other AHJs to validate PE seals on documents.

Why Must We Do This? Because some Professional Engineers are stamping documents for which they're not qualified.

PE Seals on Documents and Texas Law

“Authorized Seal” & “Plan Stamping”

§133.13 BRANCHES OF ENGINEERING

How do we validate a Professional Engineer's seal?

1. Locate the engineer's license number in their seal.
2. Go to the Texas Board of Professional Engineers and Surveyors website: <https://pels.texas.gov/>, select “Rosters” at the top of the page, then click “PE Roster”, or use this shortcut:

<https://engineers.texas.gov/roster/pesearch.html>

Either method will take you to the web page on the next slide



Example Texas PE seal with license number.
(Red rectangle added for emphasis.)

PE Seals on Documents and Texas Law

“Authorized Seal” & “Plan Stamping”

Key here are two key items:

1. PE Number entry box.

2. “Search” button.



Home

PE Roster

Search our roster of Professional Engineers (PEs).

This roster only lists PEs who have a renewable license. Once a PE license has been expired for 2 or more years it becomes non-renewable and will not be listed on the roster. Names are listed as **last, first middle suffix** and ordered alphabetically by last name.

Additional Rosters:

- [PE Roster](#)
- [EIT Roster](#)
- [Firm Roster](#)

Roster Download:

- [Roster Files](#)

Status Glossary:

Valid for active engineering:

- **Active:**
License is current and valid.

Not valid for active engineering:

- **Delinquent:**
Renewal is past due.
- **Expired 90 Days:**
License has been expired for 90 or more days, but is still renewable.
- **Expired 1 Year:**
License has been expired for at least 1 year, but is still renewable.
- **Inactive:**
License is current, but not valid for active engineering practice.

Search for a licensed PE

PE Number:

Branch:

Last Name:

First Name:

City:

State:

Employer:

Expiration:

Status:

PE Seals on Documents and Texas Law

Step 1. Type the PE's license number into this box.

Step 2: Click "Search".

Scroll to the bottom of the page to see the results.

PE  **LS** Texas Board of Professional Engineers & Land Surveyors

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Search for a licensed PE

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Last Name:

First Name:

City:

State:

Employer:

Expiration:

Status:

Search

Clear

PE Seals on Documents and Texas Law

“Authorized Seal” & “Plan Stamping”

Results appear at the bottom of the PELS “Search” page.

- **Delinquent:**
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Search 🔍

Clear ✕

Page:

1

Updated on:

1-11-2021

Matches:

1

DOE, JOHN XAVIER

PE# 999994

Status	Branch(s)	Granted	Expires	Employer(s)	Address/Phone
Active	Civil	05-19-2020	05-19-2021	Trial & Error Engineering, LLC	1234 Any Street Dallas, Texas 75001 PH#: 214-555-1212

Validate “Status” (must be “Active”), “Branch” (expertise), and “Employer”. Expertise must match the document type. For example, it's not legal under Texas law for the above PE to apply a seal to a “Structural” engineering document. “Employer” must track to the contractor or the engineering firm hired by the contractor.

PE Seals on Documents and Texas Law

“Authorized Seal” & “Plan Stamping”

What if there's a discrepancy discovered when validating a PE seal?

Handle it according to your city's policies when a document isn't valid.

When a PE seal appears on a variety of documents across several areas of expertise are also a violation.

In the solar industry, we have what are termed “Plan Stamp Mills”, where countless sets of plans are turned out daily through “Plan Stamping”. These often bear the same PE seal across all documents, regardless of the area of expertise. This is illegal, and is a top enforcement action by the Texas Board of Professional Engineers and Land Surveyors.

When you discover “Plan Stamping”, report it to the Texas Board of Professional Engineers and Land Surveyors:

<https://pels.texas.gov/>

Click on “Enforcement”, then “File A Complaint”.

PE Seals on Documents - The Law

“Authorized Seal” & “Plan Stamping”

Questions?

**Dan Lepinski, P.E.
Dan@ntree.org
www.ntree.org**

Discussion Items

4. Regional Codes Work Program

Funding Goal for FY21 = \$100,000

Invoices mailed October 2, 2020

Population (NCTCOG Estimates)	Cost
1 million+	\$7,500
750,000–999,999	\$7,000
500,000–749,999	\$6,000
350,000–499,999	\$5,000
200,000–349,999	\$4,150
100,000–199,999	\$3,250
50,000–99,999	\$2,150
25,000–49,999	\$1,400
10,000–24,999	\$1,000
Less than 10,000	\$500

Regional Codes Work Program Funding

Snapshot of the flyer that went out with the memo and invoices.

