

# TEXAS BOARD OF PROFESSIONAL ENGINEERS

## Overview of Texas Engineering Practice Act and Board Rules regarding Firm Registration

### Frequently Asked Questions Regarding Firm Registration

#### **How long does it take to process an application for registration and receive certification?**

Processing time varies depending on agency workload and completeness of the application. From receipt to issuance of a certificate may take 5-6 weeks. We ask for your patience during periods of increased application submittals.

#### **I am a sole practitioner; do I have to register?**

Yes. Section 1001.405 of the Texas Engineering Practice Act requires that a "business entity" which engages in the practice of professional engineering in this state must be registered with the Board. A "business entity" includes a sole proprietorship, firm, partnership, corporation, or joint stock association.

#### **I am a sole practitioner; why do I have to list myself as an "officer or director" and include my name as the engineer in responsible charge?**

Section 1001.405 of the Act requires the Board to request this information prior to issuing the certificate of registration. Therefore, we ask that all entities complete the entire form, even if the task appears redundant, so that the registration process clearly complies with the statute.

#### **Can a P.E. be associated with more than one registered firm?**

Yes. A P.E. can list up to two employment associations in our records and file additional associations with our office. The primary association should be the traditional full-time position. The secondary association can be for a part-time position.

#### **Once a firm becomes registered, how long is the registration active and how can it be renewed?**

A registration is active for 1 year. The Board sends out annual renewal invoices approximately 45 days prior to the registration's expiration date. If the annual renewal invoice is not received, simply contact the Board office to request a duplicate. A registration that is not renewed or postmarked by the registration expiration date, may renew by submitting the annual registration renewal invoice sent by the Board and include a payment of two (2) times the normal registration renewal fee; along with a statement of whether engineering services were offered, pending, and/or performed for the public in Texas during the time the registration was not current. If the registration has expired for more than 1 year, it will be necessary to re-apply for new registration under the current law & rules and shall be issued a new registration number.

#### **What if the registration has expired for more than one year?**

If a registration has been expired for more than one year, the firm must re-apply for registration under the current laws and rules. The new registration will be a different serial number.

#### **How can a duplicate, additional, or replacement certificate of registration be obtained?**

Duplicate, additional, or replacement certificates can be obtained with a written request and a \$5 check or money order made payable to the "Texas Board of Professional Engineers".

#### **How can updates/changes be made to the registration's subsidiary/branch offices, officers/directors, and/or full-time P.E. employees?**

The Board requires submittal of a written notification, which identifies the full name and registration number to ensure the proper record is updated. These requests can be submitted using available Board forms or by letter format.

#### **Must my consulting firm be registered before it offers engineering services in Texas?**

Yes. Any firm offering consulting engineering services in Texas must be registered before any services are offered.

**Since I am a one-person firm and offer services to just a few clients, do I need to register?**

Yes. Sole practitioners are required to be registered to offer services to any client in Texas.

**When is the deadline for registering a firm?**

The Board was mandated by the Texas Legislature to begin registering firms on January 1, 2000. There was an unwritten agreement not to begin enforcing the law until six months after the law went into effect. Registration should be obtained as soon as possible.

**Our firm is located in another state; however, we offer engineering services in Texas. Does the law require our out-of- state firm register in Texas prior to offering services?**

Yes. Any firm offering engineering services in Texas is required to be registered.

**Is firm registration for use only in Texas?**

Yes. Firm registration is for any entity offering engineering services in Texas only.

**I work full-time during the day and "moonlight" on a part-time basis after hours at my full-time employer. Am I required to register to perform a few small projects?**

Yes.

**I am an employee of an entity that does not offer any engineering services to "outside" clients. Are we required to register?**

No. Only individuals and entities offering engineering services to the public are required to be register.

**Is registration of an entity a one-time registration?**

No. Annual registration renewal is required and for convenience the Board sends out annual registration renewal invoices approximately 45 days prior to the registration expiration date.

**If I do not renew or re-register my firm, can I offer engineering services during the time the registration is not current?**

No. You cannot offer engineering services and may be in violation of the TEPA and have disciplinary action taken for illegally offering the services.

**Our clients never ask us to seal our drawings. Are we required to register our entity?**

Yes. Further, Professional engineers are required to affix the engineer seal, signature, and date of execution to engineering products regardless of the client's wishes. Your firm must also be registered to offer engineering services to those clients.

