

MINUTES

Public Safety Commission Meeting

December 12, 2024

Austin, TX

The Public Safety Commission met in Austin, Texas on December 12, 2024, at 10 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Dan Hord III, Larry Long, and Steven Stodghill. A quorum was present.

- I. Call to Order (0:00:01)**
Chairman Mach called the meeting to order at 10 a.m. Proper notice was posted.
- II. Invocation (0:00:30)**
Chaplain Ferman Carpenter provided the invocation.
- III. Pledges (0:02:05)**
Corporal Larry Harrison led the pledge of allegiance to the U.S. and Texas flag.
- IV. Approval of Minutes (0:02:45)**
The minutes of the last regular meeting held on October 10, 2024, and the special meeting held on November 20, 2024, were approved.
- V. Presentations (0:03:15)**

25 Year Service Award

Jason Bobo

Devin Crago

Michael Franks

Adabel Garza

Benito Gonzales

Devin Gonzales

Timothy Leggett

Daniel Martinez

Will Meiske

Robert Prince, Jr.

Carolina Segundo

Richard Standifer

Mandy Tennill

Brian Wilson

30 Year Service Award

Sonia Garcia
Sonya Santiago

35 Year Service Award

Kyle Edwards
Gwendolyn Jackson

Purple Heart

Alan Johnstone

Lifesaving Award

Kody Gayle

Lifesaving & Director's Award

Robert Bratten III
Victor Alvizo
John Saucedo

Director's Award

Bill Bailey
Paul Bruce
Spencer Burkhalter
Tim Crocker
Jeff Fox
Ethan Story
Randy Woolsey
Reece Woolsey
Rockdale Memorial Company
Don Metcalf
Tim Elliot

Unit Citation

CID Lieutenant Area 5A2

Chairman Mach acknowledged attendance of legislative staff. (0:40:00)

VI. Public Comment (0:40:30)

None.

VII. Director's Report

A. Case Update: K-9 Tracking Operations Program (0:40:45)

Texas Highway Patrol Division Lieutenant Boyd Lamb provided a presentation on the K-9 tracking operations program.

B. Operation Lone Star Update (0:57:00)

Colonel Freeman F. Martin provided an update on Operation Lone Star.

VIII. New Business

A. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision: (1:08:35)

1. SOAH Docket No. 405-24-15412.MVI – Alejandro Almeraz
2. SOAH Docket No. 405-24-17675.MVI – Meineke
3. SOAH Docket No. 405-24-18175.MVI – Miguel Cortez
4. SOAH Docket No. 405-24-18667.MVI – Rain Forest Car Wash
5. SOAH Docket No. 405-24-18665.MVI – Eliseo Vallejo
6. SOAH Docket No. 405-24-18662.MVI – Villas Auto Motors
7. SOAH Docket No. 405-24-24186.MVI – Friendswood Kwik Kar

General Counsel Phillip Adkins presented the proposal for decision for items (1)-(7). A motion was made by Commissioner Blair, seconded by Commissioner Hord, to adopt the proposal for decision issued by the administrative law judge of the State Office of Administrative Hearings for items VIII(A)(1)-(7) as the final determination of the Public Safety Commission. Motion passed unanimously.

B. Report, discussion, and possible action on the following rule proposals for publication to receive public comment: (1:11:20)

1. Proposed amendments to 37 TAC Section 15.31, concerning Out-of-State Renewals
2. Proposed amendments to 37 TAC Section 15.62, concerning Additional Requirements

Driver License Division Chief Sheri Gipson presented the rule proposal for items (1)-(2). A motion was made by Commissioner Blair, seconded by Commissioner Long, to approve for publication in the Texas Register items VIII(B)(1)-(2). Motion passed unanimously.

C. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

IX. Ongoing Business

A. Report, discussion, and possible adoption of the following previously published rules (1:13:35)

1. Proposed amendments to 37 TAC Section 15.89, concerning Moving Violations

Driver License Division Chief Sheri Gipson presented the rule adoption for item (1). A motion was made by Commissioner Blair, seconded by Commissioner Hord, to adopt the rule under item IX(A)(1). Motion passed unanimously.

