

MINUTES

Public Safety Commission Meeting

August 22, 2024

Austin, TX

The Public Safety Commission met in Austin, Texas on August 21, 2024, at 10 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Dan Hord III, Larry Long, and Steven Stodghill. A quorum was present.

- I. Call to Order (0:00:01)**
Chairman Mach called the meeting to order at 10 a.m. Proper notice was posted.
- II. Invocation (0:00:30)**
Trooper Trainee Timothy Russell provided the invocation.
- III. Pledges (0:01:30)**
Trooper Jeremy Ellis led the pledge of allegiance to the U.S. and Texas flag.
- IV. Approval of Minutes (0:02:10)**
The minutes of the last regular meeting held on June 13, 2024, were approved.
- V. Presentations (0:02:35)**

25 Year Service Award

Pedro Contreras

Robin Davis

Kevin Magee

Patrick Pena

Christopher Piwonka

30 Year Service Award

Michelle Whitsell

45 Year Service Award

Arturo Lopez

Medal of Valor Award

Mina Gadelkarim

Director's Award

Laura Rogers

Lifesaving & Director's Award

Paul Struve

Andrew Foulds

Lifesaving & Director's Award

Bryan Pena

Brandon Johnson

Lifesaving Award

Garrett Ray

Dakota Kennon

Scott Lewis

Heath Bell

Bryan Dorsey

Shawn Droddy

Freddy Duran

Mike Garza

John Moorman

Stephen Nall

Juan Spivey

Damon Williams

Unit Citation

Bicycle Patrol Unit – Capitol Region

Director's Award, Proclamation from Governor Greg Abbott, and Honorary Texas Ranger

Dale Wainwright

Director's Award

Bryan Lane

Chairman Mach acknowledged attendance of legislative staff. (0:59:20)

VI. Public Comment (1:00:00)

None.

VII. Director's Report

A. Case Update: TREN DE ARAGUA (TDA) Transnational Gang and Impacts on our Border Security (1:00:10)

Criminal Investigations Division Lieutenant Danny Martinez provided a presentation on the Tren de Aragua transnational gang.

B. Operation Lone Star Update (1:35:15)

Director Steven C. McCraw provided an update on Operation Lone Star.

VIII. New Business

A. Report, discussion, and possible action on the 2026-2027 Legislative Appropriations Request, including Exceptional Items (1:49:50)

Chief Financial Officer Suzy Whittenton provided the proposed 2026-2027 legislative appropriations request, including nine exceptional items. A motion was made by Commissioner Blair, seconded by Commissioner Long, to approve the proposed 2026-2027 legislative appropriations request, including nine exceptional items. Motion passed unanimously.

B. Report, discussion, and possible action regarding the proposed Fiscal Year 2025 CAO Internal Audit Strategy (2:09:20)

Chief Auditor Catherine Melvin provided the proposed fiscal year 2025 internal audit strategy. A motion was made by Commissioner Long, seconded by Commissioner Blair, to approve the proposed fiscal year 2025 internal audit strategy. Motion passed unanimously.

Commissioner Hord was designated as the Commission liaison to the Chief Auditor's Office.

C. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision: (2:17:30)

1. SOAH Docket No. 405-24-10457.MVI – Christopher Terry
2. SOAH Docket No. 405-24-10319.MVI – Ibrahim Dost
3. SOAH Docket No. 405-24-11201.MVI – VJ Auto Image
4. SOAH Docket No. 405-24-10327.MVI – Airport Inspections
5. SOAH Docket No. 405-24-10996.MVI – Power Lube
6. SOAH Docket No. 405-24-11202.MVI – Javier Alvarez
7. SOAH Docket No. 405-24-11210.MVI – Horacio Cuevas
8. SOAH Docket No. 405-24-15076.PSB – Peter Loffredo

General Counsel Phillip Adkins presented the proposal for decision for items (1)-(8). 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 VIII(C)(1)-(8) as the final determination of the Public Safety Commission. 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: (2:22:00)

