

MINUTES
PUBLIC SAFETY COMMISSION
December 15, 2016
AUSTIN, TX

The Public Safety Commission met in Austin, Texas on December 15, 2016. Attending the meeting were Chairman Cynthia Leon, Commissioners Faith Johnson, Manny Flores, Steven Mach and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

CALL TO ORDER (0:00:12)

The meeting was called to order by Chairman Leon at 10:04 a.m. Proper notice had been posted.

APPROVAL OF MINUTES (0:00:59)

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, approving the minutes from the October 13, 2016 meeting. Motion passed unanimously.

PRESENTATIONS (0:01:24)

Service Awards

Daniel Lyssy – 45 yrs
Michael Ray Haley – 35 yrs
Cathy Eileen McCord – 35 yrs
Judy Dancak Rundell – 30 yrs

Lifesaving Award

Kristi Burchett

Purple Heart Award

Robert Bourland

Certificate of Commendation

Margie R. Charles

Presentations to Faith Johnson on her appointment, by Governor Abbott, to Dallas County District Attorney:

-Proclamation of Gratitude

-Presentation of the Texas State Flag flown over the Texas State Capitol

A motion was made by Commissioner Mach, seconded by Commissioner Flores, approving Faith Johnson as an Honorary Texas Ranger Captain. Motion passed unanimously.

-Presentation of Honorary Texas Ranger Captain Certificate and Badge

(0:26:06) Break 10:30 – 10:47 a.m.

(0:26:11) Chairman Leon acknowledged the following individuals attending the meeting:

Libby Elliott – Governor's Office

John Horchek – Governor's Office

Brady Vaughn – Senate Finance

Malika Te – House Appropriations

Hannah Bell – Rep White's office

Brian Shufelt – Rep Klick's office

Representative Stephanie Klick

PUBLIC COMMENT (0:27:51)

The Chairman invited comments on any matters other than the Compassionate Use Program. Compassionate Use Program comments were advised to be provided with the specific item later in the meeting. No comments.

DIRECTORS REPORT (0:30:17)

A. Case Update – Aircraft Operations

Captain Marc Tomerlin and Agent Saben Emery played a video that took place in Mesquite of a ring of teenagers that had been robbing local convenience stores for the past several weeks. One night a Voice Activated Dispatch Alarm (VADA) was launched and they, along with Mesquite PD, Dallas PD and the Dallas County Sheriff's Department, were able to capture and arrest all six individuals after committing another armed robbery.

Technology and communication are key resources in these aircraft. Through the updated camera system, they are able to pull high definition thermal images and the mapping system is able to dispatch coordinates and/or generate addresses.

Director McCraw thanked the Legislature for the funding we received in order to have these capabilities. We currently have 14 helicopters and 9 fixed-wing aircraft.

B. 2016 Public Safety Threat Assessment (0:45:02)

Director McCraw advised that a peer review process through the state is underway to review all public safety threats (i.e. crime, terrorism, disasters). The 2016 Assessment will be released in the next couple of weeks.

C. Operation Secure Texas Update (0:47:15)

Director provided an OST update:

- increase in drug seizures at Ports of Entry
- decrease in bailouts
- decrease in home invasions
- decrease in human remains found in Brooks County
- AD Skylor Hearn reports 8 agencies in the border region are reporting UCR data; 100 statewide

D. Update on Senate Criminal Justice Committee Hearing on 10/4/16 (1:01:30)

Director McCraw provided an update on the last hearing chaired by Senator John Whitmire. Panel discussion on racial profiling included DPS, Chief Art Acevedo (Austin PD), and James Bishop from Houston:

- Recruitment
- Training (Internal Controls: All traffic stops are kept for 90 days; Sergeants are required to review random and incident-specific videos; Office of Inspector General (OIG) phone number has been added at the bottom of all citations to report complaints; process in place to check on disproportionate of minorities being written citations by a certain Trooper)
- Independent OIG that reports directly to the Public Safety Commission and not to the director.
- OIG Blue Team initiative that proactively identifies bad behavior in its early stages.

E. Use of Force (1:08:54)

All use of force and office involve shootings are investigated thoroughly by the Texas Rangers and followed-up with an OIG administrative investigation.

Chair Leon acknowledged Representative James White's attendance.