2. Proposed amendments to 37 TAC Sections 23.1, 23.3, 23.5, and 23.6, concerning Vehicle Inspection Station and Vehicle Inspector Certification
3. Proposed amendments to 37 TAC Sections 23.11 – 23.13, concerning General Vehicle Inspection Station Requirements
4. Proposed amendments to 37 TAC Section 23.21 and 23.22, concerning Vehicle Inspection Station Operation
5. Proposed repeal of 37 TAC Section 23.26, concerning Retention of Records
6. Proposed repeal of 37 TAC Section 23.41, concerning Passenger (Non-Commercial) Vehicle Inspection Items
7. Proposed amendments to 37 TAC Section 23.42, concerning Commercial Vehicle Inspection Items
8. Proposed amendments to 37 TAC Sections 23.51 – 23.53, concerning Vehicle Emissions Inspection and Maintenance Program
9. Proposed amendments to 37 TAC Section 23.62 and Section 23.63, concerning Violations and Administrative Penalties
10. Proposed amendments to 37 TAC Sections 23.71 – 23.73, concerning Vehicle Inspection Advisory Committee

Regulatory Service Division Chief Wayne Mueller presented the rule adoption for items (2)-(10). A motion was made by Commissioner Long, seconded by Commissioner Blair, to adopt the rules under items IX(A)(2)-(10). Motion passed unanimously.

B. Report, discussion, and possible action regarding the modification of the DPS organizational structure and the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team (1:18:00)

None.

C. Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

To be discussed during Executive Session.

X. Reports

A. Commission member reports and discussion (1:18:35)

None.

B. Finance Report (1:18:40)

None.

C. Chief Auditor's Office (1:18:45)

None.

D. Division status reports on activities and action (1:18:50)

None.

XI. Consent Items (1:19:00)

A. Advice and consent regarding director's determination that certain probationary employees were found unsuitable for work during October 2024

B. Donations:

1. Additional donation items, as needed

A motion was made by Commissioner Blair, seconded by Commissioner Hord, to approve all consent items under XI(A)-(B). Motion passed unanimously.

XII. Items for Future Agenda (1:19:40)

None at this time.

XIII. Date for Future Meeting (1:19:50)

Discharge hearings will be scheduled for February 12, 2025; and the regular Public Safety Commission meeting is scheduled for February 13, 2025.

XIV. Adjourn into Executive Session (1:20:00)

Executive Session began at 11:34 a.m. The Commission adjourned into executive session to discuss security issues; to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; to deliberate regarding real estate matters; to consider any other items authorized by law, including personnel matters, the Director's action of

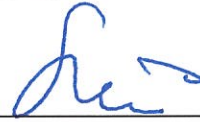
discharging employees as identified in this agenda; and to discuss ongoing criminal investigations.

The Public Safety Commission reconvened in open session at 1:03 p.m. Chairman Steven Mach and Commissioners Nelda Blair, Dan Hord III, Larry Long, and Steven Stodghill were present. A quorum was present. (1:20:25)

XV. Adjourn

The meeting was adjourned at 1:03 p.m.

Read and approved this 13th day of February, 2025.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-15412.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
ALEJANDRO ALMERAZ, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

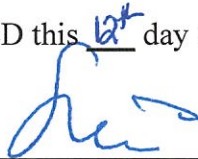
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Alejandro Almeraz’s vehicle inspection certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Alejandro Almeraz is revoked.

SIGNED this 12th day of December, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-17675.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
MEINEKE, VEHICLE INSPECTION STATION	§	PUBLIC SAFETY COMMISSION

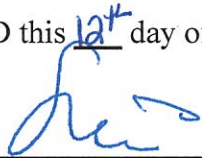
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Meineke’s vehicle inspection station certification should be suspended for 12 months and a \$500 administrative penalty should be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Meineke is suspended for 12 months and a \$500 administrative penalty is assessed.

SIGNED this 12th day of December, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-18175.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
MIGUEL CORTEZ, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

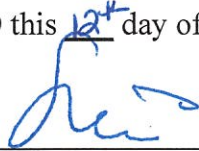
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Miguel Cortez’s vehicle inspection certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Miguel Cortez is revoked.

SIGNED this 12th day of December, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-18667.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
RAIN FOREST CAR WASH, VEHICLE INSPECTION STATION	§	PUBLIC SAFETY COMMISSION

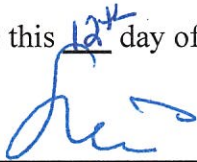
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Rain Forest Car Wash’s vehicle inspection station certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Rain Forest Car Wash is revoked.

SIGNED this 12th day of December, 2024



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-18665.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
ELISEO VALLEJO, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

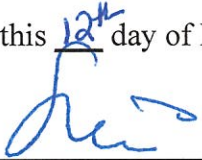
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Eliseo Vallejo’s vehicle inspection certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Eliseo Vallejo is revoked.

SIGNED this 12th day of December, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-18662.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
VILLAS AUTO MOTORS, VEHICLE INSPECTION STATION	§	PUBLIC SAFETY COMMISSION

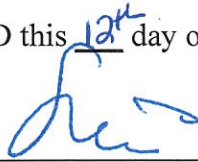
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Villas Auto Motors’s vehicle inspection station certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Villas Auto Motors is revoked.

