

MINUTES
Public Safety Commission Meeting
December 9, 2021
Austin, TX

The Public Safety Commission met in Austin, Texas on December 9, 2021, at 10 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Steve Stodghill, and Dale Wainwright. A quorum was present.

- I. **Call to Order (0:00:25)**
Chairman Mach called the meeting to order at 10:03 a.m. Proper notice was posted.
- II. **Invocation (0:01:00)**
Chaplain Ferman Carpenter provided the invocation.
- III. **Pledges (0:02:45)**
Corporal Larry Harrison led the pledge of allegiance to the U.S. and Texas flag.
- IV. **Approval of Minutes (0:03:25)**
The minutes of the last regular meeting held on October 14, 2021, and the minutes of the discharge hearing held on October 15, 2021, were approved.
- V. **Presentations (0:04:05)**
 - 30 Year Service Award**
Mary Ann Araiza
Valerie Brakefield
Melisa Garcia
Thomas Gonzalez
 - 35 Year Service Award**
Trooper Angel Amoles
 - 40 Year Service Award**
Juan Rojas
 - 45 Year Service Award**
Trooper Willie Adams
Special Agent Taft Green, Jr.

Purple Heart Award

Trooper Joshua Strawn

Life Saving Award

Special Agent Jamie Neault*
Special Agent David Schmidt
Special Agent Bryan Hebert
Trooper Dorian Turner
Trooper Madison Zaragoza*
Trooper Francisco Velez-Anderson
Special Agent Logan Eastburn
Trooper Nicholas Wingate
Trooper Daniel Godina
Trooper Taylor Henriquez
Texas Ranger Andres de la Garza
Texas Ranger Pete Luna, Jr.
Staff Sergeant Lucas Patterson
Trooper Brandon Blessing
Technical Sergeant Mark Matlock

* Received more than one award

Director's Award

Game Warden Travis Haug, Texas Parks and Wildlife
Game Warden Shane Horrocks, Texas Parks and Wildlife
Officer Marcin Trawinski, Florida Fish and Wildlife Conservation Commission
Officer Matthew Nasworth, Florida Fish and Wildlife Conservation Commission
Officer Colten Walch, Bryan Police Department
Special Agent James Crowell, Federal Bureau of Investigation
Investigator Brandon Headrick, Harrison County Sheriff's Office
Sergeant Cory Adkinson, Marshall Police Department
Sergeant Carlos Pacheco, Marshall Police Department
Lieutenant Scott Smith, Marshall Police Department

Unit Citation Award

Special Agent Jimmy Burkett
Special Agent Allen Clark
Special Agent Daniel Collins
Special Agent Keith Deramus
Special Agent Joshua Roraback

Special Agent Clay Steelman
Special Agent Zachary White
Trooper Jacob Muehlstein

VI. Public Comment (0:29:15)

None.

VII. Director's Report

A. Operation Lone Star and Case Briefing (0:29:30)

Agenda item discussed out of order after VIII(A).

VIII. New Business

A. Report, discussion, and possible action on resolution regarding Texas Ranger 2023, Inc. and the Texas Ranger Bicentennial (0:29:35)

Russell Molina provided an update on the Texas Ranger Bicentennial and presented a resolution to (1) designate Texas Ranger 2023, Inc., as the representative and steward of the Texas Ranger Bicentennial, (2) authorize Texas Ranger 2023, Inc., as the exclusive entity to act on behalf of the Public Safety Commission to sanction official Bicentennial events and commemorative items, and (3) authorize Texas Ranger 2023, Inc., to use the trademarked Texas Ranger Bicentennial logo in connection with official Bicentennial events and commemorative items. A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to approve the resolution. Motion passed unanimously.

VII. Director's Report

A. Operation Lone Star and Case Briefing (0:40:20)

Agenda item returned to out of order.

Director Steven C. McCraw introduced Regional Director Victor Escalon to provide an update on Operation Lone Star. Regional Director Escalon discussed the operation's geographic coverage, data and statistics, criminal trespass initiatives, and operational partnerships. Director McCraw also provided comments on the impact of border activity, weekly data reports, and performance measures.

Chairman Mach acknowledged in-person and virtual attendance of the following: (1:14:25)

Michael Hull – Governor's Office

Suzanne Mackowiack – Lieutenant Governor's Office

Keysha Walcott – Senator Sarah Eckhardt's Office

VIII. New Business

Agenda order returned to after discussing VII(A) out of order.

B. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision: (1:14:55)

1. SOAH Docket No. 405-20-4150.MVI – Seung Lee & Kwik Car on Western Center Blvd
2. SOAH Docket No. 405-21-1175.PSB – Gary Milburn

General Counsel Phillip Adkins presented the proposal for decision for items (1)-(2). A motion was made by Commissioner Blair, seconded by Commissioner Stodghill, to adopt the proposal for decision issued by the administrative law judge of the State Office of Administrative Hearings for items under VIII(B)(1)-(2) as the final determination of the Public Safety Commission. Motion passed unanimously.

C. Report, discussion, and possible action on the following rule proposals for publication to receive public comment: (1:17:20)

1. New 37 TAC Section 6.2, concerning Approved First Responder Handgun Storage Device
2. Amendments to 37 TAC Section 6.14 and proposed new 37 TAC Section 6.18, concerning Eligibility and Application Procedures for a License to Carry a Handgun
3. New 37 TAC Section 6.95 and Section 6.96, concerning First Responder Instructor Certification

Regulatory Services Division Chief Wayne Mueller presented the rule proposals for items (1)-(3). A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to approve for publication in the Texas Register all items under VIII(C)(1)-(3). Motion passed unanimously.

4. Amendment to 37 TAC Section 15.25, concerning Address
5. Amendment to 37 TAC Section 15.171, concerning Identifying Document for Offenders/Memorandum of Understanding

Driver License Division Chief Sheri Gipson presented the rule proposals for items (4)-(5). A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to approve for publication in the Texas Register all items under VIII(C)(4)-(5). Motion passed unanimously.

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

IX. Ongoing Business

A. Report, discussion and possible adoption of the following previously published rules: (1:25:05)

1. Amendments to 37 TAC Section 8.7, concerning Prohibited Weapons

Deputy Director Freeman Martin presented the rule adoption. A motion was made by Commissioner Wainwright, seconded by Commissioner Stodghill, to adopt the rule. Motion passed unanimously.

2. Amendments to 37 TAC Section 23.41, concerning Passenger (Non-Commercial) Vehicle Inspection Items

3. Amendments to 37 TAC Section 23.62, concerning Violations and Penalty Schedule

4. Amendments to 37 TAC Section 35.5 and Section 35.8 and proposed new Section 35.10, concerning General Provisions

5. Amendments to 37 TAC Section 35.52, concerning Administrative Penalties

6. Amendments to 37 TAC Section 35.62, concerning Preliminary Hearing; Settlement Conference

7. Amendments to 37 TAC Section 35.111 and Section 35.112, concerning Company Records

8. Repeal of 37 TAC Section 35.113, concerning Records Required on Commissioned Security Officers

9. Amendments to 37 TAC Section 35.143 and Section 35.145, concerning Training

10. Amendments to 37 TAC Section 35.161 and Section 35.162, concerning Continuing Education

Regulatory Services Division Chief Mueller presented the rule adoptions for items (2)-(10). A motion was made by Commissioner Blair, seconded by Commissioner Stodghill, to adopt the rules under 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. (1:30:05)

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 (1:30:40)

None.

B. Finance Report (1:30:45)

None.

C. Chief Auditors Office (1:30:50)

None.

D. Division status reports on activities and action (1:31:00)

Infrastructure Operations Division Chief Jessica Ballew and Procurement and Contracts Director Michael Parks provided a report on its second annual assessment and report of DPS contracts, best practices, and trends.

XI. Consent Items (1:47:30)

A. 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: Lonnie Dione Baker, Charles Dewain Brazil, Michael Wayne Fincher, Gregg Allen Greer, Daniel Jay Keese, James Edward Martin, and Mark Edward Tackett.

B. Donations:

1. Additional donation items, as needed

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

XII. Items for Future Agenda (1:48:10)

None at this time.

XIII. Date for Future Meeting (1:48:20)

The regular Public Safety Commission meeting is scheduled for February 10, 2022. Discharge hearings will be scheduled for February 11, 2022.

XIV. Adjourn into Executive Session (1:48:30)

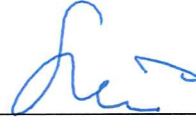
Executive Session began at 12:23 p.m. The Commission adjourned into executive session to discuss security issues; to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; to deliberate regarding real estate 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 1:49 p.m. Chairman Steven Mach and Commissioners Nelda Blair and Steve Stodghill were present. Commissioner Dale Wainwright was not in attendance, but a quorum was present. (1:48:55)

XV. ADJOURN

The meeting was adjourned at 1:49 p.m.

Read and approved this 10th day of February, 2022.