ONGOING BUSINESS (1:09:52)

A. Report, discussion, and possible adoption of the following previously published rules:

1. Amendments to 37 TAC Chapter 12, concerning Compassionate-Use/Low-THC Cannabis Program (1:13:18)

(a) Amendments to 37 TAC Sections 12.1-12.4, 12.7, 12.8 and proposed new Section 12.9, concerning General Provisions

(b) Amendments to 37 TAC Section 12.11, 12.14 and Section 12.15, concerning Application and Renewal

(c) Amendments to 37 TAC Section 12.21 and Section 12.23, concerning Compliance and Enforcement

(d) Amendments to 37 TAC Section 12.31-12.34, concerning Security

(e) Amendments to 37 TAC Section 12.41 and Section 12.42, concerning Compassionate-Use Registry

AD RenEarl Bowie reported during the comment period a substantial amount of comments were received, most for seed source and licensing fees:

- replacing Trooper presence with civilian personnel to bring down licensing costs

- current licensing fee \$1.3 million / license renewal \$975,000

- individual registrant fee \$5,000

- Benchmark (removing commissioned personnel):

 - Licensing fee \$488,000 / license renewal \$318,000

 - individual registrant fee \$500

- DPS to work with the State Department of Health Services as to the amount of low

 - THC oil needed.

- Three qualifying licensees.

- Developing application process and kit.

- Seeking further input from the public; refrain from making those recommendations until the Commission has allowed for Public Comment.

2. Public Comment regarding Amendments to 37 TAC Chapter 12, concerning Compassionate-Use/Low-THC Cannabis Program (1:18:23)

(1:19:34) Leslie Moccia and Son, Zach

Ms. Moccia is grateful for the work that has been put into the Compassionate Use Program. During the 2015 legislative session, Ms. Moccia and Zach, made more than 300 visits to the Capitol speaking to legislative members about epilepsy and the need for access to high CBD/low-THC oil and were instrumental in Governor Abbott signing SB339 in June 2015.

(1:21:54) Dr. Dave Clarke follows thousands of patients throughout Texas and was present to offer himself as a resource, if needed.

(1:24:03) Terri Carriker and others were present to show appreciation for work done to date. They; too, spent countless hours at the Capitol last legislative session educating legislative members about epilepsy. Request to continue to assist with reducing costs;

3 dispensaries vs 12; and trooper presence is not a public safety issue. Remember our faces and remember our children when you vote.

(1:30:02) April Smith expressed concern with only three licenses to produce enough medication for Texas. Approximately 7 grams per month is needed per patient which is the equivalent of 92 greenhouses at a cost of \$240,000 per greenhouse. The concern is that it makes it very difficult to do this just to break even vs not being able to provide the medication at all.

(1:35:14) Representative James White represented a constituent in his district who strongly believes this pharmaceutical (CBD oil) will help her daughter and encourages DPS to find the right regulatory action.

(1:38:29) Representative Stephanie Klick spent 18 months on research and the last 4 years working on this program and appreciates the work DPS has done.

A. Report, discussion, and possible adoption of the following previously published rules:

1. Amendments to 37 TAC Chapter 12, concerning Compassionate-Use/Low-THC Cannabis Program (1:41:24)

(a) Amendments to 37 TAC Sections 12.1-12.4, 12.7, 12.8 and proposed new Section 12.9, concerning General Provisions

(b) Amendments to 37 TAC Section 12.11, 12.14 and Section 12.15, concerning Application and Renewal

(c) Amendments to 37 TAC Section 12.21 and Section 12.23, concerning Compliance and Enforcement

(d) Amendments to 37 TAC Section 12.31-12.34, concerning Security

(e) Amendments to 37 TAC Section 12.41 and Section 12.42, concerning Compassionate-Use Registry

AD Bowie seeks to republish A1a thru e for public comment.

A motion was made by Commissioner Mach, seconded by Commissioner Flores, to approved Ongoing Business, Item A1a thru e to republish and receive public comment. Motion passed unanimously.

(1:44:15) Break 12:05 – 12:12 p.m.

NEW BUSINESS

A. Special Operations Group – Crisis Negotiation Unit Update (1:45:06)

JD Robertson and John Vance provided a brief on the Crisis Negotiation Unit:

-Unit formed in 2010 and training in San Marcos with 60 employees

- Currently have 84 members
- 40 hour Hostage Negotiation Training Class and maintain 40 hours per year specified training
- National Crisis Conference is held each year in January
- 4 CNU members are currently on the executive board for the Texas Association of Hostage Negotiators
- FY 2016 – 78 critical incidents/31 surrenders

B. Report on Victim and Employee Support Services (VESS) Overview (2:00:05)

Melissa Atwood and Dr. Celesta Harris provided a VESS overview:

FY 2016 VESS Program Data:

- 3,986 victims served
- 9,090 victim service contacts
- 275 employee counseling clients
- 512 employee counseling sessions
- 601 individuals received critical incident support
- 2,063 Chaplain volunteer hours
- 5,656 individuals trained
- Staff of 20
- Partnerships with major initiatives:
 - *Interdiction for the Protection of Children
 - *State Police Unified Reporting System (SPURS)
 - *Human Trafficking
- Pre-Employment Psychological Evaluations for Trooper Trainee Candidates
 - *CY 2016 – 1,300 evaluations anticipated
 - * CY 2017 – 1,400 evaluations anticipated
- Components of Psychological Evaluation:
 - *Phase 1 – Prior to meeting with applicant
 - Applicant completes Informed Consent
 - Applicant completes two objective psychological tests
 - Psychologist reviews applicant file & relevant information
 - *Phase 2 – Psychologist completes the clinical interview with applicant
 - *Phase 3 – Further review as needed

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

1. Simultaneous repeal of current 37 TAC Chapter 6, concerning License to Carry Handguns and proposed new 37 TAC Chapter 6, concerning License to Carry Handguns (2:23:51)

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, to approved New Business, Item C1, to receive public comment. Motion passed unanimously.

ONGOING BUSINESS

A. Report, discussion, and possible adoption of the following previously published rules:
3. Amendments to 37 TAC Section 23.5, concerning Vehicle Inspection Station and Vehicle Inspector Disqualifying Criminal Offenses (2:26:15)

No comments.

A motion was made by Commissioner Watson, seconded by Commissioner Mach, approving adoption of Ongoing Business, Item A3. Motion passed unanimously.

NEW BUSINESS

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

2. Amendments to 37 TAC Chapter 15, concerning Driver License Rules (2:27:45)

(a) Amendments to 37 TAC Section 15.25, concerning Address

(b) Amendments to 37 TAC Section 15.55, concerning Waiver of Knowledge and/or Skills Tests

(c) Amendments to 37 TAC Section 15.62, concerning Additional Requirements

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, to approve New Business, Items C2a, b, and c, to receive public comment. Motion passed unanimously.

3. New 37 TAC Section 16.31, concerning Third-Party Skills Testing Program (2:30:15)

A motion was made by Commissioner Mach, seconded by Commissioner Flores, to approve New Business, Item C3, to receive public comment. Motion passed unanimously.

ONGOING BUSINESS

A. Report, discussion, and possible adoption of the following previously published rules:

4. Amendments to 37 TAC Chapter 15, concerning Driver License Rules (2:31:31)

(a) Simultaneous repeal and proposed new 37 TAC Section 15.7, concerning Occupational License (Essential Need) No comments.

(b) Amendments to 37 TAC Section 15.30, concerning Identification Certificates No comments.

(c) Amendments to 37 TAC Section 15.36 concerning Applications for Duplicates and Corrections No comments.

(d) Simultaneous repeal and proposed new 37 TAC Section 15.59, concerning Alternate Methods For Driver License Transactions No comments.

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, approving adoption of Ongoing Business, Items A4a, b, c, and d. Motion passed unanimously.

NEW BUSINESS

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

ONGOING BUSINESS

B. Update, report, discussion and possible action regarding recruitment (2:34:17)

AD Woodall provided an update on recruitment:

- New recruiting poster was shared with the Commission
- C-2016 school graduates tomorrow with 116 recruits (109 Males/7 Females/21 Youngest Recruit/46 Oldest Recruit/47 Veterans/14 former law enforcement)
- D-2016 school graduates on February 24, 2017, with 135 recruits
- A-2017 school begins January 8, 2017 with 153 applicants

C. Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements, and salaries pursuant to Government Code Chapter 411, secs. 411.005, 411.006, and 411.0071 (2:36:45)

None.

D. Report, discussion, and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team (2:36:59)

With the retirement of Chris Brannen, chief of the Executive Protection Bureau, Director McCraw is seeking advice and consent to promote Captain Rudy Resendez.

A motion was made by Commissioner Flores, seconded by Commissioner Mach, approving advice and consent to promote Captain Rudy Resendez as Chief of the Executive Protection Bureau. Motion passed unanimously.

Director McCraw also recognized Henry De La Rosa as the newest Executive Protection Bureau captain.

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

To be discussed during Executive Session.

REPORTS (2:40:50)

- A. Commission member reports and discussion - none
- B. Finance Report - none
- C. Chief Auditors Office - none
- D. Division status reports on activities and action - none

CONSENT ITEMS (2:40:56)

A. Donations:

- 1. Use of land in Duval County – Law Enforcement Support
- 2. Polo Shirts with “Donate Life” logo – Driver License Division
- 3. Use of Sandhill Ranch for Lodging – Texas Rangers Company “C”
- 4. Use of land in Brewster County – Law Enforcement Support
- 5. Use of La Copa Ranch for Lodging and Training- Region 3 SRT
- 6. 100 UT Football Tickets – DPS First Responders
- 7. Use of Reveille Peak Ranch for Training - SWAT
- 8. Additional donation items, as needed

A motion was made by Commissioner Watson, seconded by Commissioner Johnson, approving Consent Items A1 - 7. Motion passed unanimously.

