

**MINUTES
PUBLIC SAFETY COMMISSION
APRIL 10, 2014
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on April 10, 2014. Attending the meeting were Chairman Cynthia Leon, Commissioners Carin Barth, 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 (0:00:04)

The meeting was called to order by Chairman Leon at 9:00 a.m. Proper notice had been posted.

Approval of Minutes (0:00:40)

A motion was made by Commissioner Mach seconded by Commissioner Watson approving the minutes as submitted for February 12 & 13, 2014. Motion passed unanimously.

Public Comment (0:01:11)

None

Directors Report (0:01:19)

A. Presentations

Memorial Cross

Family of Floyd Etheridge

Unit Citation

Education, Training and Research Cafeteria Staff
Waco Regional Laboratory Staff

Director's Citations

Agent Cody Allen, Criminal Investigations Division
Trooper Tanner Purvis, Texas Highway Patrol

Director's Awards

Jacob Crumpton, Richard Doane, and Chad Miller
Ruben Carpentier

Life Saving Award

Trooper James Weaver, Texas Highway Patrol

Service Awards

Herbert Reed – 50 years
Richard Jones – 40 years
Gary Albus – 35 years
Samuel Culpepper – 35 years
Sandra Barrette – 30 years
Barry Bettis – 30 years
David Blackerby – 30 years
Linda Cameron – 30 years
Gary Cornett – 30 years
Richard Diegelman – 30 years
Donald Fleming – 30 years
Archibald Harben – 30 years
James LeBlanc – 30 years
Patricia Mokry – 30 years

(0:47:11) Break 9:46 a.m. – 10:03 a.m.

B. Human Trafficking Initiative (0:47:38)

- Director McCraw submitted public testimony to Congress on human trafficking
- Human trafficking is currently not a reported item in Uniform Crime Reporting (UCR) data
- Hard to determine difference between smuggling and trafficking (human trafficking consists of commercial sex, slavery and child pornography)
- Over 44,000 missing children in Texas and over 440,000 nationally
- Derek Prestridge developed the Interdiction for the Protection of Children Program that has received national recognition
- Texas Crimes Against Children Center established
- Child pornography is a part of human trafficking
- Unaccompanied children coming from Central America and Mexico present a challenge
- Update on April 2nd Fort Hood shooting – THP, Agents and Texas Rangers engaged in tactical sweeps immediately – 60 officers operating in Fort Hood and 27 Rangers assigned to the investigation
- Competencies of DPS is being able to provide tactical operations on the ground immediately, along with technology and Intelligence and Counter Terrorism (ICT)

-John Cohen, Deputy Undersecretary for Intelligence and Counter Terrorism, contacted Director McCraw to compliment the Department on providing the best information to Washington regarding the Fort Hood shootings

Chairman Leon asked if there had been any feedback from the Congressional representatives regarding items not reported on the UCR data. No feedback from the federal partners but Senator Estes' Senate Committee on Agriculture, Rural Affairs & Homeland Security is pursuing the issue as an interim charge.

New Business (1:08:44)

A. Report, discussion, and possible action on exceeding the DPS employee cap

-DD MacBride reported we are closing the gaps in employee vacancies due to the legislative pay increase and recruiting

-August 2014 – we should be down to 124 vacancies

-Need to increase Rangers and Regulatory Services cap (using contract workers)

-DD MacBride is seeking approval from the Commission to submit a letter to the Governor's Office and the Legislative Budget Board to exceed our FTE cap by 300

A motion was made by Commissioner Flores seconded by Commissioner Mach approving submission of letter to the Governor's Office and Legislative Budget Board to exceed the current Department FTE cap by 300. Motion passed unanimously. (Approved letter is attached.)

B. Report, discussion, and possible action on the Annual Year 2015 Operating Budget including Federal Seized Funds (1:16:46)

-AD Hudson is seeking approval of the Annual Year 2015 Operating Budget for \$1 billion for 9,165 FTEs – Operations increased \$27 million due to increase in salaries, consisting of 70% of the budget

-Commissioner Barth requested to see the OIG and CAO budgets before granting approval (Public Safety Commission line item)

-Commissioner Barth suggested adopting audit plan before approving CAO budget

-Chief Auditor Goodson reported his budget (FY 2015) was cut \$123,000

A motion was made by Commissioner Mach seconded by Commissioner Barth to the Annual Year 2015 operating budget with understanding that PSC budget line item consisting of the Office of Inspector General and Chief Auditor's Office will stand as a placeholder subject to review and adjustment. The 2015 internal operating budget as presented and approved is attached. Motion passed unanimously.

D. Report, discussion, and possible action on Chief Auditor's Office budget (1:33:47)

- Requesting detailed proposal for AY 2015 budget
- AD Hudson reported the LAR should be submitted to the PSC in June, with LAR submission due in August (prior to August PSC meeting)
- Chief Auditor Goodson reported a shortfall in 2014 of \$150,100; current turnover is 6 out of 22; seeking approval to hire 5 – 6 staff
- Commissioner Barth suggested the risk assessment be done prior to approving the budget
- Commissioner Mach assigned Chief Auditor Goodson to conduct a salary comparison with other state agencies

A motion was made by Commissioner Mach seconded by Commissioner Flores to approve filling current vacant CAO positions and provide funds to fulfill the AY 2014 budget. Motion passed unanimously.

Director McCraw acknowledged the following individuals who were present at the meeting:

Brady Vaughn – House Appropriations

Tulsi Oberbeck – Senate Finance

John Wielmaker and Rachel Carrera – Legislative Budget Board

Gretchen Essell – Senator Estes –Senate Committee on Agriculture, Rural Affairs & Homeland Security

John Hryhorchuk – Lieutenant Governor's office

C. PSC Direct Report – Employee Evaluation Process/Administrative Supervision (1:58:33)

- General Counsel Adkins reported three positions are direct reports to the Public Safety Commission (Director, Chief Auditor and Inspector General)
- Evaluations to be completed on a yearly basis based on current process: Chair prepares draft supervisory evaluation, discussed in Executive Session for consensus, and prepare final evaluation to be presented at the next PSC meeting

A motion was made by Commissioner Mach seconded by Commissioner Flores approving the employee evaluation process for the three direct report positions. Motion passed unanimously. A copy of the approved process is attached.

E. Report, discussion, and possible action on proposed amendments to Driver License Rule: 37 TAC 15.45, concerning Thumbprints (2:04:56)

AD Peters is seeking approval to publish DL Rule 15.45 to receive public comment.

