

TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word "Figure" followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 22 TAC §139.35(b)

CLASSIFICATION	VIOLATION	CITATION	SUGGESTED SANCTIONS
Engineering Misconduct	Gross negligence	§137.55(a), (b)	Revocation / \$5,000.00
	Failure to exercise care and diligence in the practice of engineering	§§137.55(b), 137.63(b)(6)	1 year suspension / \$2,500.00
	Incompetence; includes performing work outside area of expertise	§137.59(a), (b)	3 year suspension / \$5,000.00
	Misdemeanor or felony conviction without incarceration relating to duties and responsibilities as a professional engineer	§139.43(b)	3 year suspension / \$5,000.00
	Felony conviction with incarceration	§ 139.43(a)	Revocation / \$5,000.00
Licensing	Fraud or deceit in obtaining a license	§§1001.452(2) 1001.453	Revocation/\$5,000.00
	Retaliation against a reference	§137.63(c)(3)	1 year suspension/\$2,500.00
	Enter into a business relationship which is in violation of 137.77(Firm Compliance)	§137.51(d)	1 year suspension / \$1,500.00
Ethics Violations	Failure to engage in professional and business activities in an honest and ethical manner	§137.63(a)	2 year suspension / \$4,000.00
	Failure to follow TDI qualified windstorm inspection procedures.	§1001.652; §§137.19 and 137.63(b)(1)	Reprimand / \$1,500.00
	Failure to design a structure associated with windstorm insurance that complies with cited windstorm code design criteria	§§1001.652, 1001.653; §§137.19 and 137.63(b)(1)	1 year suspension / \$3,000.00 / Roster Removal
	Misrepresentation; issuing oral or written assertions in the practice of engineering that are fraudulent or deceitful	§§137.57(a) and 137.57(b)(1) or (2)	2 year suspension / \$4,000.00
	Misrepresentation; issuing oral or written assertions in the practice of engineering that are misleading	§§137.57(a) and 137.57(b)(3)	1 year suspension / \$1,500.00
	Conflict of interest	§137.57(c), (d)	2 year suspension / \$4,000.00
	Inducement to secure specific engineering work or assignment	§137.63(c)(4)	2 year suspension / \$4,000.00
	Accept compensation from more than one party for services on the same project	§137.63(c)(5)	2 year suspension / \$4,000.00
	Solicit professional employment in any false or misleading advertising	§137.63(c)(6)	1 year suspension / \$4,000.00
	Offer or practice engineering while license is expired or inactive	§§137.7(a) and 137.13(a) and (h)	1 year suspension / \$750.00
	Failure to act as a faithful agent to their employers or clients	§137.63(b)(4)	1 year suspension / \$2,500.00
	Reveal confidences and private information	§137.61(a), (b), (c)	Reprimand / \$2,500.00
	Attempt to injure the reputation of another	§137.63(c)(2)	1 year suspension / \$2,500.00
	Retaliation against a complainant	§137.63(c)(3)	1 year suspension / \$2,500.00
	Aiding and abetting unlicensed practice or other assistance	§§137.63(b)(3), 137.63(c)(1)	3 year suspension / \$5,000.00