1. Proposed amendments to 37 TAC Sections 6.12, 6.14, and 6.18, concerning Eligibility and Application Procedures for a License to Carry a Handgun
2. Proposed amendments to 37 TAC Section 6.96, concerning First Responder Certification Courses
8. Proposed amendments to 37 TAC Sections 35.5, 35.9, and 35.13, concerning General Provisions

Regulatory Services Division Chief Wayne Mueller presented the rule adoptions for items (1)-(2) and (8). A motion was made by Commissioner Blair, seconded by Commissioner Hord, to adopt the rules under IX(A)(1)-(2) and (8). Motion passed unanimously.

3. Proposed amendments to 37 TAC Sections 15.29, 15.34, and 15.38, concerning Application Requirements – Original, Renewal, Duplicate, Identification Certificates
4. Proposed amendments to 37 TAC Section 15.42, concerning Social Security Number
5. Proposed amendments to 37 TAC Section 15.88, concerning Demand for Surrender of Driver License
6. Proposed amendments to 37 TAC Section 15.118, concerning Clearance Report
7. Proposed amendments to 37 TAC Section 17.1-17.4, 17.6, 17.8, 17.11, 17.13, 17.14, and 17.16, concerning Administrative License Revocation

Driver License Division Chief Sheri Gipson presented the rule adoptions for items (3)-(7). A motion was made by Commissioner Blair, seconded by Commissioner Stodghill, to adopt the rules under IX(A)(3)-(7). 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 (2:30:20)

Director McCraw made a recommendation to appoint Innovation & Data Office Chief Jessica Ballew as Chief of the Information Technology Division and to move the Innovation and Data Office into the Information Technology Division. A motion was made by Commissioner Blair, seconded by Commissioner Long, to appoint Jessica Ballew as the Chief of the Information Technology Division and to move the Innovation and Data Office into the Information Technology Division. Motion passed unanimously.

Director McCraw made a recommendation to appoint Criminal Investigations Division Assistant Chief Matt Hicks as Chief of the Crime Records Division. A motion was made by Commissioner Long, seconded by Commissioner Blair, to appoint Matt Hicks as the Chief of the Crime Records Division. Motion passed unanimously.

Director McCraw made a recommendation to appoint Texas Highway Patrol Division Major Arturo Dela Garza as Regional Director for the South Texas Region. A motion was made by Commissioner Blair, seconded by Commissioner Hord, to appoint Arturo Dela Garza as the Regional Director for the South Texas Region. Motion passed unanimously.

Director McCraw made a recommendation to appoint Criminal Investigations Division Major Kyle Matheson as Assistant Chief of the Criminal Investigations Division. A motion was made by Commissioner Long, seconded by Commissioner Blair, to appoint Kyle Matheson as the Assistant Chief of the Criminal Investigations Division. Motion passed unanimously.

Director McCraw made a recommendation to appoint Regulatory Services Division Program Director Chris Sims as Assistant Chief of the Finance Division. A motion was made by Commissioner Blair, seconded by Commissioner Hord, to appoint Chris Sims as the Assistant Chief of the Finance Division. Motion passed unanimously.

Director McCraw made a recommendation to appoint Crime Records Division Senior Director Loann Garcia as Assistant Chief of the Crime Records Division. A motion was made by Commissioner Blair, seconded by Commissioner Hord, to

appoint Loann Garcia as the Assistant Chief of the Crime Records Division. Motion passed unanimously.

Director McCraw made a recommendation to create an additional Assistant Chief position in the Driver License Division and to appoint Driver License Division Senior Manager Frances Gomez as Assistant Chief of the Driver License Division. A motion was made by Commissioner Blair, seconded by Commissioner Long, to create an additional Assistant Chief position in the Driver License Division and to appoint Frances Gomez as Assistant Chief of the Driver License Division. Motion passed unanimously.

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 (2:41:00)

None.

B. Finance Report (2:41:10)

None.

C. Chief Auditor's Office (2:41:15)

None.

D. Division status reports on activities and action (2:41:20)

None.

