

MINUTES
PUBLIC SAFETY COMMISSION
November 19, 2009
Austin, Texas

Call to order

The Public Safety Commission met in Austin, Texas on November 19, 2009. Attending the meeting were Chairman Allan Polunsky, Commissioners Carin Barth, Ada Brown, Tom Clowe, and John Steen. DPS staff members and guests were also present. The meeting was called to order by Chairman Polunsky at 10:37 a.m. Proper notice had been posted.

Approval of Minutes (2:25 indicates time stamp from audio)

A motion was made by Commissioner Steen and seconded by Commissioner Barth approving the minutes for the October 23, 2009 meeting. Motion carried unanimously.

Public comment (2:55)

Donald W. Dickson, Attorney with The Parker Law firm, provided his viewpoint, on behalf of the Texas State Troopers Association, related to the integrity policy and agenda item proposing a change to the current policy. Commissioner Brown commented the purpose for the proposed change was to assure there would be no disconnect between DPS standards and to demonstrate clear expectations. She further stated this was a top to bottom integrity demand throughout the Department, and how business would be done going forward. Colonel McCraw agreed and added this was a core value of the Department and the policy change would draw a bright line. He made it clear that if a Trooper was caught in a lie, it would not be tolerated, and they would no longer be a part of the Department of Public Safety. Chairman Polunsky commented the motivation of the zero-tolerance policy was a building block in reforming, building, and creating the finest law enforcement agency in the country.

Director's Report (24:43)

Colonel Steven McCraw addressed the next step on the roadmap to 2015 to improve homeland security was the strategic plan - the mission, vision, goals and values which was on the agenda for action. He then commented on the establishment of the intelligence and counter-terrorism initiative and robust fusion centers statewide. Colonel McCraw gave a brief report on partnering with TxDOT on information sharing towards the effort of enhancing highway safety, the use of medians by Troopers during operations, and the potential to use Troopers to work off-duty on TxDOT construction projects. He recapped the Departments participation at Ft. Hood investigation and then commended Colonel Beckworth and Ranger Captain Kirby Dendy. He briefly commented on the District Attorney Border Partnership. Commissioner Brown inquired about the training of one of the hero's at Ft. Hood who had trained on techniques at DPS. Chairman Polunsky asked the Colonel to see that all Troopers received the training. The Chairman commended the Colonel on his step forward in the communication with TxDOT. Commissioner Steen asked the Colonel to comment on his accomplishments and challenges since he became Director. The Colonel said he was proud of his leadership team; the regional system the Commission approved; and the TxDOT partnership. He stated the challenges were the outdated five inch policy manual; the HR program and getting IT capability in place, and how to get the vehicles timely outfitted and on the road. Commissioner Steen asked that some thought be given to modernizing the webpage. Deputy Director Brad Rable stated his goal was

to have this done by the middle of next year and he was currently working with Texas On-Line and DIR to meet this goal. Commissioner Clowe expanded on the Colonel's accomplishments in his building the team and tangible organization structure, and dealing with the problems in Drivers License and Concealed Handgun processing. He stated he felt a lot better job was being done now towards progress and improvement, especially with the inherited IT problems. Commissioner Clowe then provided details about a letter he received which both Colonels McCraw and Beckworth became involved. He thanked them for taking a hands-on approach in looking at an applicant who had been denied acceptance to recruit school. They reviewed the individual's background, which was the reason the candidate was rejected when he should have been accepted to recruit school. That individual was accepted after their involvement, and he is now ranked 13th academically in his class.

New Business (53:13)

Chairman Polunsky stated the appeal of Jonathan Barnett had been withdrawn and accepted his termination. OGC Stuart Platt concurred.

AD Cheryl MacBride, CFO, gave a detailed report on the FY2010 Operating Budget variance framework. She detailed the cumulative list of non-operating items that totaled \$17,351,872 requesting the Commission to approve these being funded from surplus FTE salaries that totaled \$23,409,822. This would leave a balance available from the surplus of \$6,057,950.

