

**Windstorm Designer
Frequently Asked Questions
Texas Board of Professional Engineers
November, 2011**

Q: Where can I find the changes to the statute related to engineering and windstorm design and inspection?

A: You can download a current copy of the Texas Engineering Practice Act and Rules at <http://www.tbpe.state.tx.us/downloads.htm#general>. The new section in the Act is Subchapter N, which starts on page 28 of the document.

Q: I understand that TBPE is required by statute to create a roster of engineers qualified to be windstorm inspectors. If I apply and get my name on the roster, can I do windstorm inspections?

A: No. The roster only indicates that you are qualified to do windstorm related engineering activities. You will still be required to apply to the Texas Department of Insurance (TDI) to be appointed as a Qualified Windstorm Inspector. Essentially it will be a two part process: 1 - apply to TBPE to get on the roster; 2 - Apply to TDI to become a Windstorm Inspector. The process is still being finalized and will be posted on this website, as well as TDI's website, as soon as it is available.

Q: If an engineer is currently doing windstorm design and inspections will he/she have to go through the application process to be put on the list of qualified inspectors?

A: Yes. The Roster of Engineers Qualified to be Windstorm Inspector Candidates (roster) is specifically for the purposes of reviewing the qualifications of engineers who want to be windstorm *inspectors*. If an engineer wants to be a windstorm inspector, they will have to be on the roster. If an engineer is only doing windstorm *design* and not doing inspections, they will not have to be on the roster. The roster does not affect an engineer's ability to practice engineering.

Q: If an engineer currently holds an appointment as a Windstorm Inspector from TDI will he/she have to go through the new application process to be put on the roster? In other words, will there be a "grandfathering" or automatic transfer of those who currently are qualified Windstorm Inspectors or will they also have to go through the process to get re-qualified? Will you be required to apply to be put on the roster even though you have been designing houses, buildings, etc. for years and doing the necessary inspections?

A: Yes, engineers who currently hold appointments as Windstorm Inspectors and want to continue to do inspections will have to be on the new TBPE roster and will have to re-apply with TDI. All current appointments for qualified inspectors

will expire at some point in time. This date has yet to be determined, but will most likely occur sometime in 2012. At that time, if an engineer is not on the TBPE roster, and has not been appointed under the new TDI process, he/she would no longer be a qualified inspector. In other words, there is no plan to automatically “grandfather” or transfer people onto the new appointment list.

Q: Will there be different inspection specialties on the roster? If I only want to inspect roofs, do I need to go through this whole process?

A: The roster will *not* list specialties. HB3 specifically requires the roster to include engineers competent to perform design services related to windstorm. Any Texas PE who wants to be a windstorm inspector, including those who do limited inspections, must be on this roster.

Q: When will the TBPE rule be effective? When does an Engineer have to submit an application to get on the TBPE roster?

A: The rule comment period closed on October 9, 2011, and it will go before the board at its November 2011 meeting. If adopted, the rule could be effective in early December 2011. There is a statutory requirement that the Board adopt a rule by December 1, 2011. The application process for demonstrating windstorm design competence will start as soon as possible after the rule is effective. The actual dates for applications to be on the roster have not been established at this time.

Q: Will there be a fee for applications to be on the roster?

A: No, TBPE will not charge a fee to be on the roster.

Q: What qualifications do I have to have to be on the TBPE roster?

A: According to the current rule, to be considered qualified for the roster, a licensed engineer must demonstrate sufficient competence (by experience, education or exams) in each of the following subject areas:

- Applicable building codes and design standards for the design and construction of buildings or other structures located in high wind areas;
- Determination of wind loads on buildings and other structures;
- Lateral wind load resisting systems;
- Vertical wind load resisting systems;
- Wood frame structure design;
- Roof and wall framing connections to the foundation;
- Foundation design; and
- Roof cladding and exterior wall cladding design.

Q: How do I demonstrate “sufficient competence” in those subject areas?

A: You can demonstrate competence in each of the subject areas by providing one or more of the following:

- A transcript from an institution listed in 133.31(a) of TBPE's Law and Rules showing coursework in the subject area;
- A supplementary experience record documenting at least 2 years of experience in the subject area verified by at least one PE reference provider who has documented competence in a related engineering discipline; *or*
- Verification of successful passage of a principles and practice of engineering (PE) examination as specified in 133.67 of the Law and Rules which tests competence in the subject area.

You can demonstrate competence in each area via a different method. For example, wind loading via coursework (transcript), roof and foundations via examination content, and the rest via work experience.