F. Report, discussion, and possible action on proposed new Driver License Rule: 37 TAC 15.62, concerning Additional Requirements (2:06:27)

AD Peters is seeking approval to publish Rule 15.62 to receive public comment.

A motion was made by Commissioner Flores seconded by Commissioner Watson approving New Business, Items E (Rule 15.45) and F (Rule 15.62) for publication to receive public comment. Motion passed unanimously.

ONGOING BUSINESS

C. Report, discussion, and possible adoption of the following previously published rules (2:09:33)

4. Amendments to 37 TAC Section 15.5, concerning Learner License

AD Peters reported no comments were received regarding Section 15.5.

5. New 37 TAC Section 15.172, concerning Issuance by Counties

AD Peters reported no comments were received regarding Section 15.172.

A motion was made by Commissioner Mach seconded by Commissioner Watson approving New Business, Items C4 (Section 15.5) and C5 (Section 15.172). Motion passed unanimously.

6. Reorganization of 37 TAC Chapter 18, including: repeal of former Chapter 18 and adoption of new Chapter 18, concerning Driver Education

AD Peters requested no action for Chapter 18 until further review as four pages of comments were received after the deadline.

AD Peters provided an Electronic Identification Card (EIC) update:

-265 applications; 246 valid

-As of the March Primary, cost per card was \$3,545

NEW BUSINESS

G. Report, discussion, and possible action on proposed amendments to Vehicle Inspection Rule: 37 TAC 23.41, concerning Passenger (Non-Commercial) Vehicle Inspection Items (2:18:02)

AD Bowie is seeking approval to publish Rule 23.41 to receive public comment.

A motion was made by Commissioner Flores seconded by Commissioner Watson approving Rule 23.41 for publication to receive public comment. Motion passed unanimously.

ONGOING BUSINESS

C. Report, discussion, and possible adoption of the following previously published rules (2:20:29)

11. Reorganization of 37 TAC Chapter 35, including: repeal of former Chapter 35 and adoption of new Chapter 35, concerning Private Security

AD Bowie reported no comments were received regarding Chapter 35.

A motion was made by Commissioner Mach seconded by Commissioner Barth approving the repeal of former Chapter 35 and adoption of new Chapter 35, concerning Private Security. Motion passed unanimously.

NEW BUSINESS

H. Report and discussion regarding Regulatory Services Enforcement (2:22:12)

AD Bowie and Jay Alexander provided a brief on Regulatory Services Enforcement:

- Metal Recycling Entities (MREs) licenses (new and renewals) have increased from 336 in January 2010 to 522 in January 2014
- Licensing and Registration Service – responsible for original licensing and renewals of MREs
- MREs purchase bi-annual licenses (cost of \$500) for each location
- Compliance & Enforcement Service – monitoring and evaluating MREs
- Regulatory Crime Service – provides oversight of all inspections and administrative investigations of MREs; subject matter experts; provide training and work closely with the Recycling Council of Texas to educate the industry regarding statute and rules

ONGOING BUSINESS

A. Report, discussion, and possible action regarding Commission requests for additional auditing to be performed by the Chief Auditor's Office. Updates regarding status of recent CAO activity (2:34:11)

- CAO proposes to add five assurance audits:
 1. Management and Administrative Costs
 2. Sole Source Procurement
 3. Federal Reporting
 4. A-133 Subgrantee Compliance
 5. Payroll Reconciliation
- Request for proposed projects to be removed from current audit plan:
 1. Purchasing and Contracting Processes
 2. Texas Border Security Operations Center (BSOC)
 3. Information Technology Operating Systems
 4. Special Requests 3 of 3 Projects: Not Yet Requested

A motion was made by Commissioner Mach seconded by Commissioner Barth approving the recommended adjustments proposed by the CAO. Motion passed unanimously.

-Four reports were completed since February 2014:

1. Follow-up on Open Recommendations
2. Audit of STEP and EEP Processes in THP and Financial Divisions
3. Regional Compliance Audits Six (6) Projects
4. Cost-Benefit Analysis of the Background Investigation Process (Advisory)

B. Update report, discussion and possible action regarding recruitment (2:40:50)

AD Woodall provided the following update:

- 13th week of training, currently at 114 recruits
- B-2014 applications closed on 4/1/14, received 3,205 applications
- 1,358 applications are currently in the process for the next school (700 – prescreened, 430 fitness & written testing, 134 polygraph, 38 backgrounds and 56 oral board)
- Graduation is scheduled for June 20, 2014

C. Report, discussion, and possible adoption of the following previously published rules (2:43:20)

1. Amendments to 37 TAC Section 1.38, concerning Personnel Complaint Policy

IG Fleming reported no comments were received regarding Section 1.38.

A motion was made by Commissioner Mach seconded by Commissioner Flores approving amendments to Section 1.38, concerning Personnel Complaint Policy. Motion passed unanimously.

2. Amendments to 37 TAC Section 1.58, concerning Release of Information on Victims (2:44:20)

DAD Katherine Cesinger reported no comments were received regarding Section 1.58.

A motion was made by Commissioner Mach seconded by Commissioner Barth approving amendments to Section 1.58, concerning Release of Information on Victims. Motion passed unanimously.

3. Repeal of 37 TAC Section 9.3, concerning Release of Information on Accident Victims (2:45:37)

AD Kidd reported no comments were received regarding Section 9.3.

A motion was made by Commissioner Mach seconded by Commissioner Watson approving repeal of Section 9.3, concerning Release of Information on Accident Victims. Motion passed unanimously.

7. Amendments to 37 TAC Section 27.1, concerning Right of Review (2:46:42)

AD Hearn reported no comments were received regarding Section 27.1.

8. Amendments to 37 TAC Section 27.55 and Section 27.63, concerning Juvenile Justice Information System

AD Hearn reported no comments were received regarding Section 27.55 and Section 27.63.

9. Repeal of 37 TAC Sections 27.81 – 27.89, concerning Texas Help End Auto Theft

AD Hearn reported no comments were received regarding Sections 27.81 – 27.89.

10. Amendments to 37 TAC Section 27.111, concerning Minimum Standards

AD Hearn reported no comments were received regarding Section 27.111.

A motion was made by Commissioner Mach seconded by Commissioner Flores approving Ongoing Business, Items C7 (Section 27.1), C8 (Section 27.55 and 27.63), C9 (Sections 27.81 – 27.89) and C10 (Section 27.111). Motion passed unanimously.

D. 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 (2:49:48)

None.