Commissioner Barth inquired if the budget money from Homeland Security transferred with the people DPS inherited and Colonel McCraw stated Homeland Security was paid for with grant funds and felt those funds would continue in the foreseeable future. She was concerned about unfunded positions that were already filled and asked what the policy would be going forward. AD MacBride stated she would be implementing a process to account for added headcount, but a new requirement would be assuring funding was in place prior to any headcount being added. Chairman Polunsky asked how the organizational structure compared with the Deloitte recommendation. Colonel McCraw stated favorably. A lengthy discussion ensued about the Strategic Transformation Planning and Innovation position/PMO. Commissioner Steen asked AD MacBride why they were going through the variance shortfall exercise. She stated she felt it was appropriate to bring the item to the Commission for transparency sake in order to address how the shortfalls would be covered. She added she needed to obtain the Commission's approval for the 2010 Operating Budget, and advised the PSC how the non-operating variances were proposed to be covered from the lapsed salaries (positions not filled during the year). Commissioner Barth pointed out to the other Commission members that this same variance would come up next year.

(1:31:35) A detailed discussion of the operating costs totaling \$9,388,303 followed. Oscar Ybarra joined the discussion on the gasoline variance. He confirmed the requested rider would have covered the estimated \$7M variance listed. He stated that the additional cars recently requested included gasoline costs in the estimated amount the Commission approved at a previous meeting. However, Colonel McCraw informed the Commission members that DPS lost 11.5% of its buying power with a new State required purchasing process, therefore the agency would acquire a fewer number of cars (265 instead of 300). He stated he was made aware of this fact approximately three weeks prior.

AD MacBride then introduced the \$9,685,044 in items for future consideration which was followed with complex questions and discussions on the details of each item. Chairman

Polunsky inquired of the Colonel how much was needed for the recruit school dorm safety and water repairs, and why \$4,000,000 was the amount listed. The Colonel stated he did not have the exact amount, but would bring the Commission a line item detail with that total amount to the next meeting. However, without the \$350,000 being approved to obtain a comprehensive assessment TFC cannot come in and do an estimate for fixing the problem.

A motion was made by Commissioner Barth and seconded by Commissioner Clowe that the \$26,740,175 non-operating and operating cost items be approved in order to move forward with the FY2010 Operating Budget and those variances; subject to a hiring freeze on non-budgeted, non-commissioned positions. Motion passed unanimously. Chairman Polunsky expressed how disturbed he was that unfunded FTE position salaries were being utilizing to pay for other portions of the budget. Further he stated in his opinion this was not a good way to go to the Legislature and defend the process.

(2:31:37) AD MacBride suggested coming back with more information on the items for future consideration. Chairman Polunsky added the staff should come back with alternatives on which way to go with these items. **A motion was made by Commissioner Clowe and seconded by Commissioner Steen to approve the \$350,000 HQ Security TFC Design Spec and the \$921,761 10-Week Recruit School. Commissioners Barth and Brown expressed differences on the 10-week recruit school. Commissioner Clowe and Steen withdrew their motion and offered to defer action until after the next meeting to be held early in December.**

(2:39:08) AD MacBride reviewed the ongoing status of seized funds. Commissioner Barth commented she was opposed to using seized funds for recurring costs going forward and that those costs should instead be budgeted. Chairman Polunsky thanked AD MacBride for her report and welcomed her to the agency.

(2:46:05) Commissioner Barth addressed the day-to-day involvement of a Commissioner on the Contract Review Board. She clarified the Commission members role would be to provide oversight, and stated the Commissioner should be ex-official involved in emergency level contracts only.

AD Fulmer provided information on the training academy specifically the 39 Commissioned and Non-Commissioned employees it takes to run each recruit school. At this point, Chairman Polunsky advised AD Rable that he thought it would be helpful to have more Administration representatives attend future Commission meetings in order that they would be readily available to answer inquiries such as these specialized areas of interest.

(2:48:33) Colonel McCraw provided a report on the proposed Mission, Vision, Goals and Value statements for the department. He stated the leadership team recommended the following to the Commission for approval:

DPS Mission: Protect and Serve Texas

DPS Vision: The premier provider of trusted and proactive services in an ever-changing threat environment

**DPS Goals:
Combat Terrorism and Crime**

**Enhance Public Safety (highway)
Lead Emergency Response and Disaster Recovery
Provide World Class Services**

DPS Values:

Integrity: We demonstrate honesty openness and respect in all we do

Teamwork: We work together within the department and with other agencies to achieve common objectives

Accountability: We seek and accept responsibility for our actions and results

Excellence: We strive to be the best and continually improve our performance

DPS Motto: remains the same: **Courtesy, Service, Protection**

A motion was made by Commissioner Clowe and seconded by Commissioner Brown to “move that the proposed Mission, Vision, Goals, and Values proposed by the Director and his staff today, November 19th, 2009 be formally adopted and approved by the Commission for the Texas Department of Public Safety. The Mission, Vision, Goals, and Values represent a sound set of building blocks consistent with this agency’s past history and future aspirations.” Motion passed unanimously.

