

November 14, 2024

Re: Policy Advisory Opinion Regarding The Use of Artificial Intelligence Software by Licensees Under the Board's Jurisdiction (Policy Advisory Request No. 71)

The Texas Board of Professional Engineers and Land Surveyors (Board) met in public session on November 14, 2024, and approved this policy advisory opinion regarding the use of artificial intelligence (AI) software by licensees under the Board's jurisdiction. The Board has received numerous inquiries from licensees regarding the use of AI software and how it fits into the Board's regulatory framework.

For the purposes of this policy advisory, AI software means a computer program capable of high-complexity tasks, like learning, decision making, and problem solving. Artificial intelligence software uses machine learning to simulate human intelligence, which can allow the software to complete tasks of increasing nuance.

AI and associated software are a quickly evolving field and the Board will continue to monitor the issue. At this time, the Board offers the following guidance:

AI software is a tool available to the public at large and the Board's licensees. Neither the Texas Engineering Practice Act, the Professional Land Surveying Practices Act, nor the associated Board rules directly ban the use of AI software. As this software is a tool, it is acceptable for licensees to utilize it in their practice of engineering or professional surveying with the following caveats:

- As with any other software tool, AI software should not be relied upon without oversight and review by the licensee. Licensees are ultimately responsible for any work product they sign and seal and if using AI software as a tool in their practice, they should review the outputs to ensure they are complete, accurate, and consistent with generally accepted engineering and surveying concepts and principles. (See Board Rules 137.33(b) and 137.55(b) for professional engineers and Board Rules 138.33(b) and 138.55(b) for professional land surveyors).
- Licensees should not use AI software to work on a project in which they do not already have established competence through education or experience. (See Board Rule 137.59 for professional engineers and Board Rules 138.59 for professional land surveyors).
- Licensees should also be aware of how any AI software utilizes and stores data that is provided to it to ensure that the confidentiality of any client's data is maintained. (See Board Rule 137.61 for professional engineers and 138.61 for professional land surveyors.)

**Conclusion:**

No new Policy Advisory Opinion will be developed for this request as the Act and Board rules adequately address the use of artificial intelligence software at this time. The Board will continue to monitor artificial intelligence software and its impact on the Board's licensees and update and amend this policy statement as warranted.

If you have any further questions, please contact Mr. Michael Sims, P.E., Director of Compliance & Enforcement at 512.440.7723.

Sincerely,

A handwritten signature in black ink, appearing to read "Lance Kinney". The signature is fluid and cursive, with the first name "Lance" and last name "Kinney" clearly distinguishable.

Lance Kinney, Ph.D., P.E.  
Executive Director

LK:MZS