**I am a licensed engineer in Texas and I am employed by an out-of-state entity and do not offer services in Texas. Is the entity required to be register?**

No. Only entities and/or individuals offering services in Texas are required to register.

**My entity is not presently offering engineering services in Texas but anticipates offering those services in the future. Are we required to register now or can we wait until such time as we anticipate offering those services?**

You may wait to register until prior to offering the services.

**Is firm registration and individual licensure the same?**

No. Individual licensure gives the individual person the legal authority to practice engineering. Firm registration gives your entity the legal authority to offer your services to the public.

**To obtain registration, do I have to have a current engineering license to practice engineering in Texas?**

Yes. Your entity can only be registered if at least one of the engineers in the firm is licensed in Texas.

**I am 67 years old and pay the reduced renewal fee. Is there a reduced fee for registration of an entity for individuals over 65 years of age?**

No. The fee reduction (based on age) is only for the renewal fee for your individual P.E. license.

**Where do I get the forms to register my entity?**

You may complete, download, and return the form with the required fee from our Website at <http://engineers.texas.gov/downloads.htm>, or contact the Board office at (512) 440-7723 to request the forms.

**I am retired, but keep my engineering license current in order to perform engineering services, if asked. Am I required to register and also pay the annual renewal fee for my individual engineering license?**

Yes. In order for you to offer engineering services to the public in Texas, you must register. To carry out the engineering services as offered, you must be a current Texas professional engineer license holder, as well.

**Can I include my engineer's license renewal fee, entity registration fee, and/or entity registration renewal fee in one check when I renew my engineer license?**

Yes. Please be sure to include P.E. license number, registration number, and/or any other identifying information to ensure proper credit.

**Will the Board maintain a record of the registration's information?**

Yes. Once a registration is obtained its information is entered into our database. A listing of registered entities may be viewed on the Board's website at <http://engineers.texas.gov>, or you may contact the Board for more information.

**Will the registration fee change?**

Yes, very possible. The Board will analyze the information collected through the years of registration and determine a new fee schedule each year.

**Do other Texas licensing boards also require business entity registration? If so, are sole practitioners included? What are the fees?**

Yes, the following licensing boards have firm registration requirements that include sole practitioners: certified public accountants, professional land surveyors, real estate brokers, private investigators, chiropractors, barbers cosmetologists and others. Architectural and pharmaceutical entities are also required to register, but these professions do not require that a sole practitioner be registered. There are no registration requirements for law firms or medical and dental offices. The fees vary by agency. The lowest annual registration fee is \$25 and the highest is \$250.

# TEXAS BOARD OF PROFESSIONAL ENGINEERS

## Firm Registration Guidance Document

### I. Entities' Legal Name

List the firm's/entities' legal name. If the entry is a "dba" list the legal name with the dba, such as: "Joe Smith, P.E., Inc. dba A- One Engineering". Include the physical and mailing address for the corporate or main office and appropriate contact information including telephone number, facsimile number, and an e-mail address if available. Under the Public Information Act, the Board must release the name, address, and telephone number of your registered firm and other information requested on this form; however, e-mail addresses are restricted from disclosure.

### II. Type of Firm and initial Registration Fee

Select the firm type and submit the corresponding fee. A sole practitioner is a single employee (P.E.) that operates the firm. The registration fee set by the Board for Sole Practitioners is \$25. Other entities which have more than one employee pay a registration fee of \$150.

### III. Subsidiary and/or Branch Office(s) offering engineering services to the public in Texas

List all subsidiary and/or branch offices that offer or perform services in Texas on behalf of the business entity and at least one engineer in responsible charge of the engineering work for each office. As required by Section §1001.405 of the Texas Engineering Practice Act (TEPA), all engineering work and services must be performed by, done, or directly supervised by a professional engineer licensed in Texas who is a regular, full-time employee of the firm. The Board has defined "direct supervision" in Board Rule §131.81(10) as 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. If not obvious, please include an explanation of how the subsidiary or branch offices meet the requirements of Section §1001.405 of the TEPA.

**If insufficient room is available to list all the applicable subsidiary or branch offices, please include additional pages with the same information.**

### IV. Officer(s) and/or Director(s)

Per Board Rule §135.3(b)(2), each registration must list the officer(s) and/or director(s). If the firm is a sole practitioner, please list the officer(s) and if applicable, "sole practitioner" as the Position/Title.