XI. Consent Items (2:41:25)

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

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: Adan Ricardo Jeffrey, Donald Bruce Kindred, John Norman Pellizzari, Teresa Perkins, Jason Reyes, Roman Gabriel Rodriguez, and Shanandoah Lyn Webb

C. Donations:

1. Additional donation items, as needed

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

XII. Items for Future Agenda (2:42:20)

None at this time.

XIII. Date for Future Meeting (2:42:30)

Discharge hearings will be scheduled for October 9, 2024; and the regular Public Safety Commission meeting is scheduled for October 10, 2024.

XIV. Adjourn into Executive Session (2:42:40)

Executive Session began at 12:54 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 2:57 p.m. Chairman Steven Mach and Commissioners Nelda Blair, Dan Hord III, Larry Long, and Steven Stodghill were present. A quorum was present. (2:43:05)

XV. Adjourn

The meeting was adjourned at 2:57 p.m.

Read and approved this 10th day of October, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-10457.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY –PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
CHRISTOPHER LEE TERRY, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

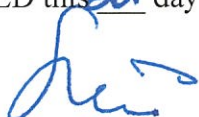
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Christopher Lee Terry’s vehicle inspection certification should be suspended for 12 months ending September 8, 2024.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Christopher Lee Terry is suspended for 12 months ending September 8, 2024.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-10319.MVI

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

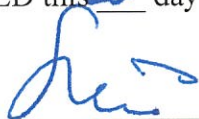
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Ibrahim Dost’s vehicle inspection certification should be suspended for 12 months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Ibrahim Dost is suspended for 12 months.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-11201.MVI

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

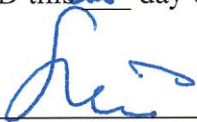
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that VJ Auto Image’s vehicle inspection station certification should be suspended for 12 months ending September 6, 2024.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of VJ Auto Image is suspended for 12 months ending September 6, 2024.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-10327.MVI

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

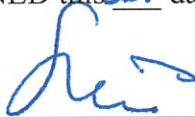
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Airport Inspections’ vehicle inspection station certification should be suspended for 12 months ending July 12, 2024.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Airport Inspections is suspended for 12 months ending July 12, 2024.

SIGNED this 23rd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-10996.MVI

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

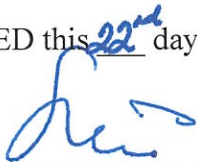
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Power Lube’s vehicle inspection station certification should be suspended for 12 months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Power Lube is suspended for 12 months.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-11202.MVI

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

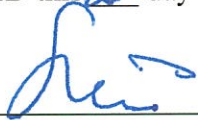
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

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

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Javier Alvarez is revoked.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-11210.MVI

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

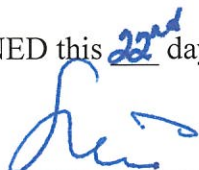
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Horacio Cuevas' vehicle inspection certification should be revoked and a \$250 administrative penalty should be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Horacio Cuevas is revoked and a \$250 administrative penalty is assessed.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-24-15076.PSB

TEXAS DEPARTMENT OF PUBLIC SAFETY –PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
V.	§	STATE OF TEXAS
	§	
PETER SIMON LOFFREDO, APPLICANT	§	PUBLIC SAFETY COMMISSION

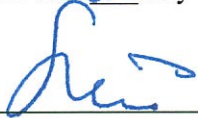
FINAL ORDER

On August 22, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For the purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Peter Simon Loffredo’s noncommissioned security officer license be denied.

IT IS THEREFORE ORDERED that the application for noncommissioned security officer license of Peter Simon Loffredo is denied.

SIGNED this 22nd day of August, 2024.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter B
Sections 6.12, 6.14, and 6.18

The Texas Department of Public Safety (the department) adopts amendments to §§6.12, 6.14, and 6.18, concerning Eligibility and Application Procedures for a License to Carry a Handgun. These rules are adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4741) and will not be republished.