E. 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 (2:49:54)

None.

F. 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 (2:49:59)

A. Commission member reports and discussion - none

B. Finance Report - none

C. Chief Auditor's Office - none

D. Division status reports on activities and action - none

CONSENT ITEMS (2:50:07)

A. Discussion and possible action on the Director's action of discharging probationary employees: Brittany Trout and Celestina Flores

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: Garry D. Allen, Michael S. Carlson, Ronnie G. Fikes, Jorge J. Flores, Richard K. Fulton, Tom H. Prudom, Jairo A. Saenz and Rudolph O. Zarate; Special Texas Rangers: Jeffery G. Cook, James W. Lewis and Kevin D. Pullen

C. Donations:

1. Additional donation items, as needed - none

A motion was made by Commissioner Barth seconded by Commissioner Mach approving Consent Items A and B. Motion passed unanimously.

ITEMS FOR FUTURE AGENDA (2:51:19)

-CA Goodson and Commissioner Mach to present preliminary audit plan and proposed CAO budget for FY 2015

DATE FOR FUTURE MEETING (2:51:25)

Discharge hearings will be scheduled on June 11, 2014, and the regular Public Safety Commission meeting is scheduled for June 12, 2014.

ADJOURN INTO EXECUTIVE SESSION (2:51:45)

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 12:07 p.m.

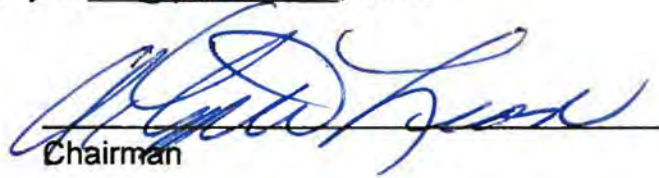
(2:52:24) The Public Safety Commission reconvened this open session at 1:42 p.m. Commissioners present were Chairman Leon, Commissioners Carin Barth, Manny Flores, Steven Mach and Randy Watson.

ADJOURN

A motion was made by Commissioner Barth seconded by Commissioner Mach to adjourn the meeting. Motion passed unanimously.

The meeting was adjourned at 1:43 p.m.

Read and approved this 12th day of June, 2014.


Chairman

TEXAS DEPARTMENT OF PUBLIC SAFETY

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STEVEN C. McCRAW
DIRECTOR
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DEPUTY DIRECTORS



COMMISSION
A. CYNTHIA LEON, CHAIR
CARIN MARCY BARTH
MANNY FLORES
STEVEN P. MACH
RANDY WATSON

April 10, 2014

Ms. Ursula Parks
Executive Director
Legislative Budget Board
P.O. Box 12666
Austin, Texas 78711-2666

Ms. Kathy Walt
Chief of Staff
Office of the Governor
P.O. Box 12428
Austin, Texas 78711

Dear Ms. Parks and Ms. Walt:

Pursuant to G.A.A. 83rd Texas Legislature R.S. Article IX, Section 6.10(b)(2), the Department of Public Safety (DPS) requests permission to exceed its employment cap of 9,165.3 full time equivalent employees (FTEs) by 300 FTEs or 3.2%. Successful recruiting efforts and reduced attrition have put DPS on the path to fill commissioned positions. As of February 2014, commissioned vacancies are 215 (including current recruits) and DPS anticipates vacancies to be approximately 124 at the end of the biennium (see attached chart.)

DPS has relied on commissioned vacancies for the past five years or more to fill non-commissioned positions that support troopers, agents and rangers as well as DPS' licensing programs. In order to provide the maximum service to the state and following legislative guidance, DPS extended driver license office hours in the busiest offices across the state. This could not be done with adding to then existing resources; 132 employees were hired to staff extended hours offices. Additionally, 127 hourly employees were hired to support peak demand times and fill in when other staff absences and vacancies occur. These strategies have helped keep average wait times for renewal and duplicate transactions at 30 minutes or less in many of our largest offices. There are still some parts of the state where average wait times exceed 30 minutes; additional offices and FTEs are needed to address the ever growing demand for service in these areas. See attached charts on driver license wait times and the impact of these changes.

DPS has also authorized 61 additional staff in Regulatory Services (concealed handgun, vehicle inspections, controlled substances, metals and private investigators licensing) and the Rangers' Border Security Operations Center. These functions were previously staffed with contract workers. The agency could not continue to foot the high price of contract workers and maintain the necessary staffing levels to provide service. Contract staff budgets were converted to employee salaries.

As stated above, DPS requests permission to exceed its cap by 300 FTEs; 96 of these FTEs were eliminated during the 83rd Texas Legislature, R.S. when Driver License Improvement Plan funding was restored. Authorizing the additional FTEs means expanded service to driver license customers and cost efficient operations in Regulatory Services and the Border Security Operations Center.

Below is the specific data elements prescribed in the GAA:

Date approved by the Public Safety Commission: *April 10, 2014*

Statement of justification: *DPS is using every opportunity to expand delivery of driver license services to the state and reduce wait times. It is not cost efficient to hire contract labor to staff Regulatory Services and Border Security Operations Center; DPS has now staffed these positions with employees.*

Source of funds: *DPS used existing appropriations for each of these divisions to fund the changes.*

Why functions cannot be performed with existing staffing levels: *Customer volume for DPS licensing programs continues to grow and demand more resources to provide acceptable service levels. 111 FTEs were removed from DPS' cap during the 83rd Regular Session and this has added to the FTE cap strain. DPS has tried to stretch resources to meet customer demand by borrowing vacant law enforcement positions. This is no longer an option as DPS is filling law enforcement vacancies.*

Thank you in advance for consideration of this request to exceed our FTE cap. Please feel free to contact Cheryl MacBride 512.424.2604 cheryl.macbride@dps.texas.gov or Denise Hudson 512.424.7123 denise.hudson@dps.texas.gov if you need further information. Thank you for your consideration of this request.