Steven P. Mach, Chairman
Public Safety Commission

**Public Safety Commission Resolution
Regarding Texas Ranger 2023, Inc.**

Whereas, on June 4, 2013, the Public Safety Commission recognized the need to celebrate the 200th anniversary on the founding of the Texas Rangers; and

It was resolved that the Texas Ranger Hall of Fame and Museum in Waco was designated the representative and steward of the Texas Ranger Bicentennial celebration; and

Whereas, following the June 4, 2013 resolutions by the Public Safety Commission, the Texas Ranger Hall of Fame and Museum, the Texas Department of Public Safety Foundation, and the Texas Ranger Association Foundation have recognized and designated Texas Ranger 2023, Inc. as their collective representative regarding the Texas Ranger Bicentennial celebration;

NOW THEREFORE BE IT RESOLVED BY THE TEXAS PUBLIC SAFETY COMMISSION:

That Texas Ranger 2023, Inc. is designated the representative and steward of the Texas Ranger Bicentennial.

That Texas Ranger 2023, Inc is authorized as the exclusive entity to act on behalf of the Public Safety Commission to sanction official Bicentennial events and commemorative items.

That Texas Ranger 2023, Inc is authorized to use the trademarked Texas Ranger Bicentennial logo in connection with official Bicentennial events and commemorative items.

It is the intention of the Public Safety Commission to support the various events and celebrations described by Texas Ranger 2023, Inc. Chairman Russell Molina during his June 10, 2021 presentation to the Public Safety Commission.

This resolution was considered and approved by a majority of the members of the Public Safety Commission of the State of Texas at its Open Meeting held on the 9th day of December, 2021, in Travis County, Texas.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-20-4150.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – VEHICLE INSPECTION PROGRAM	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
SEUNG LEE & KWIK CAR ON WESTERN CENTER BLVD	§	
Respondent	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 9, 2021, 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 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 Seung Lee’s vehicle inspection certification should be suspended for two years.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Seung Lee is suspended for two years.

SIGNED this 9th day of December, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21-1175.PSB

TEXAS DEPARTMENT OF PUBLIC
SAFETY – PRIVATE SECURITY

VS.

GARY MILBURN, APPLICANT

§
§
§
§
§
§

BEFORE THE

STATE OF TEXAS

PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 9, 2021, 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 purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision and the exception recommended by the Administrative Law Judge.

The Commission, after review and due consideration of the Proposal for Decision and exception, accepts the recommendation of the ALJ that Gary Milburn's application for registration as a noncommissioned security officer be denied.

IT IS THEREFORE ORDERED that the application for registration as a noncommissioned security officer of Gary Milburn, is hereby DENIED.

SIGNED this 9th day of December, 2021.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter M
Section 35.161 and Section 35.162

The Texas Department of Public Safety (the department) adopts amendments to §35.161 and §35.162, concerning Continuing Education. These rules are adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7376) and will not be republished.

The changes to §35.161, concerning Continuing Education Requirements, clarify that the renewal portion of Level III and IV training courses (the specifically required of commissioned security officers and personal protection officers) are required in order to comply with the continuing education requirements of those officers and that continuing education credits are only valid if completed within the two year period preceding the license's current expiration date. In addition, an outdated reference to alarm salespersons is to be removed, as such individuals are no longer regulated pursuant to Senate Bill 616, 86th Legislative Session. The changes to §35.162, concerning Continuing Education Schools, create limited exceptions to the requirement that continuing education credits be earned through department approved schools.

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 Occupations Code, §1702.061(a), §1702.308 and §1702.309(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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 9, 2021, 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 amendments to §23.41, concerning Passenger (Non-Commercial) Vehicle Inspection Items. This rule is adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7364) and will not be republished.

This rule change requires the vehicle inspector to input the vehicle's odometer reading to the department's inspection database at the time of inspection. The amendment also exempts fully autonomous vehicles from certain inspection requirements, as required to implement House Bill 3026, 87th Legislative Session. Finally, the amendment exempts fully electric vehicles from certain inspection requirements.

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.

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 9, 2021, 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

The Texas Department of Public Safety (the department) adopts amendments to §23.62, concerning Violations and Penalty Schedule. This rule is adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7366) and will not be republished.

The rule change authorizes the department to take administrative action against a licensee for disclosing or selling the private information of a vehicle inspection customer, reflecting the elements of the offense created by Senate Bill 15, 87th Legislative Session, amending Transportation Code, §548.601(a). In addition, the rule amendment authorizes the department to suspend the license following the licensee's refusal to pay a finally adjudicated administrative penalty.

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.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Capitol Complex
Title 37 T.A.C. Part I, Chapter 8
Subchapter A
Section 8.7

The Texas Department of Public Safety (the department) adopts amendments to §8.7, concerning Prohibited Weapons. This rule is adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7363) and will not be republished.