	Failure to report violations of others	§137.55(c)	Reprimand / \$2,500.00
	Failure to consider societal and environmental impact of actions	§137.55(d)	Reprimand / \$2,500.00
	Failure to prevent violation of laws, codes, or ordinances	§137.63(b)(1), (2)	Reprimand / \$2,500.00
	Failure to conduct engineering and related business in a manner that is respectful of the client, involved parties and employees	§137.63(b)(5)	1 year suspension / \$2,500.00
	Competitive bidding with governmental entity	§137.53	Reprimand / \$2,500.00
	Falsifying documentation to demonstrate compliance with CEP	§§137.17(p)(2), (3), 137.63(a)	2 year suspension / \$4,000.00
	Action in another jurisdiction	§137.65(a) and (b)	Similar sanction as listed in this table if action had occurred in Texas
	Failure to provide plans and/or specs to TDLR/RAS for assessment within 20 days of issuance	§§1001.452(5), 137.63(b)(1) and (2)	Informal Reprimand / \$750.00
Improper use of Seal	Failure to safeguard seal and/or electronic signature.	§137.33(d)	Reprimand / \$1,500.00
	Failure to sign, seal, date, or include firm identification on work	§§137.33(e), (f), (h), (n), 137.35(a), (b)	Reprimand / \$750.00
	Alter work of another	§§137.33(i), 137.37(a)(3)	1 year suspension / \$2,500.00
	Sealing work not performed or directly supervised by the professional engineer	§137.33(b)	Reprimand / \$1,500.00
	Practice or affix seal with expired or inactive license	§§1001.401(c), 137.13(h), 137.37(a)(2)	1 year suspension / \$750.00
	Practice or affix seal with suspended license	§137.37(a)(2)	Revocation / \$5,000.00
	Preprinting of blank forms with engineer seal; use of a decal or other seal replicas	§137.31(e)	1 year suspension / \$2,500.00
	Sealing work endangering the public	§137.37(a)(1)	Revocation / \$5,000.00
	Work performed by more than one engineer not attributed to each engineer	§137.33(g)	Reprimand / \$750.00
	Improper use of standards	§137.33(c)	Reprimand / \$750.00
Administrative	Failure to return seal imprint and/or portrait	§§133.97(e), (f); 137.31(a)	Reprimand / \$250.00
	Failure to report: change of address or employment, or of any criminal convictions, or legal name change	§137.5(a), (b), and/or (c)	Reprimand / \$150.00
	Failure to respond to board communications	§137.51(c)	Reprimand / \$750.00
	Failure to include "inactive" or "retired" representation with title while in inactive status	§137.13(f)	Reprimand / \$500.00

Figure: 22 TAC §139.35(c)

VIOLATION	CITATION	SUGGESTED SANCTION	
		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
Use of "Engineer" title	§§1001.004(c)(2)(B)(C); 1001.301(b)(1)	Voluntary Compliance Cease and Desist	Injunctive / Criminal and \$1,500.00
Use of "P.E." designation, or claim to be a "Professional Engineer"	§1001.301(b)(2)-(6), (c), and (e)	Cease and Desist and \$2,500.00	Injunctive / Criminal and \$5,000.00
Offer or attempt to practice engineering (e.g., through solicitation, proposal, contract, etc.)	§§1001.004(c)(2)(A); 1001.301(a), (c)-(e); 1001.405	Cease and Desist and \$2,500.00	Injunctive / Criminal and \$5,000.00
Representation of ability to perform engineering (e.g., telephone or HUB listing, newspaper, or other publications, letterhead, Internet, etc.)	§1001.405(e)	Voluntary Compliance	Cease and Desist and \$750.00
Use of word "engineer" or any variation or abbreviation thereof under any assumed, trade, business, partnership, or corporate name	§1001.405(e)	Voluntary Compliance	Injunctive / Criminal and \$5,000.00
Unlicensed practice of engineering	§§1001.004(c)(2)(A); 1001.301(a), (c)-(e); 1001.405; §137.77(a)	Cease and Desist and \$3,000.00	Injunctive / Criminal and \$5,000.00
Unauthorized use of a P.E. seal	§§1001.004(c)(2)(A); 1001.301(a), (c)-(e); 1001.405; §§137.37(b), 137.77(a)	Cease and Desist and \$3,000.00	Injunctive / Criminal and \$5,000.00
Fraudulent use of a P.E. seal	§§1001.004(c)(2)(A); 1001.301(a), (c)-(e); 1001.405; §§137.37(b), 137.77(a)	Cease and Desist and \$5,000.00	Injunctive / Criminal and \$5,000.00