

MEETING NOTES
SURVEYING ADVISORY COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

November 1, 2024
10:00 a.m. – 3:00 p.m.

TBPELS Offices
1917 S. IH-35
Austin, TX 78749

Discuss and Possibly Act on the Following Agenda Items:

- Call to Order
- Roll Call
 - John Eby, RPLS – SAC Member
 - Iven Garcia, RPLS – SAC Member
 - Anthony Gray, RPLS – SAC Member
 - Michael Hoover, RPLS, LSLs – SAC Member
 - Jason Jernigan, RPLS – SAC Member
 - Ronny Lackey, RPLS – SAC Member
 - David McDow, RPLS, LSLs - SAC Member
 - Dorothy Taylor, RPLS - SAC Member

 - Davey Edwards, RPLS, LSLs – TBPELS Advisory Member (via Zoom)
 - Jon Hodde, RPLS – TBPELS Advisory Member

 - Lance Kinney, PhD, PE – TBPELS Executive Director
 - Ed Brannan, PE – TBPELS Licensing Technical Specialist
 - Elissa Mazza, TBPELS Staff Attorney
 - Michael Sims, PE – TBPELS Director of Compliance & Enforcement
 - Rick Strong, PE – TBPELS Director of Licensing and Registration
 - Brian Waltmann, PE – TBPELS Licensing Technical Specialist

 - Coleen Johnson, RPLS – TBPELS Board Member
 - Mark Neugebauer, RPLS, LSLs – TBPELS Board Member
- Selection of Chairperson – Dr. Kinney stated that SAC members had nominated two members for chair of the SAC – Mr. Kalogirou and Mr. Lackey. After an anonymous vote, Mr. Kalogirou was announced as the next chair for the SAC. As Mr. Kalogirou was not present at this meeting, Dr. Kinney stated that he would notify him of the results.

- TSSE Exam Report – Mr. Strong reported on the status of the October 18, 2024, exam grading process. Right now there is a delay due to issues with the grading software but the vendor has been contacted and the agency IT is working diligently on it.

Mr. Strong also reviewed past exam performance with the new members and described exam statistics and answered questions from members.

- Rule Update
 - 32 Hour Rule Package – Dr. Kinney noted that the 32 hour education rules have been adopted by the board and will go into effect on January 1, 2026. A communication plan is being developed to work on a news release for the agency website and to be sent to surveying programs and TSPS. A FAQ will be developed for the agency website as well. In addition, the information has been added to the TBPELS outreach presentations.

Staff answered SAC member questions, including clarifying that a person who was an SIT or had applied (and been approved) for RPLS (or to take the TSSE) and had their educational credentials approved *prior* to January 1, 2026, will NOT have to be re-evaluated with the new standard. If a person has not had their credentials evaluated for either SIT or RPLS application prior to that date, then they will need to meet the new criteria.

- General Rule Update Package – Mr. Brannan outlined that the general rule package has been approved by the board for posting, was posted in the Texas Register, and received only one comment that was not material to the rule changes proposed. As such, the rules will be presented to the Board at the upcoming November Board Meeting for adoption. They would then go into effect by the end of the year.
- Policy Statement on Artificial Intelligence Usage - Mr. Sims discussed a policy statement on licensees using artificial intelligence software that will be presented to the Board.
- Legislative Update – Dr. Kinney discussed the upcoming session and timelines for bill filing, first day of session, etc. He also mentioned that the Board reviews all bills filed and will share any related to surveying with the SAC. He asked the SAC members to contact TBPELS if they have any questions about bills filed or if they become aware of anything impacting surveying or the Board. TBPELS is also in communication with TSPS concerning possible legislation that may be filed by TSPS.
- Discussion Items:
 - Surveying Technical Rules – Mr. Sims and Ms. Mazza led a discussion concerning the technical rules for surveying, setting out some staff concerns about terms or sections of the rules that are challenging to enforce due to vague wording or lack of definitions. The SAC discussed different provisions and pointed out that some rules might benefit from additional wordsmithing but some are fine as-is. They agreed to form workgroups and review the rules

via Basecamp. A discussion of the pros and cons of having a surveyor on staff to help with technical situations was also held.

- Contract Field Crews / Drafters and Direct Supervision / Plan Stamping – Dr. Kinney shared that this topic was a hold-over from the previous SAC discussion. The issue is related to lack of direct supervision in some instances of contract field crews being used by an RPLS that is not actively part of a surveying project. After discussion, the SAC generally agreed that contract field crews are not a violation of the Act or Board rules and that the best route to address this is education about sufficient direct supervision and the responsibilities of an RPLS, as well as reminding the surveying community to report / file a complaint in situations where an RPLS is plan stamping.
- Construction Staking Guidelines – Dr. Kinney brought up this issue as a result of concerns raised by attendees at the recent TSPS Annual Convention in the Woodlands. Several surveyors noted that they are aware of very poor and incorrect instances of construction staking and asked what could be done about it. The SAC noted that the construction staking is not the practice of surveying as set out in the Act and Rules and therefore can be done by non-RPLS. In addition, engineering surveying for construction is included in the Engineering Practice Act and therefore allowed to be done by a PE. Work done by an RPLS must be competent but an RPLS is not required to do construction staking.
- Quality of Work (from GLO meeting) – This issue was a continuation of the conversation at the SAC meeting held at the GLO offices earlier in 2024. The concern is quality of work submitted by RPLS and the use of regulatory review as a sort of QA/QC. While review and feedback is the standard part of surveying work and submissions, the submission of clearly insufficient or incorrect work could be a violation of the Act and Rules. Dr. Kinney noted that this topic has been added to the TBPELS outreach presentations and Mr. Sims has written an article for the TBPELS Newsletter sent to all RPLS. The agency staff will continue to emphasize that sealed surveying work must be accurate and competent.
- Continuing Education / Ethics Hours – Mr. McDow raised the issue of the need for 3 hours of ethics training for the annual renewal of the RPLS registration and asked if this was still a necessary requirement or if another number such as 1 or 2 hours would be sufficient. He also discussed the rule allowing for 4 hours of self-study. After discussion, the SAC agreed that the current rules and requirements are sufficient and no changes are recommended at this time.
- Items for Future Meetings:
 - Other Items from Committee Members – No items mentioned at this time. Dr. Kinney noted that any SAC member can send in agenda ideas prior to the next meeting. Dr. Kinney also noted that the next meeting will most likely be online in early 2025.

- Adjourn