The amendments to §6.12, concerning Fingerprints, remove the peace officer exemption for required electronic fingerprints to comply with current Federal Bureau of Investigation requirements. The amendments to §6.14, concerning Proficiency Requirements, and §6.18, concerning First Responder Certification; Renewal of Certification, make conforming language changes for consistency and remove references to form numbers to allow the department flexibility in consolidating and renumbering forms.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Government Code, §411.1883, which authorizes the department to adopt by rule standards for the first responder training course as authorized in House Bill 1069, 87th Leg., R.S. (2021) and renumbered in House Bill 4595, 88th Leg., R.S. (2023); and Texas Government Code, §411.197, which authorizes the director to adopt rules to administer Subchapter H, License to Carry a Handgun.

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 August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter F
Section 6.96

The Texas Department of Public Safety (the department) adopts amendments to §6.96, concerning First Responder Certification Courses. This rule is adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4742) and will not be republished.

The amendments to §6.96, concerning First Responder Certification Courses make minor changes in terminology to maintain consistency with proposed amendments to §§6.12, 6.14, and 6.18.

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; Texas Government Code, §411.1883, which authorizes the department to adopt by rule standards for the first responder training course as authorized in House Bill 1069, 87th Leg., R.S. (2021) and renumbered in House Bill 4595, 88th Leg., R.S. (2023); and Texas Government Code, §411.197, which authorizes the director to adopt rules to administer Subchapter H, License to Carry a Handgun.

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 August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Sections 15.29, 15.34, and 15.38

The Texas Department of Public Safety (the department) adopts amendments to §§15.29, 15.34, and 15.38, concerning Application Requirements--Original, Renewal, Duplicate, Identification Certificates. These rules are adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4743) and will not be republished.

The proposed amendments implement Senate Bill 1518, 88th Leg., R.S. (2023) and Senate Bill 1527, 88th Leg., R.S. (2023).

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code; Texas Transportation Code, §522.005, which authorizes the department to adopt rules necessary to administer Chapter 522 of the Texas Transportation Code; and Texas Code of Criminal Procedure, Article 65.009, which authorizes the department to adopt any rule necessary to implement Chapter 65.

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 August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Section 15.42

The Texas Department of Public Safety (the department) adopts amendments to §15.42, concerning Social Security Number. This rule is adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4742) and will not be republished.

This amendment complies with changes to the Code of Federal Regulations recently passed by the federal government. This amendment reduces the regulatory burden upon driver license and identification certificate applicants by eliminating the need to provide a document to verify Social Security Number, which is verified with the federal government electronically.

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 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.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter D
Section 15.88

The Texas Department of Public Safety (the department) adopts amendments to §15.88, concerning Demand for Surrender. This rule is adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4746) and will not be republished.

The amendment makes conforming changes necessary to implement House Bill 4528, 88th Leg., R.S. (2023), which removed the requirement that a peace officer take physical control of a person's driver's license for failing or refusing an intoxication test because the suspension may now be done electronically. The rule title has also been renamed "Demand for Surrender."

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; Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code; Texas Transportation Code, §522.005, which authorizes the department to adopt rules necessary to administer Chapter 522 of the Texas Transportation Code; Texas Transportation Code, §524.002, which authorizes the department to adopt rules necessary to administer Chapter 524 of the Texas Transportation Code; and Texas Transportation Code, §724.003, which authorizes the department to adopt rules necessary to administer Chapter 724 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.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter G
Section 15.118

The Texas Department of Public Safety (the department) adopts amendments to §15.118, concerning Clearance Report. This rule is adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4747) and will not be republished.

This amendment modifies the reasonable time to submit a clearance report from five days to two days to accurately reflect the current terms and conditions established in the Memorandum of Understanding (MOU) between the department and courts for the Failure to Appear/Failure to Pay Program.