If insufficient room is available to list all the officers or directors, please include additional pages with the same information.

### V. Current full-time employees licensed to practice engineering in Texas who are in responsible charge of engineering work on behalf of the firm

Per Board Rule §135.3(b)(3), each registration holder must list all the currently licensed Texas full-time P.E. employees that are authorized to perform or directly supervise engineering work on behalf of the firm.

Please ensure that each full-time P.E. employee's individual record with the Board reflects their association with the firm. Their employment information may be checked on the Board's website at <http://engineers.texas.gov>, under the "P.E.s and/or Rosters" tab, of the homepage under "Search for PE". If the employer information needs correcting, there is an Address and/or Employment Change form, which a license holder may fill out on-line, mail or fax to the Board.

The P.E. of record must be present and/or directly supervise engineering work during the hours of operation for the firm. Section §1001.405(f) of the Act allows for a licensed engineer to perform engineering work on a part-time basis and the engineer is considered the "full-time" employee of the part-time firm since the engineer is required to be personally present during the periods engineering work is performed.

**Note:** If any sections of the registration application are not completed in full and cannot be remedied via telephone, facsimile, and/or e-mail, the applicable portions of the application will be returned for resolution and may cause delay in processing the registration.



**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
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**FIRM REGISTRATION APPLICATION**

**All information provided by you on this form must be TYPEWRITTEN (HANDWRITTEN APPLICATIONS WILL NOT BE ACCEPTED.).** This form is for all sole practitioners, partnerships, corporations, and joint stock associations not currently registered with the Board. The form may be completed online, printed out, and mailed with the applicable fee to the Board at the address indicated above. Complete all sections marking N/A when applicable. The application fee is non-refundable and must be submitted with the application in the form of a check or money order (no cash) made payable to the **TEXAS BOARD OF PROFESSIONAL ENGINEERS (TBPE)**. Please refer to the firm guidance document for more detailed instructions.

**I. Firm's Legal Name**

\_\_\_\_\_

dba (if applicable):

\_\_\_\_\_

Employer ID# (EIN):

\_\_\_\_\_

(provided by IRS; leave blank if same as SSN)

Number of Employees:

\_\_\_\_\_

Physical Address:

\_\_\_\_\_

Address City State Zip

Mailing address same as physical address

Mailing Address:

\_\_\_\_\_

Address City State Zip

Phone:

\_\_\_\_\_

Fax:

\_\_\_\_\_

Email:

\_\_\_\_\_

**II. Type of Firm/Registration Fee: (Select Only One)**

Sole Practitioner / \$25

A sole practitioner is a single individual (P.E.) that owns and operates a business. In order to qualify as a sole practitioner, there can only be one employee, the P.E.

Firm / \$150

All other businesses that offer and/or perform engineering services to the public within the state of Texas.

**FOR BOARD USE ONLY**

Fee:

Date App & Fee Rec'd:

F-#:

Approved By:

Date:

III. Subsidiary and/or Branch Office(s) offering engineering services in Texas:  None or N/A

(An additional sheet and/or an attached list that includes the following information may be provided, if necessary.)

Office Name 1: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Name of Engineer in responsible charge of engineering work for Texas in this office: \_\_\_\_\_

IV. Officer(s) or Director(s) of Firm/Sole-practitioner, mandatory per Board Rule §135.3(b)(2):

(An additional sheet and/or an attached list that includes the following information may be provided, if necessary.)

Name 1: \_\_\_\_\_  
Position/Title \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name 2: \_\_\_\_\_  
Position/Title \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name 3: \_\_\_\_\_  
Position/Title \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

V. Current Texas P.E.s employed to practice engineering work in Texas on behalf of the firm, mandatory per Board Rule §135.3(b)(3):

(An additional sheet and/or an attached list that includes the following information may be provided, if necessary.)

Name 1: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Business Phone: \_\_\_\_\_ Current Texas P.E.# \_\_\_\_\_

Name 2: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Business Phone: \_\_\_\_\_ Current Texas P.E.# \_\_\_\_\_

Name 3: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Business Phone: \_\_\_\_\_ Current Texas P.E.# \_\_\_\_\_

The information submitted herein is true and correct; further, no information has been withheld that might be relevant to this application.

Name of Remitter: \_\_\_\_\_ Date: \_\_\_\_\_