Sincerely,

Steven C. McCraw
Director

Texas Department of Public Safety
AY 2014 Internal Operating Budget
Positions by Division
As of February 28, 2013



	Commissioned				Non-Commissioned				Total		Subset Federal Funded Positions			
	FTE Cap	Filled	Vacancies	% Vacant	FTE Cap	Filled	Vacancies	% Vacant	FTE Cap	% Vacant	FTE Cap	Filled	Vacancies	% Vacant
Highway Patrol	2,658.0	2,414.0	244.0	9%	498.0	490.0	8.0	2%	3,156.0	8%	315.0	320.0	(5.0)	
Driver License	1.0	1.0	0.0		1,807.0	2,075.0	(268.0)		1,808.0		0.0	0.0	0.0	
Law Enforcement Support	0.0	1.0	(1.0)		927.0	870.0	57.0	6%	927.0	6%	2.0	11.0	(9.0)	
Criminal Investigations	705.0	625.0	80.0	11%	147.0	128.0	19.0	13%	852.0	12%	1.0	1.0	0.0	
Administration	3.0	4.0	(1.0)		423.0	409.0	14.0	3%	426.0	3%	0.0	2.0	(2.0)	
Information Technology	0.0	0.0	0.0		265.0	246.0	19.0	7%	265.0	7%	0.0	0.0	0.0	
DD Law Enforcement	195.0	187.0	8.0	4%	136.0	129.0	7.0	5%	331.0	5%	0.0	0.0	0.0	
Regulatory Services	5.0	4.0	1.0	20%	346.5	359.0	(12.5)		351.5		0.0	0.0	0.0	
Texas Rangers / Local Border	171.0	166.0	5.0	3%	25.0	42.0	(17.0)		196.0		0.0	0.0	0.0	
Executive Office / General Counsel	1.0	1.0	0.0		109.3	97.0	12.3	11%	110.3	11%	0.0	0.0	0.0	
Education Training & Research	48.0	50.0	(2.0)		55.0	53.0	2.0	4%	103.0		0.0	0.0	0.0	
Intelligence & Counter Terrorism	15.0	11.0	4.0	27%	142.0	123.0	19.0	13%	157.0	15%	6.0	7.0	(1.0)	
Chief of Staff / State Admin. Agency	67.0	67.0	0.0		42.0	43.0	(1.0)		109.0		35.0	28.0	7.0	20%
Finance	0.0	0.0	0.0		120.5	108.0	12.5	10%	120.5	10%	10.0	12.0	(2.0)	
TDEM	2.0	3.0	(1.0)		212.0	204.0	8.0	4%	214.0	3%	144.0	157.0	(13.0)	
Public Safety Commission	13.0	17.0	(4.0)		26.0	21.5	4.5	17%	39.0	1%	0.0	0.0	0.0	
Subtotal	3,884.0	3,551.0	333.0	9%	5,281.3	5,397.5	(116.2)		9,165.3	2%	513.0	538.0	(25.0)	
Recruits / Interns & Contractors	0.0	118.0	(118.0)		0.0	96.0	(96.0)							
TOTAL	3,884.0	3,669.0	215.0	6%	5,281.3	5,493.5	(212.2)		9,165.3	0%	513.0	538.0	(25.0)	