SIGNED this 12th day of December, 2024



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-24186.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
FRIENDSWOOD KWIK KAR, VEHICLE INSPECTION STATION	§	PUBLIC SAFETY COMMISSION

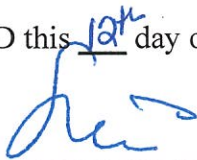
FINAL ORDER

On December 12, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Friendswood Kwik Kar’s vehicle inspection station certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Friendswood Kwik Kar is revoked.

SIGNED this 12th day of December, 2024



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter D
Section 15.89

The Texas Department of Public Safety (the department) adopts amendments to §15.89, concerning Moving Violations. This rule is adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8546) and will not be republished.

The proposed amendments modify the list of traffic offenses involving the operation of a motor vehicle that constitute a moving violation and identify what a moving violation does and does not include.

The department accepted comments on the proposed amendments through November 25, 2024. Written comments relating to §15.89 were submitted by an individual. The substantive comments received and the department's responses are summarized below.

COMMENT: The department should not remove texting and cell phone use from the list of moving violations.

RESPONSE: Under Texas Transportation Code §542.304(b)(2)(D), texting while driving is not a moving violation, but it is an offense under §545.4251, which pertains to the operation and movement of vehicles. Therefore, convictions for this offense will appear on a driver's record. However, there is no state offense for driving while using a cell phone, unless the driver is a minor or driving a bus. No changes were made to the proposal based on this comment.

COMMENT: The department should include inattentive driving as a moving violation.

RESPONSE: Inattentive driving is not a state offense defined in the Transportation Code. However, related offenses like careless driving, disregarding traffic signals, and impeding traffic are included and may be considered forms of inattentive driving. No changes were made to the proposal based on this comment.

COMMENT: The department should include operating uninsured or underinsured vehicle as a moving violation.

RESPONSE: Uninsured or underinsured vehicles are not moving violations as they fall under the Motor Vehicle Safety Responsibility Act (Transportation Code, Chapter 601). The department

administers this law, and convictions for these offenses will appear on a driver's record. No changes were made to the proposal based on this comment.

COMMENT: The department should include "lights on when wipers are on" as a moving violation.

RESPONSE: Under Texas Transportation Code §547.302, drivers are not required to use their headlights solely because their windshield wipers are on. However, they must use headlights when visibility is limited to 1,000 feet or less, or in conditions of poor visibility like rain, snow, fog, or dust. No changes were made to the proposal based on this comment.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Transportation Code; and §542.304 which authorizes the department to designate by rule the offenses involving the operation of a motor vehicle that constitute a moving violation of the traffic law.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter A
Sections 23.1, 23.3, 23.5, and 23.6

The Texas Department of Public Safety (the department) adopts amendments to §§23.1, 23.3, 23.5, and 23.6, concerning Vehicle Inspection Station And Vehicle Inspector Certification. These rules are adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8547) and will not be republished.

The amendments implement House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025. The amendments update, clarify, or simplify existing rules and provide conformity with other amendments, including elimination of driving while intoxicated as a disqualifying offense for licensure and changing the license renewal dates from August 31 to December 31 to align with discontinuation of the safety inspection program on January 1.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; §411.511, which authorizes the Public Safety Commission to adopt a system by rule under which licenses expire on various dates during the year; Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; §548.301(b), which authorizes the Public Safety Commission to establish by rule a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission; §548.401, which authorizes the Department of Public Safety to adopt rules for the certification of inspectors and inspection stations; §548.403, which authorizes the Department of Public Safety to adopt rules for the certification of inspection stations; and §548.4055, which authorizes the Public Safety Commission to adopt rules necessary to comply with Occupations Code, Chapter 53.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter B
Sections 23.11 – 23.13

The Texas Department of Public Safety (the department) adopts amendments to §§23.11 - 23.13, concerning General Vehicle Inspection Station Requirements. These rules are adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8550) and will not be republished.

The amendments implement House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025. The amendments update, clarify, or simplify existing rules and provide conformity with other amendments, including adding a web link for the DPS Training and Operations Manual, removing references to non-commercial vehicles inspections, and specifying applicability to commercial vehicles.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; §548.252, which authorizes the Department of Public Safety to adopt rules relating to the issuance and content of vehicle inspection reports; §548.301(b), which authorizes the Public Safety Commission to adopt rules to establish a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission; §548.403, which authorizes the Department of Public Safety to adopt rules for the certification of inspection stations; and §548.407(e), which authorize the Public Safety Commission to adopt rules to implement §548.407.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter C
Section 23.21 and Section 23.22

The Texas Department of Public Safety (the department) adopts amendments to §23.21 and §23.22, concerning Vehicle Inspection Station Operation. These rules are adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8553) and will not be republished.