You will also need to receive a score of at least 90% on the Wind Design Competence Verification furnished by TBPE.

Q: Does that mean everyone who wants to be on the roster has to have passed a certain PE exam?

A: No. The way the rule is written, an engineer can choose which method he or she wants to use to demonstrate competence in the particular area. A PE exam is one method, but education or experience could also be used. You only need to demonstrate competence by one of the three methods, not all.

Q: Which PE exams will be acceptable to demonstrate competence in windstorm design?

A: Any of the NCEES PE exams that are specific to Structural Engineering including: The Civil Engineering exam with the Structural module; The Structural I exam (pre-2011); The Structural II exam (pre-2011); or the Structural 16-hour exam (2011 and later).

Q: If I use the experience method, do I get credit for successfully passing a TDI oversight audit?

A: Not specifically. The engineering experience of performing the design associated with the building that passed the audit could be used, but you'd still need to write it up and get a PE reference for it.

Q: If I use the experience method, who can I use as a PE reference? Does it have to be someone already on the appointed inspector list or the new roster?

A: An acceptable reference provider will be a PE who is competent enough in the field to verify the applicant's written statement of experience. The Board has a policy which allows us to consider reference statements from engineers competent in "related" engineering fields. For the purposes of this application, we will accept references from engineers who have competence in Structural Engineering, Architectural Engineering, someone who has a recognized degree in Structural Engineering or someone who has passed one of the NCEES Structural PE exams.

Q: When will the self-administered Competence Verification be available?

A: The Verification is currently being developed and will be ready when the application process is implemented.

Q: What will be on the Competence Verification?

A: It is important to understand that this verification will *not* be a test of engineering technical ability. It is specifically designed to be a review of current codes and design standards related to windstorm design and inspection. The Verification will be a self-administered open-book assessment, delivered via an online system. You will be able to take the Verification as many times as needed to demonstrate familiarity with the codes. There is no cost to take the verification.

Q: If the Verification is failed the first time, will I be allowed to take it again? If yes, under what conditions?

A: Yes. The Verification will be self-administered. It will be in an online format that you take as often as necessary.

Q: Who will be reviewing the applications to be on the roster?

A: Applications will be handled in the TBPE Licensing department using existing procedures for assessing competence. As needed, the applications will be sent to Board members for additional review and input.

Q: If my application to be on the roster is denied, will my PE license be affected?

A: No. The application to be on this roster will not affect the ability to practice engineering. A denial of an application to be on the roster would mean that an engineer did not *sufficiently demonstrate* competence, not that he or she was not competent.

Q: If my application to be on the roster is denied, what are my appeal options?

A: The application will not be denied without communication between the PE and the staff regarding any deficiencies in the application. If it is denied, under existing rules, all actions taken by Board staff are appealable to the Licensing Committee and the Board.

Q: Under this new process, will inspectors still be under the TDI Inspection Department and subject to their oversights and audits?

A: Yes. TDI will continue to oversee the rules and enforcement of the *inspector* program. TBPE will enforce the Engineering Practice Act and Rules and issues relating to *engineering*.

Q: Under this new process, will TBPE serve as an appeal board for review on design challenges during a TDI oversight or audit process?

A: No. TDI will continue to conduct oversight inspections. TDI will report possible engineering violations to TBPE.

Q: Who will be responsible for inspection protocol and standards?

A: TDI will continue to oversee the rules and enforcement related to windstorm inspections.

Q: Will there be a distinction between commercial building and residential construction?

A: No. The TBPE roster will not have distinctions within it for building types.

Q: Can I take the exam even though I am on probated suspension?

A: Yes. Any currently licensed PE, who is not suspended, may apply to be on the roster.

Q: Will there be a grace period between the time the applications for the TBPE roster are accepted and the expiration of existing qualified inspector appointments?

A: TDI will establish a date by which all qualified inspectors must be on the TBPE roster and appointed by TDI under the new process. TDI plans to allow enough time for an engineer to go through the entire process before the deadline. Final dates have yet to be determined and will be posted here as soon as possible.

Q: Will there be additional continued education requirements to be on the TBPE roster as a Windstorm Designer?

A: Not for the TBPE roster. The requirements for continued education as a Texas licensed engineer will remain the same. TDI may require continued education to be a Windstorm Inspector. Those courses, however, may qualify for continuing education credit under the Texas Engineering Practice Act.

Q: Will there be an annual renewal process to remain on the roster?

A: Not for the TBPE roster. An appointment to the roster does not expire. An engineer must simply remain in good standing as a Texas licensed engineer.