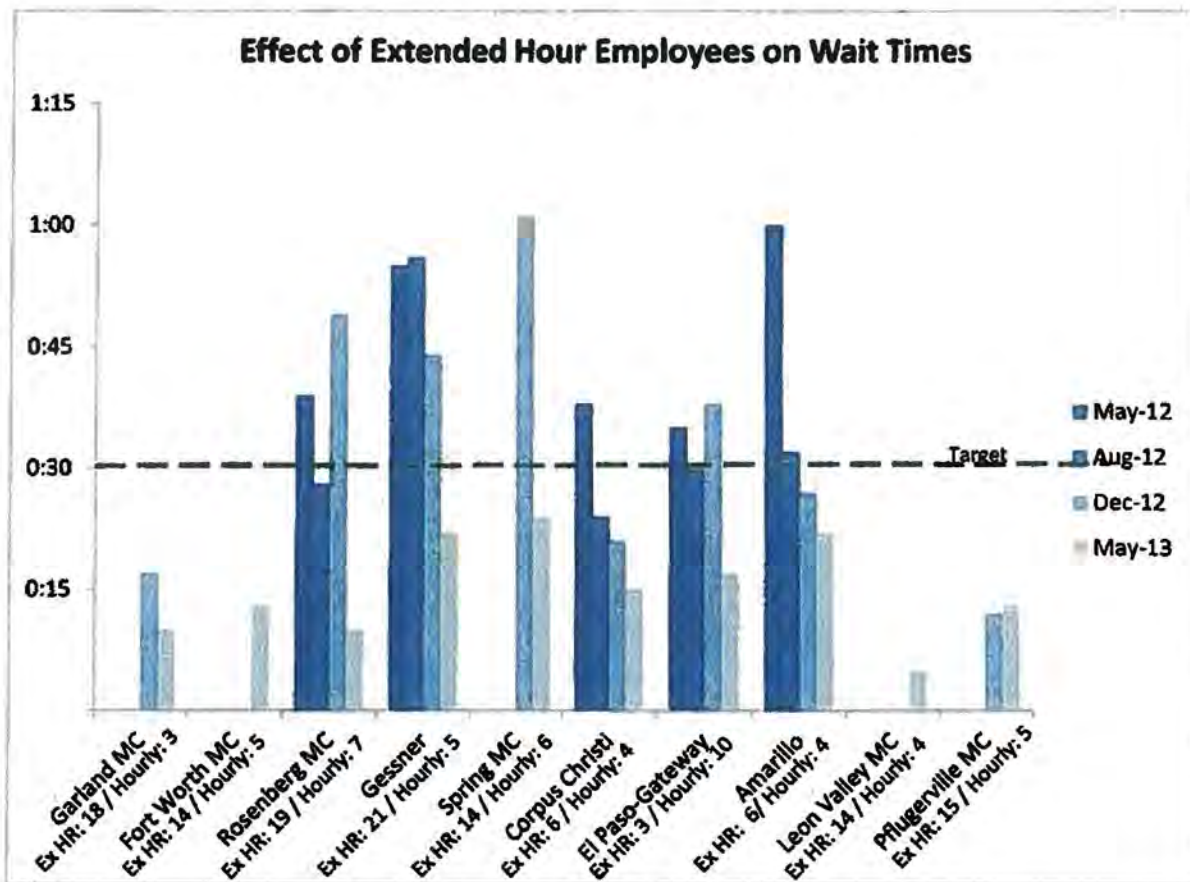
**TEXAS DEPARTMENT OF PUBLIC SAFETY
COMMISSIONED VACANCY PROJECTION**

MONTHLY COMMISSIONED OFFICER ATTRITION														
MONTH	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY2012	FY2013	FY2014	OVERALL AVG.	
SEPTEMBER	4	6	8	5	10	10	15	30	9	10	11	6	10	
OCTOBER	6	13	7	7	19	14	21	11	10	12	12	7	12	
NOVEMBER	3	12	9	12	10	18	13	10	5	13	7	6	10	
DECEMBER	15	7	13	14	13	22	23	12	10	4	14	10	13	
JANUARY	7	7	13	13	11	13	11	6	5	4	10	14	10	
FEBRUARY	6	8	11	13	10	20	12	14	10	10	7	11	11	
MARCH	9	14	11	7	14	9	8	10	15	7	9		10	
APRIL	6	11	10	7	9	21	21	9	10	11	13		12	
MAY	12	9	11	11	12	7	12	12	13	9	11		11	
JUNE	10	16	16	13	18	15	19	8	15	8	4		13	
JULY	3	7	10	20	15	12	13	9	9	11	10		11	
AUGUST	73	20	21	19	46	103	20	18	50	39	19		39	
TOTAL	154	130	140	141	187	264	188	149	161	138	127	54	159	
AVG/MONTH	13	11	12	12	16	22	16	12	13	12	11	9	13	
TYPE OF COMMISSIONED OFFICER ATTRITION														
MONTH	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY2012	FY2013	FY2014	FY03 - FY14 Avg	PERCENTAGE
RESIGNED	49	78	74	93	85	85	70	42	57	50	38	24	65	40.64%
RETIRED	97	43	54	39	91	163	102	98	95	79	71	25	83	52.21%
IAT	2	1	7	2	2	10	9	1	1	1	3	0	3	2.13%
DISCHARGED	6	3	4	2	5	5	7	6	6	6	13	5	6	3.71%
DEATH	0	5	1	5	4	1	0	2	2	2	2	0	2	1.31%
TOTAL	154	130	140	141	187	264	188	149	161	138	127	54	159	100.00%
VACANCY PROJECTION			1/14/2014	3683										
		ATTRITION		-103										
		GRADUATES		108										
		8/31/2014		3688										
		ATTRITION		-144										
		GRADUATES		216										
		8/31/2015		3760										
		FTE CAP		3884										
		VACANT		124										

FTE Proposal: Increase FTE cap for Driver License Division by 400 FTEs

Bottom Line Up Front: This FTE proposal will require zero additional funds to DL's operating budget.

1. Currently, **132** FTEs are assigned to Mega Centers and large offices to support extended hours – a directive from Legislators and DPS leadership. Extended hours provide customers more flexibility to conduct business at a DL office. In the offices where additional FTEs are assigned, those offices have been able to meet the LBB performance target of 30 minute wait times for renewals and replacement transactions. The FTEs have made a huge impact where they are assigned and therefore should be permanently added to DL's FTE cap.



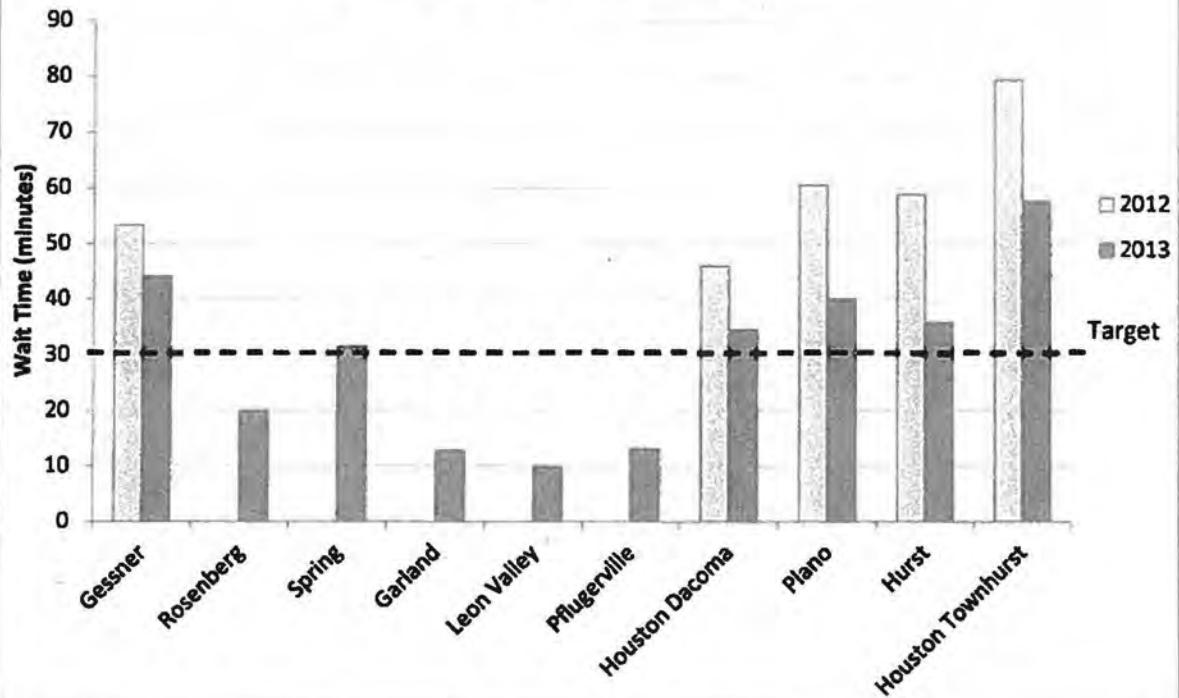
Notes:

1. Based on trends from May 12 – Aug 12, additional FTEs were "loaned" to DL to support extended hours.
2. Extended hours were implemented in two phases: 62 additional FTEs were hired and employed by Nov 2012, and 70 additional FTEs were hired and employed by March 2013.
3. The positive and dramatic effect is reflected in the table above: between Dec 12 and May 13 all locations with additional FTEs met wait time targets for renewal and replacement transactions.