Executive Session (2:56:00)

The Commission went 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; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the Director’s action of discharging employees as identified in this agenda; and ongoing criminal investigations. Executive Session began at 1:30 p.m. and ended at 3:35 p.m.

Ongoing Business (2:58:38)

Commissioner Brown presented an in-depth report from the recruitment policy committee she had been working with. She listed recommended findings she and her recruitment committee developed through their research. Ultimately DPS needs full time recruiters; the recruit office needs to be moved to a more accessible location; and a recruit data sheet should be provided for the Troopers to readily hand out. She suggested a consistent “brand” and continuing to back away from recruiting being about the numbers. She commented the wrapped vehicles were a great recruiting tool. The committee found it beneficial to encourage Troopers be engaged in community activity; and added that recognition from the Colonel helped morale. Other recommendations included a bonus to DPS employees for recruiting someone who graduates DPS Recruit School and guaranteeing a duty assignment before upon graduation. Numerous other findings and recommendations were presented and Chairman Polunsky stated he wanted an update at each meeting, stating this was something the Commission was firmly committed to. Commissioner Clowe stated what a great beginning this displayed and felt all the suggestions provided great opportunities. Colonel McCraw introduced Jesse White, the new AD Human Resources and Chairman Polunsky welcomed him.

Commissioner Brown asked that the report, discussion and possible action regarding overtime and compensatory time policies for the Department employees be deferred to the March, 2010 agenda.

Let the record reflect Commissioner Steen left the meeting at 4:20 p.m and was not present for votes after this time.

Commissioner Barth stated final interviews and action on the appointment for the Office of Inspector General would be conducted at a future Commission meeting.

A discussion regarding vetting procedures for appointing and monitoring the status of specially commissioned persons which was implemented in November 2009 followed. It addressed concerns of the Commission.

Colonel McCraw detailed the Departmental proposal for policy on integrity expectations for employee conduct requesting the policy be adopted. **A motion was made by Commissioner Brown and seconded by Commissioner Barth to move that the Integrity Policy articulated in the slides presented be approved. She further stated "Additionally I move that the November 19th 2009 Policy Statement on candor and cooperation with investigations be adopted. As a part of this Motion, I would like the record to note that the Director can communicate his message on the integrity core value with our blessing and noted approval". Motion passed unanimously.**

A report on the Diamond Jubilee Anniversary was given by Co-Chair Barbara Hinesley, stating they had 18 sub-committees and several organizations collaboratively working in the planning. The event will be held on August 6, 2010 at DPS headquarter campus with a BBQ. Chairman Polunsky thanked Barbara for her strong leadership in the planning efforts. Commissioner Clowe commended her on a great job and presentation.

Chairman Polunsky returned to the "2010 Operating Budget future consideration items" agenda item stating there was concern over the recruit school dorm safety and water issues and the Commission wanted to take action. Commissioner Barth stated she felt strongly that the recruits and in-service training accommodations needed to be moved off campus effective Friday, November 20, 2009. **A motion was made by Commissioner Barth and seconded by Commissioner Clowe to authorize the Director to spend up to \$1,000,000 out of the \$4,000,000 towards the cost of the feasibility study and to provide alternative housing to move the recruits and in-service training accommodations off campus. This is an emergency obligation to act as quickly as possible. The Colonel indicated the recruits were to be moved Friday, November 20, 2009. Motion passed unanimously.**

A motion was made by Commissioner Brown and seconded by Commissioner Clowe to postpone the 10-week recruit school and additionally not submit any further offers for the 10-week school. Motion passed unanimously.

Reports (4:12:14)

Farrell Walker presented the Audit and Inspection report. Commissioner Barth inquired about how there were 14 more computers reflected in the inventory and not on the asset list. Mr. Walker stated this had not yet been resolved. He further stated procedures should be adopted to ensure THP regional staff post new and transferred equipment to the Web Venice database in a timely manner in an effort of this not occurring again.