The amendments implement House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025. The amendments update, clarify, or simplify existing rules and provide conformity with other amendments, including adding that vehicle inspection stations must use the electronic station interface device to issue vehicle inspection reports and adding that a fine may be assessed if a vehicle inspector shares a unique identifier protocol with another.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; §548.252, which authorizes the Department of Public Safety to adopt rules relating to the issuance and content of vehicle inspection reports; and §548.301(b), which authorizes the Public Safety Commission to adopt rules to establish a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter C
Section 23.26

The Texas Department of Public Safety (the department) adopts the repeal of §23.26, concerning Retention of Records. This repeal is adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8554) and will not be republished.

This repeal is necessary because vehicle inspection reports and out of state identification certificates are now submitted electronically by the licensees, therefore retention of physical records is no longer required.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; and §548.301(b), which authorizes the Public Safety Commission to adopt rules to establish a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter D
Section 23.41

The Texas Department of Public Safety (the department) adopts the repeal of §23.41, concerning Passenger (Non-Commercial) Vehicle Inspection Items. This repeal is adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8555) and will not be republished.

This rule is being repealed in response to House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter D
Section 23.42

The Texas Department of Public Safety (the department) adopts amendments to §23.42, concerning Commercial Vehicle Inspection Items. This rule is adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8556) and will not be republished.

The amendments implement House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025. The amendments update, clarify, or simplify existing rules and provide conformity with other amendments, including moving and adding language from current §23.41 (to be repealed) relating to the inspection of vehicles equipped with compressed natural gas fuel systems and adding a web link for the DPS Training and Operations Manual.

No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; and §548.252, which authorizes the Department of Public Safety to adopt rules relating to the issuance and content of vehicle inspection reports.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter E
Sections 23.51 – 23.53

The Texas Department of Public Safety (the department) adopts amendments to §§23.51 - 23.53, concerning Vehicle Emissions Inspection and Maintenance Program. These rules are adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8557) and will not be republished.

The amendments implement House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025. The amendments update, clarify, or simplify existing rules and provide conformity with other amendments, including removing references related to personal vehicle safety inspections, specifying applicability to commercial vehicles, and adding a web link for the State Implementation Plan.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; and §548.301(b), which authorizes the Public Safety Commission to adopt rules to establish a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter F
Section 23.62 and Section 23.63

The Texas Department of Public Safety (the department) adopts amendments to §23.62 and §23.63, concerning Violations and Administrative Penalties. These rules are adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8561) and will not be republished.

The amendments implement House Bill 3297, 88th Leg., R.S. (2023), which eliminates the safety inspection program for personal (non-commercial) vehicles, effective January 1, 2025. The amendments update, clarify, or simplify existing rules or provide conformity with other amendments, including updating the violations and penalty schedule, adding certain violations, and clarifying the role of settlement conferences.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548; §548.301(b), which authorizes the Public Safety Commission to adopt rules to establish a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission; and §548.407(e), which authorizes the Public Safety Commission to adopt rules to implement §548.407.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 12, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter G
Sections 23.71 – 23.73

The Texas Department of Public Safety (the department) adopts amendments to §§23.71 - 23.73, concerning Vehicle Inspection Advisory Committee. These rules are adopted without changes to the proposed text as published in the October 25, 2024, issue of the *Texas Register* (49 TexReg 8565) and will not be republished.

The amendments clarify and update the rules relating to the Vehicle Inspection Advisory Committee, including that department staff will make a record of attendance for each meeting and that the alternating acting presiding officer will prepare the agenda for the meeting over which the officer will be presiding.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Transportation Code, §548.002, which authorizes the Department of Public Safety to adopt rules to enforce Chapter 548.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

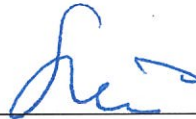
IN THE MATTER OF § BEFORE THE
THE DISCHARGE OF § PUBLIC SAFETY COMMISSION
PROBATIONARY EMPLOYEE § IN AUSTIN, TRAVIS COUNTY, TX

Advice and Consent

In accordance with Government Code Section 411.007(e), the Director found that the following named probationary employee was unsuitable for continued employment in the Department of Public Safety. The Public Safety Commission has consented to discharge this employee:

Employee Name	Employee Title/Division	Date of Discharge
Andres Hernandez-Rodriguez	Trooper Trainee/Training Operations	10/14/2024

Approved:



Steven P. Mach, Chairman
Public Safety Commission

Date: December 12, 2024