



August 15, 2025

Mr. Rudy Juarez  
Halff  
Via e-mail

Re: Formal Response to Request for Policy Advisory Opinion Regarding How Information Technology Services are Considered Under the Public Works Exemption Found in the Texas Engineering Practice Act (Policy Advisory Request No. 73)

Dear Mr. Juarez:

The Texas Board of Professional Engineers and Land Surveyors (Board) met in public session on August 14, 2025, and approved this response to a policy advisory opinion request from you dated March 4, 2025.

**Request:**

You seek guidance on the following issue:

- How do information technology services and technology-based projects at school districts, such as low voltage data cable installation, installing Wi-Fi networks, and security cameras fit into the public works exemption found in Section 1001.053 of the Texas Engineering Practice Act (the Act) and would a professional engineer be required for these types of projects?

**Response:**

As you indicate, Section 1001.053 of the Act, relating to Public Works, exempts public works projects from the requirements of the Act if the contemplated expense for electrical or mechanical engineering associated with the project is \$8,000 or less or if the contemplated expense for the entire completed project is \$20,000 or less.

Section 2252.031 of the Texas Government Code defines “public works” as including the construction, alteration, or repair of a public building. As such, projects undertaken to construct or alter buildings owned by Texas school districts would be considered public works projects

The Act does not define the terms “electrical engineering” or “mechanical engineering.” Definitions of these terms could also not be found in any other Texas statute. Historically, the Board has not considered the types of projects described by the requestor to fit under the definition of the “practice of engineering” as described in Section 1001.003 of the Act. As such, these projects would not qualify as an engineering project and would not require an engineer to be involved.

**Conclusion:**

No new Policy Advisory Opinion will be developed for this request as the Act and Board rules adequately address the questions posed.

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:asm