(4:17:13) Captain Hank Whitman, interim AD Office of Inspector General, provided his report giving details on the hot line, transcription services and anticipated expense for each.

Commissioner Clowe suggested Captain Whitman write up his recommendations and provide to the Chairman and Commissioners for consideration and possible action at the next Commission meeting.

(4:22:03) AD Michael Kelley, Drivers License, provided an update on the Blue Ribbon task force headed by Brian Smallwood in implementing business processes, technology and training. The IT division is working on phone center issues; therefore all phone operations for DL 2600 will have one call center to address those calls. The DL system Pilot II program is underway with rollout for 14 offices. User interface and programming has been upgraded. DLS offices will serve as training sites for the January – June 2010 rollout phase. Commissioner Barth asked that the quantity now being processed and data points after April be presented at the next meeting. Chairman Polunsky mentioned a person in the Waco DL office was saved by the defibrillators in the DL office. He stated that a couple of years ago he was advised of the defibrillators not working, so at that time he authorized funds to go towards making sure all of the defibrillators worked and that the batteries were good, and training was conducted. AD Kelley detailed the audit of the defibrillators and ongoing training. Chairman Polunsky requested signage stating the availability of defibrillators in DPS offices. They saved a life and the public needed to be made aware of the availability in all DPS offices.

(4:33:22) Mike Simpson, AD Law Enforcement Support, was introduced by Colonel McCraw. AD Simpson informed that the Public Safety Communications Bureau combined resources and stated they worked out a trade for radio band width that was currently not being used in Houston. A trade was bartered for use of \$300 million dollars worth of radio infrastructure now available to DPS. AD Simpson stated details of the agreement were being worked out with OGC. He commented on testing in-the-field biometric fingerprint capabilities for on road DPS Troopers, but added they would have to go out for bids and select a vendor. He reported the purchase of a \$1,000,000 DNA Robot which should be able to double DNA testing capabilities.

Consent items (4:40:00)

The Consent Items were discussed. **A motion was made by Commissioner Clowe and seconded by Commissioner Barth to accept all of the Consent Items listed other than A. and the placeholder D.1. An amended motion was made to include all Consent Items other than D.1. Motion passed unanimously.**

- A. Discussion and possible action on the Director's action of discharging probationary employee: John Hellman
- B. Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code chapter 411, Secs. 411.023 & 411.024: Special Rangers – Richard Leroy Alexander, Dwight Lee Gray, Jay Michael Griffin, William Lawrence Hill, Donald Myrl Jones, Kevin Lee McCasland, Garry Lee Parker
- C. Review of pending contract: Information subscription service (Dallas Computer Services, Inc.)
- D. Discussion and possible action regarding donations as provided under Gov't Code Ch. 575:
 - 1. Authorization of Department to accept gifts of money or property
 - 2. Acknowledgement of donation of the Economic Development Corporation of Weslaco of approximately 21.29 acres in Hidalgo County to the Department to build a regional office