The Eighty-seventh Texas Legislature enacted House Bill 1927, which expanded the ability of individuals who are 21 years of age or older to carry a firearm unless otherwise prohibited by state or federal law from possessing the firearm. The amendments make §8.7(a) consistent with the expanded right to carry available under House Bill 1927.

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 §411.062(d), which authorizes the department to adopt rules relating to the security of persons and property of the state within the Capitol Complex.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter A
Sections 35.5, 35.8, and 35.10

The Texas Department of Public Safety (the department) adopts amendments to §35.5 and §35.8 and new §35.10, concerning General Provisions. These rules are adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7369) and will not be republished.

The changes to §35.5 are required by Senate Bill 968, 87th Legislative Session, and prohibit licensees from refusing entry by or service to a customer who does not certify as having received a COVID-19 vaccination or as being in post-transmission recovery. The amendments to §35.8 clarify that the rule applies only to company license holders and not individuals, and establishes an express rule of conduct regarding misrepresentation and causing confusion among clients. New §35.10 establishes guidelines for private investigators and commissioned security officers executing capias or arrest warrants.

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; §411.506, which authorizes the commission to adopt rules establishing procedures for the informal resolution of complaints filed against private security licensees; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter D
Section 35.52

The Texas Department of Public Safety (the department) adopts amendments to §35.52, concerning Administrative Penalties. This rule is adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7370) and will not be republished.

These rule changes will authorize the department to suspend the license following the licensee's refusal to pay a finally adjudicated administrative penalty, clarify the consequences of revocation for purposes of reapplication, clarify that the actions of the company representative are to be construed as the actions of the company, and clarify the distinction between the violations of operating with an expired license and of operating without a license. Changes to the penalty schedule (attached graphic) are proposed to simplify and clarify the specific violations and the related penalties.

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; §411.506, which authorizes the commission to adopt rules establishing procedures for the informal resolution of complaints filed against private security licensees; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter E
Section 35.62

The Texas Department of Public Safety (the department) adopts amendments to §35.62, concerning Preliminary Hearing; Settlement Conference. This rule is adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7371) and will not be republished.

These rule changes remove a reference to a previously repealed rule and simplifies the language.

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; §411.506, which authorizes the commission to adopt rules establishing procedures for the informal resolution of complaints filed against private security licensees; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter I
Section 35.111 and Section 35.112

The Texas Department of Public Safety (the department) adopts amendments to §35.111 and §35.112, concerning Company Records. These rules are adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7372) and will not be republished.

These rule changes clarify the application of the rule to security departments of private businesses and political subdivisions, and authorize electronic storage and transmission of out of state company records. In addition, changes to §35.111 are intended to consolidate the requirements of §35.111 and §35.113, enabling the repeal of the latter.


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; §411.506, which authorizes the commission to adopt rules establishing procedures for the informal resolution of complaints filed against private security licensees; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter I
Section 35.113

The Texas Department of Public Safety (the department) adopts the repeal of §35.113, concerning Records Required on Commissioned Security Officers. This repeal is adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7373) and will not be republished.

The rule is being consolidated by moving the content of §35.113 to §35.111.

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; §411.506, which authorizes the commission to adopt rules establishing procedures for the informal resolution of complaints filed against private security licensees; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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 9, 2021, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter L
Section 35.143 and Section 35.145

The Texas Department of Public Safety (the department) adopts amendments to §35.143 and §35.145, concerning Training. These rules are adopted without changes to the proposed text as published in the October 29, 2021 issue of the *Texas Register* (46 TexReg 7374) and will not be republished.

These rule changes simplify the manner in which certain instructors may establish the necessary experience and provide a simplified process by which retired law enforcement officers who are licensed as commissioned security or personal protection officers may establish firearm proficiency.

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 Occupations Code, §1702.061(a) and §1702.1675(f), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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

**SPECIAL RANGER /
SPECIAL TEXAS RANGER APPLICANTS
December 9, 2021**

Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Baker, Lonnie Dione	THP	Devine	08/31/2021	21	
Brazil, Charles Dewain	CID	Lufkin	07/31/2016	29	
Fincher, Michael Wayne	CID	Bryan	12/31/2007	27	
Greer, Gregg Allen	THP	Marshall	08/31/2021	27	
Keese, Daniel Jay	THP	Beeville	08/31/2021	25	
Martin, James Edward	THP	Athens	06/30/2012	30	
Tackett, Mark Edward	THP	Gainesville	08/31/2021	23	

Approved by the Public Safety Commission on:



Date:

12/9/21