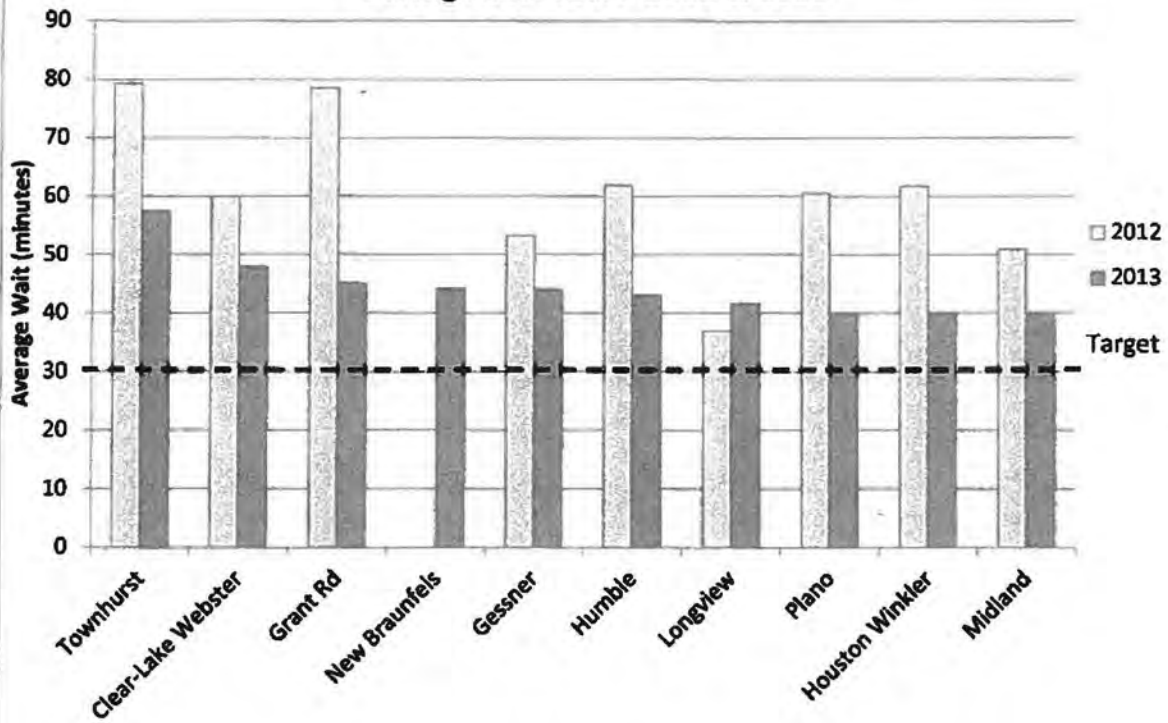
2. Currently, 127 FTEs are used to support DL's Hourly Employee work force. Each of these FTEs support two part-time CSRs, enabling DL Managers and Supervisors to rely on up to 254 additional CSRs to support peak season customer demands. The Hourly Employees typically work in DL offices during summer months, Thanksgiving Holiday week, Christmas and New Year's Holiday period, and during established Spring Breaks set by school districts in their regions. The DL office supervisors have grown reliant on the "surge" capacity to support high transaction volume periods. The distribution of these 254 positions is state wide. For the large offices and Mega Centers, the hourly work force is reflected in the table above.

3. The Customer Service Center requires 107 FTEs to be added to DL's FTE cap. Ninety-six (96) of the 107 FTEs are reinstated structure that was removed during last session. Eleven (11) of the 107 FTEs are currently assigned to the CSC as augments to support the high call volume. The CSC is a valuable element of serving customers, and DL will seek additional FTE structure to the CSC as an exceptional item for the next session. For now, DL allocates 121 FTEs to the Customer Service Center – only 14 of which are authorized to DL within the current FTE cap, and 107 are "loaned" from the Agency.

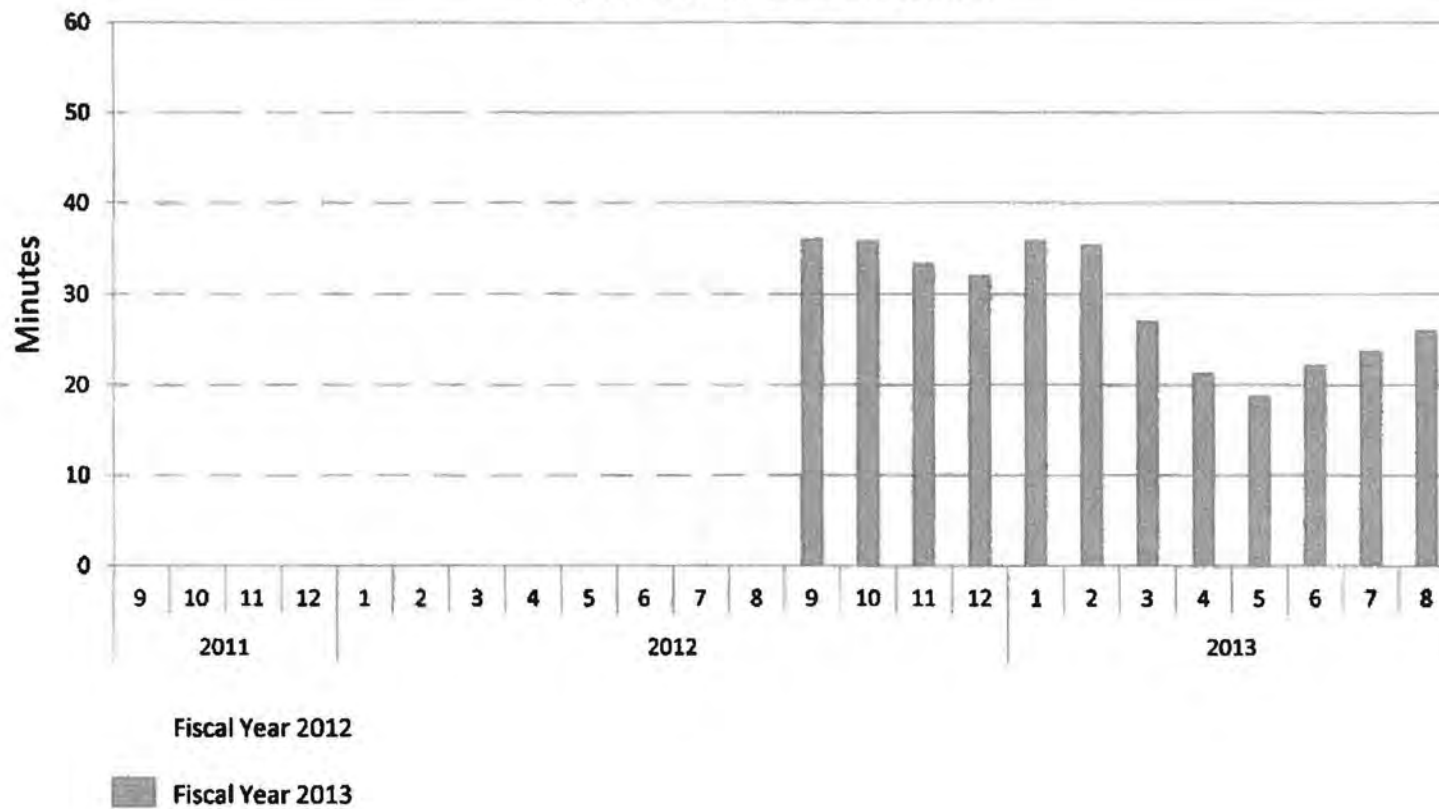
Top 10 offices (by Volume)
Average Wait Time: Renewal and Replacement Only
During Fiscal Years 2012 & 2013