3. Acknowledgement of proposed donation of a radio tower, communications shelter and a generator in Colorado County

E. Discussion and possible action on adoption of proposed rules:

1. Proposed amendments to Chapter 15: Rules 15.5, 15.7, 15.21-15.23, 15.25-15.31, 15.33-15.40, 15.42, 15.44, 15.48, 15.52, 15.54, 15.56, 15.59, 15.81-15.83, 15.85, 15.87, 15.91-15.93, 15.101, 15.113, 15.114, 15.131, and 15.163, 37 TAC Secs. 15.5, 15.7, 15.21-15.23, 15.25-15.31, 15.33-15.40, 15.42, 15.44, 15.48, 15.52, 15.54, 15.56, 15.59, 15.81-15.83, 15.85, 15.87, 15.91-15.93, 15.101, 15.113, 15.114, 15.131, and 15.163, regarding Driver License Rules, as published in 34 TexReg 5327-5344, August 7, 2009
2. Proposed repeal of Rule 15.8, 37 TAC Sec. 15.8, regarding Classified Driver License, as published in 34 TexReg 5328, August 7, 2009
3. Proposed repeal of Rules 15.41 and 15.47, 37 TAC Secs. 15.41 and 15.47, regarding Application Requirements-Original, Renewal, Duplicate, Identification Certificates, as published in 34 TexReg 5333, August 7, 2009
4. Proposed repeal of Rules 15.111 and 15.112, 37 TAC Secs. 15.111 and 15.112, regarding Denial of Renewal of Driver License for Failure to Appear for Traffic Violation, as published in 34 TexReg 5341, August 7, 2009
5. Proposed amendments to Chapter 16: Rules 16.3, 16.4, 16.8, 16.9, 16.11, 16.12, 16.34, 16.47, 16.48, 16.50, 16.51, 16.71-16.73, 16.75, 16.99, and 16.103-16.105, 37 TAC Secs. 16.3, 16.4, 16.8, 16.9, 16.11, 16.12, 16.34, 16.47, 16.48, 16.50, 16.51, 16.71-16.73, 16.75, 16.99, and 16.103-16.105, regarding Commercial Driver License, as published in 34 TexReg 5344 – 5355, August 7, 2009
6. Proposed repeal of Rule 16.91, 37 TAC Sec. 16.91, regarding Noncommercial Motor Vehicle Permits, as published in 34 TexReg 5353, August 7, 2009
7. Proposed amendments to Chapter 18: Rules 18.1-18.4 and 18.21-18.25, 37 TAC Secs. 18.1-18.4 and 18.21-18.25, regarding Driver Education, as published in 34 TexReg 5355 – 5360, August 7, 2009

F. Discussion and possible action on proposed rules for publication:

1. Proposed new Rules 28.171 – 28.175, 37 TAC 28.171 – 28.175, regarding preservation, cataloging, and delivery of biological evidence
2. Proposed amendment to Rule 27.1, 37 TAC 27.1, regarding review of personal criminal history record

Items for future agenda (4:42:41)

Commissioner Barth requested the status of the search for Office of Inspector General candidate discussion, report and possible action be placed on the agenda until filled.

Commissioner Clowe requested all the Financial/Budget items be carried forward.

Commissioner Brown requested to move the overtime item to the March, 2010 agenda.

Future meeting date (4:43:12)

The next meeting of the Public Safety Commission will be December 11, 2009.

There being no further business, the meeting was adjourned at 5:38 p.m.

Read and approved this 11th day of December, 2009.

A handwritten signature in blue ink, appearing to be "Dan B. Hines", written over a horizontal line.

Chairman

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(f), 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 the discharge of this employee:

Employee Name	Employee Title/Division	Date of Discharge
John Hellman	Assistant Individual Assistance Officer Texas Division of Emergency Management	10/09/09

Approved:

Allan B. Polunsky, Chairman
Public Safety Commission
Date: November 19, 2009

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter A
Section 15.5 and Section 15.7

The Texas Department of Public Safety adopts amendments to Subchapter A, Section 15.5 and Section 15.7, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5327).

Adoption of amendments to the sections is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; "driver's" to "driver" and "instruction permit" to "learner license." Rule changes also provide that licenses issued by the department, including driver licenses, minor's restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.


No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Sections 15.21 – 15.23, 15.25 – 15.31, 15.33 – 15.40, 15.42, 15.44, and 15.48

The Texas Department of Public Safety adopts amendments to Subchapter B, Sections 15.21 - 15.23, 15.25 – 15.27, 15.29 - 15.31, 15.33 – 15.40, 15.42, 15.44, and 15.48, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5329) and will not be republished. Section 15.28 is adopted with changes and will be republished. Changes were made to Section 15.28(f) to correct a citation which was listed in error.

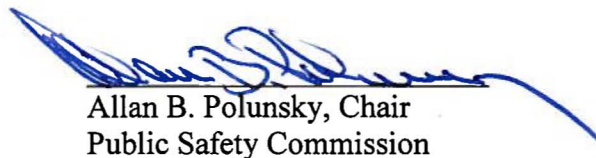
Adoption of amendments to the sections is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; “driver’s” to “driver” and “instruction permit” to “learner license.” Rule changes also provide that licenses issued by the department, including driver licenses, minor’s restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter C
Sections 15.52, 15.54, 15.56, and 15.59

The Texas Department of Public Safety adopts amendments to Subchapter C, Sections 15.52, 15.54, 15.56, and 15.59, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5333).