NORTH TEXAS REGIONAL CODES PROGRAM

The Regional Codes Coordinating Committee (RCCC) and its five Advisory Boards (the Building and Residential Advisory Board, the Electrical Advisory Board, the Energy and Green Advisory Board, the Fire Advisory Board, and the Plumbing and Mechanical Advisory Board) are comprised of local public and private code professionals who continually review the latest editions of the model construction codes and recommend uniform amendments for the North Central Texas region.

WHAT THE PROGRAM INCLUDES:

- Encouragement for North Central Texas cities to adopt updated standardized codes and regional amendments
- Training for building codes personnel, including inspectors and plan reviewers
- Tools and resources, such as checklists for building codes, fire codes, and other codes
- Adopting and publishing recommended regional amendments to the International Suite of Codes through the Advisory Boards



FY2020 Accomplishments

- Regional code survey distributed to 169 cities
- Four COVID-19 Regional Response conference calls
- How to Update Building Codes webinar (in partnership with SPEER)
- Electronic Plan Review Submittal recommendations
- Code Adoption video
- Electrical Advisory Board 2020 NEC Recommended Amendments

RESOURCES CAN BE FOUND AT

www.nctcog.org/envir/regional-building-codes

Regional Codes Work Program Funding

Historic Cost Share Participation

2018	\$28,350
2019	\$24,350
2020	\$27,450 – first year of mailed invoices, sent March 2020
2021	\$28,200 – as of January 14, 2021

Discussion Items

5. Advisory Boards

FAB – scheduled second and fourth Tuesdays January – March

EGAB – first meeting Thursday January 20th

BRAB – Chair stated meetings will be via Zoom

PMAB – scheduled every other Monday starting January 25th

Discussion Items

5. Advisory Boards

Available Advisory Board meeting information is available on the Building Codes training page at <https://www.nctcog.org/envir/regional-building-codes/training>

Discussion Items

6. 87th Texas Legislative Session Update

Handout will be available on the Committee website, to be updated throughout the Legislative Session.

Discussion Items

7. Annual Survey

Does the RCCC want to use the same questions from the 2020 Annual Survey? Handout provided and available on the Committee website.

Other Business and Roundtable Discussion

8. Future Agenda Items.

The committee can request future agenda items.

9. Roundtable Topics/Other Business.

RCCC members and NCTCOG will share additional items of interest.



2021 CLIDE Celebrating Leadership In Development Excellence Awards

The CLIDE (Celebrating Leadership in Development Excellence) Awards honor development and planning projects that exemplify the region's Principles of Development Excellence, which outline a vision for sustainable, livable communities in North Texas. The North Central Texas Council of Governments (NCTCOG) is looking for projects and programs from North Texas that exemplify these principles.

Applications Accepted
February 1 - March 1, 2021
www.DevelopmentExcellence.com

Categories for Submittal

New Development

Recognizes developments that are constructed on previously undeveloped sites and that successfully exemplify many of the Principles of Development Excellence.

Redevelopment

Recognizes those developments that reuse and/or rebuild existing structures, and that successfully exemplify many of the Principles of Development Excellence.

Special Development

Recognizes projects that exemplify only one or two of the Principles of Development Excellence, but which are outstanding in their promotion of those selected principles. Projects that exemplify the Environmental Stewardship principle may be highlighted here. Examples include but are not limited to a sustainable infrastructure project, an energy conservation initiative, an open space or trail project, or a stormwater best management practice such as low-impact development.

Raising Public Awareness

Recognizes an organization and/or individual for educating the public or raising awareness of development excellence. Submittals may include but are not limited to: A media outlet in the North Central Texas region for a story or series, or an organization or a local government for a public education campaign.

Public Policy and Planning

Recognizes a local government or private/public partnership for implementing a program or policy that facilitates and promotes various aspects of the Principles of Development Excellence. Submittals may include but are not limited to: adopted policies, programs, ordinances, guidelines (mixed use, open space, natural feature protection, historic preservation, or incentives) that can include a public/private initiative; and comprehensive, neighborhood, area, or strategic plans.

Other Business and Roundtable Discussion

10. Schedule for the Next RCCC Meeting.

The next meeting date is scheduled for

Tuesday, April 27, 2021 at 9:30 AM.

Meeting will be on MS Teams.

Other Items

A list of upcoming events are on our website at

<https://www.nctcog.org/envir/events>

Trainings and Advisory Board meetings are on our website at

<https://www.nctcog.org/envir/regional-building-codes/training>

Other Items

11. Adjournment.

Contact

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