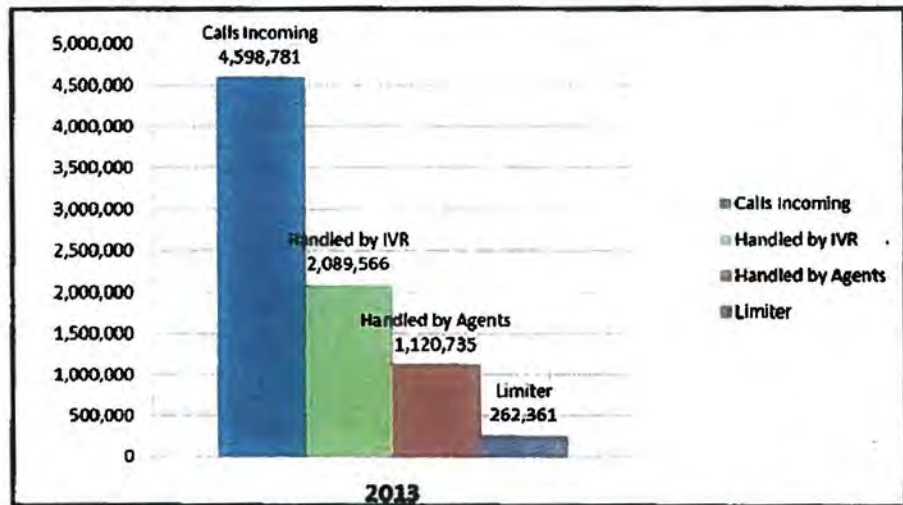
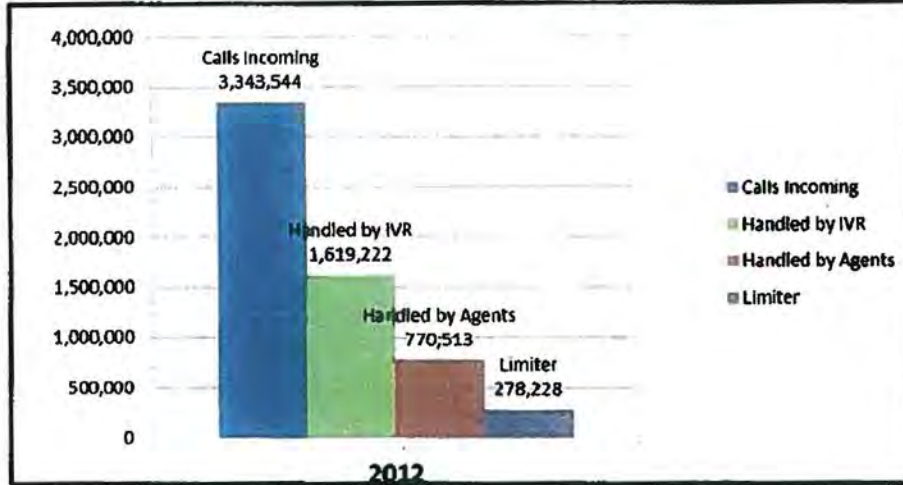


**Top 10 offices with Longest Wait Times
Renewal and Replacement Only
During Fiscal Years 2012 & 2013**



Average Renewal and Replacement Wait Time By Month FY 2012-2013





**Texas Department of Public Safety
AY 2015 Internal Operating Budget**

	<u>AY 2012</u>	<u>AY 2013</u>	<u>AY 2014</u>	<u>AY 2015</u>
Operations	\$ 634,915,874	\$ 633,264,203	\$ 670,339,475	\$ 697,361,566
<i>Restricted Funds:</i>				
Federal Fund & IACs	838,879,855	1,145,588,338	647,201,644	309,593,897
Rider 2 Capital Budget	<u>113,291,609</u>	<u>38,692,283</u>	<u>95,234,343</u>	<u>59,729,443</u>
TOTAL	\$ 1,587,087,338	\$ 1,817,544,824	\$ 1,412,775,462	\$ 1,066,684,906
 FTEs	 8,931.8	 9,180.8	 9,165.3	 9,165.3

	<u>AY 2012</u>	<u>AY 2013</u>	<u>AY 2014</u>	<u>AY 2015</u>
METHOD OF FINANCE				
Federal Funds & Inter-Agency Contracts	\$ 839,202,584	\$ 1,139,863,465	\$ 643,664,358	\$ 303,120,978
State Highway Fund 006	527,322,376	534,679,104	540,482,380	564,298,683
Operator's & Chauffeur GR-D Account 099	69,673,070	69,284,569		
General Revenue Fund 001	65,209,870	37,955,371	163,636,728	157,841,542
Appropriated Receipts & State Seized	27,400,922	23,923,922	28,837,264	28,837,264
General Obligation Bonds	47,580,379	-	24,429,860	
Federal Seized Fd 0222	<u>10,698,137</u>	<u>11,838,393</u>	<u>11,724,872</u>	<u>12,586,439</u>
TOTAL	\$ 1,587,087,338	\$ 1,817,544,824	\$ 1,412,775,462	\$ 1,066,684,906

Note 1: 83rd Legislature, HB 1025 will swap \$134,750,000 of State Highway Funds in AY 2012/13 with General Revenue.

Note 2: Art IX, Sec. 17.16 will swap \$65,250,000 of State Highway Funds in AY 2014 with General Revenue.

Note 3: Art IX, Sec. 17.16 will swap \$200,000,000 of State Highway Funds in AY 2015 with General Revenue.