ITEMS FOR FUTURE AGENDA (2:42:15)

DATE FOR FUTURE MEETING (2:42:19)

The regular Public Safety Commission meeting is scheduled for February 22, 2017 and a discharge hearing will be scheduled for February 23, 2017. Recruit Graduation is scheduled February 24, 2017.

ADJOURN INTO EXECUTIVE SESSION

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; 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; ongoing criminal investigations. Executive Session began at 1:10 p.m.

(0:00:02) The Public Safety Commission reconvened in open session at 2:50 p.m. Commissioners present were Chairman Cynthia Leon, Commissioners Faith Johnson, Manny Flores, Steven Mach and Randy Watson.

ADJOURN

A motion was made by Commissioner Johnson, seconded by Commissioner Flores, to adjourn the meeting. Motion passed unanimously.

The meeting was adjourned at 2:52 p.m.

Read and approved this 22nd day of February, 2017.


Chairman

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

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

The Texas Department of Public Safety (the department) adopts the repeal of §15.7, concerning Occupational License (Essential Need). This repeal is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8533) and will not be republished.

The repeal of §15.7 is filed simultaneously with proposed new §15.7. This repeal and the proposal of new §15.7 are necessary to clarify the procedures for obtaining an occupational license.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code.

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.



A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter C
Section 15.59

The Texas Department of Public Safety (the department) adopts new §15.59, concerning Alternative Methods For Driver License Transactions. This rule is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8536) and will not be republished.

New §15.59 is filed simultaneously with the repeal of current §15.59. New §15.59 and the repeal of current §15.59 are necessary to clarify and update the procedures for using alternative methods to renew and obtain duplicate driver licenses and identification certificates.

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, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code and §§521.104, 521.146, and 521.274.

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.



A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter C
Section 15.59

The Texas Department of Public Safety (the department) adopts the repeal of §15.59, concerning Alternate Methods For Driver License Transactions. This repeal is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8536) and will not be republished.

The repeal of §15.59 is filed simultaneously with new §15.59. This repeal and new §15.59 are necessary to clarify and update the procedures for using alternative methods to renew and obtain duplicate driver licenses and identification certificates.

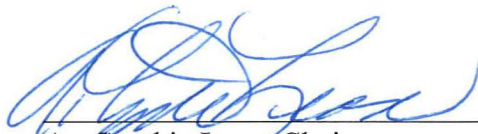
No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code and §§521.104, 521.146, and 521.274.

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.



A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Section 15.36

The Texas Department of Public Safety (the department) adopts amendments to §15.36, concerning Applications for Duplicates and Corrections. This rule is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8536) and will not be republished.

These amendments are necessary to implement the provisions of Transportation Code, §521.183 as added by SB 1934, 84th Legislative Session and to clarify the department's procedure for issuing duplicate driver licenses and identification certificates.

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, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code and §521.183.

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.


A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Section 15.30

The Texas Department of Public Safety (the department) adopts amendments to §15.30, concerning Identification Certificates. This rule is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8535) and will not be republished.

The proposed amendments are necessary to implement the provisions of Texas Transportation Code, §521.101(f)(1) and (2) as amended by SB 1934, 84th Legislative Session and to clarify the procedures for the renewal of an expired identification certificate.

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, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code and §521.101(d) and (f)(1) and (2).

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.


A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

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

The Texas Department of Public Safety (the department) adopts new §15.7, concerning Occupational License (Essential Need). This rule is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8534) and will not be republished.

Proposed new §15.7 is filed simultaneously with the repeal of current §15.7. This proposal and the repeal of current §15.7 are necessary to clarify the procedures for obtaining an occupational license.

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, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code.

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.



A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 15, 2016, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Vehicle Inspection
Title 37 T.A.C. Part I, Chapter 23
Subchapter A
Section 23.5

The Texas Department of Public Safety (the department) adopts amendments to §23.5, concerning Vehicle Inspection Station and Vehicle Inspector Disqualifying Criminal Offenses. This rule is adopted without changes to the proposed text as published in the October 28, 2016 issue of the *Texas Register* (41 TexReg 8538) and will not be republished.

This amendment is necessary to correct an error in a statutory reference contained in §23.5(c).


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 to adopt rules to administer and 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, Section 2001.033.



A. Cynthia Leon, Chair
Public Safety Commission