Adoption of amendments to the sections is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; “driver’s” to “driver” and “instruction permit” to “learner license.” Rule changes also provide that licenses issued by the department, including driver licenses, minor’s restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter D
Sections 15.81 – 15.83, 15.85, and 15.87

The Texas Department of Public Safety adopts amendments to Subchapter D, Sections 15.81 – 15.83, 15.85, and 15.87, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5335).

Adoption of amendments to the sections is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; “driver’s” to “driver” and “instruction permit” to “learner license.” Rule changes also provide that licenses issued by the department, including driver licenses, minor’s restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.

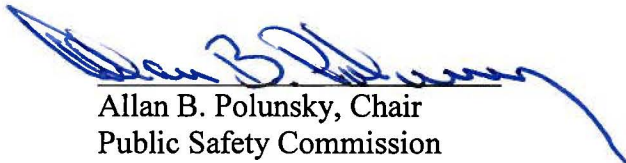
No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter E
Sections 15.91 – 15.93

The Texas Department of Public Safety adopts amendments to Subchapter E, Sections 15.91 – 15.93, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5336).

Adoption of amendments to the sections is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; “driver’s” to “driver” and “instruction permit” to “learner license.” Rule changes also provide that licenses issued by the department, including driver licenses, minor’s restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued. Additionally, Section 15.91 is reformatted in order to allow for revisions regarding the nations to which the department has obtained a license reciprocal agreement.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter F
Section 15.101

The Texas Department of Public Safety adopts amendments to Subchapter F, Section 15.101, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5340).

Adoption of amendments to the section is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; "driver's" to "driver," "accident" to "crash" and "instruction permit" to "learner license." Rule changes also provide that licenses issued by the department, including driver licenses, minor's restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.

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Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter G
Section 15.113 and Section 15.114

The Texas Department of Public Safety adopts amendments to Subchapter G, Section 15.113, Section 15.114, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5342).

Adoption of amendments to the section is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; "driver's" to "driver," "accident" to "crash" and "instruction permit" to "learner license." Rule changes also provide that licenses issued by the department, including driver licenses, minor's restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter H
Section 15.131

The Texas Department of Public Safety adopts amendments to Subchapter H, Section 15.131, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5343).

Adoption of amendments to the section is necessary in order to further align the rule with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; “driver’s” to “driver,” “accident” to “crash” and “instruction permit” to “learner license.”

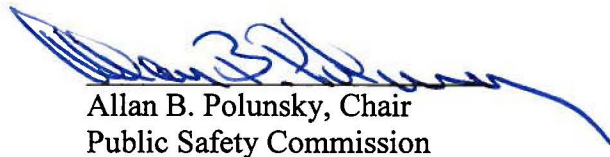
No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter J
Section 15.163

The Texas Department of Public Safety adopts amendments to Subchapter J, Section 15.163, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5343).

Adoption of amendments to the section is necessary in order to further align the rules with existing statute and to repeal rules addressed in statute. Terms have been modified to align with industry standards, i.e.; "driver's" to "driver," "accident" to "crash" and "instruction permit" to "learner license." Rule changes also provide that licenses issued by the department, including driver licenses, minor's restricted driver licenses, learner licenses, and occupational and interlock licenses will be issued with a photograph with current information being displayed on each license or identification certificate issued.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter A
Section 15.8

The Texas Department of Public Safety adopts the repeal of Subchapter A, Section 15.8, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5328).

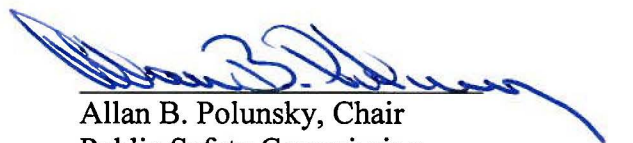
Adoption of the repeal of the Section 15.8 is necessary as subchapter D of the Transportation Code provides for the classification of driver licenses.

No comments were received regarding adoption of the repeal.

The repeal is adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Section 15.41 and Section 15.47

The Texas Department of Public Safety adopts the repeal of Subchapter B, Section 15.41 and Section 15.47, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009, issue of the *Texas Register* (34 TexReg 5333).


Adoption of repeal of Section 15.41 is necessary as the voter registration form is now an automated process in the driver license system. Adoption of repeal of Section 15.47, specific to the electronically readable information on the magnetic stripe of a driver license, commercial driver license, or identification card, is necessary as Section 521.126 of the Transportation Code provides for the provisions of electronically readable information on a driver license or identification card.