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; Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code; Texas Transportation Code, §522.005, which authorizes the department to adopt rules necessary to administer Chapter 522 of the Texas Transportation Code; and Texas Transportation Code, §706.012, which authorizes the department to adopt rules to implement Chapter 706 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.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On August 22, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Administrative License Revocation
Title 37 T.A.C. Part I, Chapter 17
Subchapter A
Sections 17.1 - 17.4, 17.6, 17.8, 17.11, 17.13, 17.14, 17.16

The Texas Department of Public Safety (the department) adopts amendments to §§17.1 - 17.4, 17.6, 17.8, 17.11, 17.13, 17.14, and 17.16, concerning Administrative License Revocation. These rules are adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4748) and will not be republished.

The amendments to §§17.1, 17.2, 17.8, 17.11, 17.13, and 17.16 refine administrative driver license revocation procedures and are necessitated by implementation of the electronic filing and service requirements for the State Office of Administrative Hearings related to the appeal of a driver license suspension. The rule title for §17.16 is also renamed "Service on the Department."

The amendments to §§17.3, 17.4, 17.6, and 17.14 make conforming changes necessary to implement House Bill 4528, 88th Leg., R.S. (2023), which removed the requirement that a peace officer take physical control of a person's driver's license for failing or refusing an intoxication test because the suspension may now be done electronically.

Additional changes made to §§17.2, 17.3, 17.4, and 17.13 implement House Bill 1163, 88th Leg., R.S. (2023), which created a new criminal offense for Boating While Intoxicated with a Child Passenger, by simplifying the language so that any new criminal intoxication offenses created related to a driver license suspension are included.

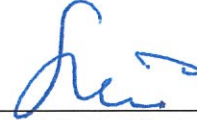
No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code; Texas Transportation Code, §522.005, which authorizes the department to adopt rules necessary to administer Chapter 522 of the Texas Transportation Code; Texas Transportation Code, §524.002, which authorizes the department to adopt rules necessary to administer Chapter 524 of the Texas Transportation Code; and Texas Transportation Code, §724.003, which authorizes the department to adopt rules necessary to administer Chapter 724 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.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On August 22, 2024, 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, 35.9, and 35.13

The Texas Department of Public Safety (the department) adopts amendments to §§35.5, 35.9, and 35.13, concerning General Provisions. These rules are adopted without changes to the proposed text as published in the June 28, 2024, issue of the *Texas Register* (49 TexReg 4753) and will not be republished.

The changes to §35.5, concerning Standards of Conduct, clarify that a company license holder may not use the department's name or insignia in advertisements. The changes to §35.9, concerning Advertisements, exempt publishing the licensee's address in its advertisements when that address is a residence and clarify that business cards constitute advertisements. The changes to §35.13, concerning Drug-Free Workplace Policy, clarify that a sole proprietor must have a drug-free workplace policy.

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), 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

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

Advice and Consent

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

Employee Name	Employee Title/Division	Date of Discharge
Matthew Warren	Trooper Trainee/Training Operations	07/26/2024
Joey Slaughter	Trooper Trainee/Training Operations	07/23/2024
Ashley Gonzalez	Trooper Trainee/Training Operations	07/23/2024
Diana Gutierrez	Trooper Trainee/Training Operations	07/23/2024
Samantha Rios	Trooper Trainee/Training Operations	07/23/2024

Approved:



Steven P. Mach, Chairman
Public Safety Commission

Date: August 22, 2024

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS
August 22, 2024

Special Ranger Applicants:

Name	Division at Ret.	Svc./Station at Ret.	Retire Date	Yrs. of Svc. at Ret.
Jeffrey, Adan Ricardo	THP	Austin-Capitol	05/31/2024	20
Kindred, Donald Bruce	AOD	Del Rio	07/31/2024	28
Pellizzari, John Norman	THP	Decatur	08/31/2008	27
Perkins, Teresa	THP	Houston	07/31/2018	20
Reyes, Jason	THP	San Antonio	05/31/2024	24
Rodriguez, Roman Gabriel	CID	Weslaco	06/30/2024	30
Webb, Shanandoah Lyn	THP	Tyler	06/30/2024	28

Approved by the Public Safety Commission on:



Date:

8/22/24