

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, December 11, 2018 8:00:20 AM

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From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Monday, December 10, 2018 6:52 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS%20BOARD%20PROFESSIONAL%20LAND%20SURVEYING

First Name: Ricardo

Last Name: Vazquez

Title: president

Organization you are affiliated with: Precision Land Surveying, Inc.

Email: rv@plsurveying.com

City: Houston

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

As a citizen of the State of Texas and as a Registered Professional Land Surveyor, I strongly believe the Texas Board of Professional Land Surveying should remain an independent board focusing on the health, safety, welfare and property of the citizens of this state. Surveying is a profession that is not understood by a vast majority of, not only the general population, but even those, such as engineers, that should have an insight to the profession.

Professional Engineers were able to sign and seal surveys years ago. That was changed and only engineers that were "grandfathered" or passed the examination could sign and seal surveys. The reason was typical engineers did not have the education and/or training to adequately perform boundary surveys. That situation has not alleviated itself. They still cannot perform boundary surveys because, generally, unless they are registred surveyors, they know as much about land surveying as the typical surveyor knows about quantum mechanics. I am completely opposed to any consolidation and am extremely concerned this proposed consolidated board will regulate in the engineering community's best interest and not the public's.

I am, likewise, concerned the standards that currently exist for the surveying profession will be diminished if regulated to a board that is not cognizant of the intricacies of the surveying profession. While engineering is, indeed , a science, surveying is much more than that. Surveying requires a substantial knowledge of science, true, but also of history and law like few professions. It has been said, correctly in my opinion, that surveying is as much "art" as science and that "art" can only be used correctly based on experience and studies. While engineering and surveying are related fields, surveying has many situations needing resolutions that an equation simply cannot solve, hence my opinion that engineers cannot, on a consistent basis, appreciate or comprehend. I can envision many instances where a board of engineers will come to a conclusion detrimental to the health, safety, and welfare of the public, not because they want to, but, because they do not understand in intricacies of the profession. Also, I believe the real-world, long-term effect will be the engineers will dominate the board and make surveyors subservient to their rules which will be in conflict with the health, safety and welfare of the citizens of this state - the very things we, as surveyors, are committed to protect.

The registration exam is one that tests for minimal competency. I am very concerned the engineering board will

"water-down" this exam to increase the number of surveyors by licensing unqualified ones that will cause damage to the citizens of this state. While there may well be a need for more registered surveyors, adding unqualified ones is certainly not the answer. I completely disagree with findings that the current agency is unable to correct perceived deficiencies or meet its fundamental duties. The concept of outsourcing the exams is extremely troubling to me. Currently, surveyors create, administer and grade the exam in addition to reviewing the exam results for fairness. Who can do these tasks better, if at all, than surveyors?

The Fiscal Implication Summary does not seem to reflect a need for consolidation. I am baffled that the welfare of the millions of citizens of Texas is being diminished for an "estimated" positive fiscal impact of \$3,000 a month. FOR THE ENTIRE STATE! There is over \$124,000 of excess revenue deposited in the General Revenue Fund. The surveying board is not costing the State of Texas anything, is protecting the citizens of their welfare, and yet it is being considered for disbandment. Make no mistake, consolidation of this board is effectively disbanding it. I am not an accountant, but, the

table given in this section makes little, if any, sense. There is no projection in the numbers. The savings to the General Revenue Fund is just the savings attributed to the two salary positions. The loss to the Fund is the excess from the TBPLS.

The Executive Summary correctly states the surveying board was created to protect the public from financial harm and unqualified surveyors. It baffles me that some think the best way to keep this protection in place is to have the profession regulated by those that do not, and cannot, understand the complexities of the profession. This makes a little more sense than surveyors being regulated by the same board that regulates beauty salons, but not by much. The proposal to combine the two boards is not in keeping with the goal of professional land surveying in that there will be an erosion of protection for the citizens of this great state.

I have always said the best insurance someone can get for their home and property is to have a survey prepared. The best way to ensure this remains true is to keep the Texas Board of Professional Land Surveying independent. I completely disagree with the statement the TBPLS is failing to meet its fundamental duties and responsibilities to protect consumers. I certainly could not disagree more that abolishing this board and consolidating it with another board is a viable answer to this perceived problem.

The Sunset Board seems to be recommending the best way to solve Issue 1 of the Executive Summary is to invite more bureaucracy and register more surveyors. I cannot imagine how more bureaucracy and less-competent surveyors accomplish these goals. Issue 2 deals with conforming to "common standards." Common to what, I ask? Why is it someone tasked with representing the State of Texas as a Licensed State Land Surveyor should not be required to live in the state they can legally represent? What would motivate someone that is not a resident of the state to fully and completely represent its best interests?

As far as outsourcing the exams, considering how little the general public knows about surveying, how can they be tasked with administering and grading the exams? Surveying laws differ in some degrees state by state. I can see a national examination for fundamentals and there is currently a national exam for two portions of the test. I do not see how a national exam for interpretation and execution of those laws can be made on a national basis.

The other two portions cannot be nationalized based on the state-to-state differences.

While I am sure there are things that could be better handled from the Sunset Committee point of view, I have not read anything in the Executive Summary that is so egregious it cannot be better solved by keeping the current structure.

Any Alternative or New Recommendations on This Agency: I would increase the fees of registered surveyors so more investigators can be hired to look into problems if that is really an issue. I believe increasing the TBPLS budget through higher fees can allow them to alleviate some of whatever concerns the Sunset Committee has.

My Comment Will Be Made Public: I agree