No comments were received regarding adoption of the repeals.

The repeals are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter G
Section 15.111 and Section 15.112

The Texas Department of Public Safety adopts the repeal of Subchapter G, Section 15.111 and Section 15.112, concerning Driver License Rules, without changes to the proposed text as published in the August 7, 2009, issue of the *Texas Register* (34 TexReg 5341).


Adoption of the repeal of Section 15.111, specific to the purpose and scope for the renewal of driver license for failure to appear for traffic violations, is necessary as provisions regarding purpose and scope may be found in Texas Transportation Code, Chapter 706. Repeal of Section 15.112, specific to the Authority To Enter Interlocal Contract for services of denying the renewal of driver's license for failure to appear for traffic violation, is necessary as these provisions may be found in Texas Transportation Code, Chapter 706.

No comments were received regarding adoption of the repeals.

The repeals are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Commercial Driver License
Title 37 T.A.C. Part I, Chapter 16
Subchapter A
Sections 16.3, 16.4, 16.8, 16.9, 16.11, and 16.12

The Texas Department of Public Safety adopts amendments to Subchapter A, Sections 16.3, 16.4, 16.8, 16.9, and 16.11, concerning Commercial Driver License, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5345) and will not be republished. Section 16.12 is adopted with changes and will be republished. Changes were made to the proposed text of Section 16.12 due to an editing error.

The title of the chapter is changed to "Commercial Driver License." Adoption of amendments to the sections is necessary in order to address Federal Motor Carrier Safety Administration (FMCSA) findings during the 2006 review of Texas' CDL program. These amendments further align Chapter 16 rules to new and previously existing statutory requirements governing Commercial Driver License issuance procedures where FMCSA determined the statute and/or rule was not clear enough for enforcement purposes.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Commercial Driver License
Title 37 T.A.C. Part I, Chapter 16
Subchapter B
Sections 16.34, 16.47, 16.48, 16.50, and 16.51

The Texas Department of Public Safety adopts amendments to Subchapter B, Sections 16.34, 16.47, 16.48, 16.50, and 16.51, concerning Commercial Driver License, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5349).

Adoption of amendments to the sections is necessary in order to address Federal Motor Carrier Safety Administration (FMCSA) findings during the 2006 review of Texas' CDL program. These amendments further align Chapter 16 rules to new and previously existing statutory requirements governing Commercial Driver License issuance procedures where FMCSA determined the statute and/or rule was not clear enough for enforcement purposes.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Commercial Driver License
Title 37 T.A.C. Part I, Chapter 16
Subchapter C
Sections 16.71 – 16.73, 16.75

The Texas Department of Public Safety adopts amendments to Subchapter C, Sections 16.71 – 16.73, and 16.75, concerning Commercial Driver License, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5352).

Adoption of amendments to the sections is necessary in order to address Federal Motor Carrier Safety Administration (FMCSA) findings during the 2006 review of Texas' CDL program. These amendments further align Chapter 16 rules to new and previously existing statutory requirements governing Commercial Driver License issuance procedures where FMCSA determined the statute and/or rule was not clear enough for enforcement purposes.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Commercial Driver License
Title 37 T.A.C. Part I, Chapter 16
Subchapter D
Section 16.91

The Texas Department of Public Safety adopts the repeal of Subchapter D, Section 16.91, concerning Commercial Driver License, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5353).

Adoption of the repeal is necessary to further align licensing requirements with federal recommendations governing commercial drivers. All commercial drivers who are disqualified from operating a commercial motor vehicle are required to surrender their commercial driver license for the issuance of a non-commercial driver license containing a photograph.

No comments were received regarding adoption of the repeal.

The repeal is adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.



Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Commercial Driver License
Title 37 T.A.C. Part I, Chapter 16
Subchapter D
Sections 16.99, 16.103 – 16.105

The Texas Department of Public Safety adopts amendments to Subchapter D, Sections 16.99, 16.103 – 16.105, concerning Commercial Driver License, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5353).

Adoption of amendments to the sections is necessary in order to address Federal Motor Carrier Safety Administration (FMCSA) findings during the 2006 review of Texas' CDL program. These amendments further align Chapter 16 rules to new and previously existing statutory requirements governing Commercial Driver License issuance procedures where FMCSA determined the statute and/or rule was not clear enough for enforcement purposes.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver Education
Title 37 T.A.C. Part I, Chapter 18
Subchapter A
Sections 18.1 – 18.4

The Texas Department of Public Safety adopts amendments to Subchapter A, Sections 18.1 - 18.4, concerning Driver Education, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5355).

