



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**CRAWFORD C. MARTIN  
ATTORNEY GENERAL**

December 27, 1967

Thomas C. Green, P.E.  
Member Secretary  
Texas State Board of Registration  
for Professional Engineers  
Austin, Texas

Opinion No. M-174

Re: Reconsideration of At-  
torney General's Opinion  
M-30, and/or a clarifica-  
tion of same, in relation  
to the licensure of an  
individual under the stated  
fact situation.

Dear Mr. Green:

In your request for an opinion from this office you state the following:

"In Attorney General's Opinion No. M-30 (1967) it was held that under the terms of Section 12(a) of Article 3271a, Vernon's Civil Statutes, the Texas Engineering Practice Act, the State Board of Registration for Professional Engineers did not have the power to amend its rules to permit the licensing of persons who hold a degree other than one evidencing graduation from an approved course in engineering.

"Since the decision in Attorney General's Opinion No. M-30 (1967), a situation has arisen in connection with the application for licensure by an individual whereby the Board feels that it must seek a reconsideration of Attorney General's Opinion M-30 (1967) and/or a clarification of the same as it applies to the specific facts in the case now before the Board for consideration.

"An individual recently applied to the Texas State Board of Registration for Professional Engineers for licensure as a professional engineer pursuant to the provisions of Article 3271a, Section 12(a). This individual graduated from Texas Tech in 1960 and received a Bachelor

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of Science in Agriculture with the notation on the diploma that his major was in Agricultural Engineering. (A copy of the diploma is attached) Shortly after the graduation of this individual, he took and passed the examination for certification of 'Engineer-in-Training' pursuant to Section 12a of Article 3271a.

"In view of the decision in Attorney General's Opinion No. M-30 (1967), the Board questions that it would be authorized to license this individual, but the Board would like to request for the Attorney General's Office to reconsider Attorney General's Opinion No. M-30 (1967) in connection with the factual situation set forth above, and to set forth its opinion as to whether a Bachelor of Science degree in Agriculture with the notation on the diploma that the major was in Agricultural Engineering is such a degree as would authorize the Board to license an individual pursuant to Section 12(a) of Article 3271a."

It is our opinion that Attorney General's Opinion M-30 (1967) is correct under the facts contained therein. However, the facts in the present proceeding present a different situation. In Paragraph (a) of Section 12 of Article 3271a, Vernon's Civil Statutes, concerning the general requirements for registration, it is stated:

"Sec. 12. The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for registration as a professional engineer, to-wit:

"(a) Graduation from an approved course in engineering of four (4) years or more in a recognized school or college approved by the Board as of satisfactory standing, and a specific record of an additional four (4) years or more of active practice in engineering work, of a character satisfactory to the Board, indicating that the applicant is competent to be placed in responsible charge of such work; . . ."

The Executive Vice-President of Texas Technological College has advised us that its program in agricultural engineering has been accredited by the Engineers' Council for

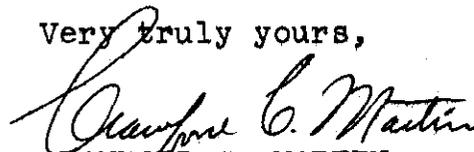
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Professional Development. The applicant's degree shows on its face that his major was agricultural engineering. Therefore, if the applicant is otherwise qualified under the requirements of said Paragraph (a) of Section 12 of Article 3271a, the Texas State Board of Registration for Professional Engineers is authorized to license the applicant.

S U M M A R Y

Where the applicant's degree recites that his major was in agricultural engineering and he is otherwise qualified under the requirements of paragraph (a) of Section 12 of Article 3271a, Vernon's Civil Statutes, the Texas State Board of Registration for Professional Engineers is authorized to license the applicant.

Very truly yours,



CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by Jack Sparks  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

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