Adoption of the first amendment is necessary to change the title of the Subchapter. Adoption of additional amendments is made to reduce the processes and paperwork required for the issuance of learner licenses. Modification is also made to the rules to change the term “instruction permit” to “learner license” and to align additional terms with industry standards, i.e.; “driver’s” to driver.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On November 19, 2009, the Public Safety Commission (Commission) by majority vote approved rules concerning:

Driver Education
Title 37 T.A.C. Part I, Chapter 18
Subchapter B
Sections 18.21 – 18.25

The Texas Department of Public Safety adopts amendments to Subchapter B, Sections 18.21 – 18.25, concerning Driver Education, without changes to the proposed text as published in the August 7, 2009 issue of the *Texas Register* (34 TexReg 5358).

Adoption of these amendments is made to reduce the processes and paperwork required for the issuance of learner licenses. Modification is also made to the rules to change the term “instruction permit” to “learner license” and to align additional terms with industry standards, i.e.; “driver’s” to driver.

No comments were received regarding adoption of the amendments.

The amendments are adopted pursuant to Texas Government Code, Section 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, Section 521.165.

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.


Allan B. Polunsky, Chair
Public Safety Commission



LEGISLATIVE BUDGET BOARD

Robert E. Johnson Bldg.
1501 N. Congress Ave. - 5th Floor
Austin, TX 78701

512/463-1200
Fax: 512/475-2902
<http://www.lbb.state.tx.us>

MEMORANDUM

TO: Agency Heads and Financial Officers
State Executive and Judicial Agencies, Departments, and Courts

FROM: Mary Katherine Stout, Director, Governor's Office of Budget, Planning and Policy *MKS*
John O'Brien, Director, Legislative Budget Board *JOB*

DATE: October 28, 2009

SUBJECT: Operating Budget Instructions—Fiscal Year 2010
Submission Deadline: December 1, 2009

The 2010-11 General Appropriations Act (Senate Bill 1, Article IX, Section 7.01, Eighty-first Legislature, Regular Session) provides that itemized operating budgets be filed with the Governor's Office of Budget, Planning and Policy (GOBPP) and the Legislative Budget Board (LBB) each fiscal year. To assist in the preparation of your fiscal year 2010 operating budget, instructions may be found on the LBB web page at <http://www.lbb.state.tx.us>.

Agencies and courts will file operating budgets electronically, through the Automated Budget and Evaluation System of Texas (ABEST), to the LBB. As with the 2010-11 Legislative Appropriations Requests, agencies and courts are asked to post their budget submissions for fiscal year 2010 on their web sites within (5) days of the electronic filing. Agencies and courts will continue to provide hard copies to the LBB, GOBPP, and other agencies as provided in the instructions. A certification of the integrity of the dual submissions, and assurance that the electronic and the hard copy are one and the same, must be provided to the two budget offices in the form indicated in the instructions within seven (7) days of the electronic filing. Please be prepared to provide hard copies to the legislative offices upon request.

Any questions regarding these instructions should be directed to your assigned analyst in either budget office.

As always, we appreciate your cooperation.



CERTIFICATE

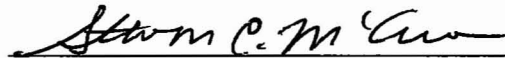
TEXAS DEPARTMENT OF PUBLIC SAFETY

Agency Name _____

This is to certify that the information contained in the agency operating budget filed with the Legislative Budget Board (LBB) and the Governor's Office of Budget, Planning and Policy (GOBPP) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the bound paper copies are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the GOBPP will be notified in writing in accordance with Article IX, Section 7.01 (2010-11 GAA).

Chief Executive Office or Presiding Judge


Signature

Steven C. McCraw
Printed Name

Director, Department of Public Safety
Title

11/12/09
Date

Board or Commission Chair


Signature

Alan B. Polunsky
Printed Name

Chairman, Public Safety Comm.
Title

11-19-2009
Date

Chief Financial Officer


Signature

Cheryl MacBride
Printed Name

Assistant Director, Finance
Title

Date