**Texas Department of Public Safety
AY 2015 Internal Operating Budget
OPERATIONS by Division**

	AY 2012	AY 2013	AY 2014	Legislative Salary Increases	Reallocate Overtime	Transfer & Add'l Approp.	Exceptional Item Changes	AY 2015
Highway Patrol (THP)	\$ 196,131,994	\$ 193,466,323	\$ 186,876,049	\$ 12,288,393	\$ 11,553,215	\$ (719,003)	\$ (640,680)	\$ 209,357,974
Driver's License (DL)	102,624,210	110,482,654	110,281,823	1,230,868	(424,533)	(5,975,256)	1,174,532	106,287,434
Law Enforcement Support (LES)	68,324,349	68,341,716	76,009,339	526,501	(282,487)	-	(253,658)	75,999,695
Criminal Investigations (CID)	62,453,662	61,563,047	58,804,362	4,617,195	1,158,596	5,762,715	-	70,342,868
Information Technology (IT)	39,471,071	37,885,498	30,583,873	164,160	(641,897)	-	-	30,106,136
Administration (Admin)	28,595,373	27,614,407	22,144,697	281,900	(93,073)	24,561	(92,698)	22,265,387
DD Law Enforcement (LE)	30,465,876	29,736,387	29,604,196	1,302,678	239,076	(820,545)	-	30,325,405
Regulatory Services (RSD)	30,267,857	30,395,897	27,354,862	253,483	74,615	(5,673,901)	-	22,009,059
Texas Rangers / Local Border	20,653,502	27,222,023	26,122,667	1,185,159	372,661	(4,732,037)	(12,682)	22,935,768
DD Homeland Security	18,159,763	5,007,123	6,930,839	436,541	128,412	5,212,918	-	12,708,710
Executive Office (EO)	8,203,098	11,601,009	7,313,376	67,010	(62,225)	(41,505)	(38,455)	7,238,201
Intelligence & Counter Terrorism (ICT)	7,984,565	8,168,053	7,936,572	146,969	(92,275)	-	-	7,991,266
Finance	5,614,688	5,508,345	5,674,865	67,213	(78,751)	292,220	-	5,955,547
Public Safety Commission (PSC)	4,018,312	4,046,994	3,516,756	118,324	16,853	(318,636)	-	3,333,297
Education, Training, and Research (ETR)	8,283,398	8,923,842	13,776,036	496,206	60,029	1,199,638	-	15,531,909
TDEM	3,664,156	3,300,885	4,689,491	32,313	(68,347)	168,299	-	4,821,756
Deferred Maintenance			9,266,148	-	-	(753,419)	-	8,512,729
Pooled Cost			25,062,668	-	-	5,975,256	-	31,037,924
Reserve			18,390,856	4,549,089	(11,859,869)	448,255	(927,830)	10,600,501
TOTAL	\$ 634,915,874	\$ 633,264,203	\$ 670,339,475	\$ 27,764,002	\$ -	\$ 49,560	\$ (791,471)	\$ 697,361,566
2015 Reserve includes:								
Salary Savings	\$ 4,598,649							
Fuels	1,529,023							
OT	2,758,837							
Other Operating	1,713,992							
	<u>\$ 10,600,501</u>							
Pooled Cost includes:								
Utilities	\$ 11,457,286							
Rent- Building & Other	8,433,285							
0.5% Retirement	2,440,412							
Other Operating	8,706,941							
	<u>\$ 31,037,924</u>							

**Proposed Evaluation Process of Positions Reporting
Directly to the Public Safety Commission**

Statutory Background

Three positions within the Department are appointed by and report directly to the Public Safety Commission. *See* Texas Government Code § 411.005 regarding the Director, Texas Government Code 411.254 regarding Inspector General and Texas Government Code 411.242 regarding Chief Auditor.

The Commission has not formally established an evaluation process for these positions. The following is a proposal for discussion purposes regarding the establishment of such a process.

Proposed PSC Direct Report Evaluation Procedure

- a. The Public Safety Commission will conduct annual evaluations of the Director, the Inspector General and the Chief Auditor. Employee performance will be evaluated on the basis of a calendar year and a completed performance evaluation form will be presented to the employee as soon as practical after the end of each annual evaluation period.
- b. The Commission will use the Performance Evaluation form used for department supervisors as referenced in Chapter 7 of the DPS General Manual. (Form PEP-0002E, See attached.)
- c. The Chairman of the Public Safety Commission will prepare a draft evaluation of each employee to be presented to the Public Safety Commission for purposes of deliberation. As a personnel matter this matter may be taken up by the Commission in a closed session. *See* Texas Government Code § 551.074.
- d. After the Commission's deliberations the Chair will prepare a final evaluation. If they choose, individual Commissions may prepare addendums to be attached to the final evaluation. The Chairman will sign the performance evaluation form and individual commissioners will sign addendums, if any.
- e. The final evaluation with addendums will be presented to and discussed with the employee. As a personnel matter this matter may be taken up by the Commission in a closed session. *See* Texas Government Code § 551.074.
- f. Employees may provide a written rebuttal or explanation to the Commission. The final evaluation with addendums and any rebuttal will be maintained in the employee's personnel file.
- g. The employee evaluation process including drafting, deliberation and presentation to the employee may occur over the course of multiple Public Safety Commission meetings.
- h. Nothing in this procedure creates an enforceable right in any employee and each PSC direct report serves at the pleasure of the Public Safety Commission.

General Counsel

The position of General Counsel will be evaluated annually by the Director. The Director will seek individual input from Commissioners to include in the evaluation. Commissioners may provide an individual addendum to the Director to be included in the evaluation of the General Counsel.



Texas Department of Public Safety Performance Evaluation Supervisor

Mission: Protect and Serve Texas

Goals:

- Combat Crime & Terrorism
- Enhance Public Safety
- Enhance State-wide Emergency Management
- Enhance Licensing & Regulatory Services

PART 1: Employee Information

a. Employee's Name (Last, First, Initial):

b. Last Four of Employee's SSN:

c. I.D. No.:

d. Position:

e. Division:

f. Region/District/Co:

g. Section/Bureau:

h. Type of Evaluation: ☐ Annual ☐ Probationary ☐ Close-out ☐ Special

i. Period Covered: From _____ **To** _____

j. Date filed by HR:

Name (Last, First, Initial): _____ Last Four of Employee's SSN: _____

PART 2: Job Duties (Comments required for each evaluated Job Duty)

a. Job Duty 1: Leadership Performance Rating: <input type="checkbox"/> Exemplary <input type="checkbox"/> Skilled/Effective <input type="checkbox"/> Competent <input type="checkbox"/> Marginal <input type="checkbox"/> Ineffective Comments:
b. Job Duty 2: Interpersonal Skills Performance Rating: <input type="checkbox"/> Exemplary <input type="checkbox"/> Skilled/Effective <input type="checkbox"/> Competent <input type="checkbox"/> Marginal <input type="checkbox"/> Ineffective Comments:
c. Job Duty 3: Communication Performance Rating: <input type="checkbox"/> Exemplary <input type="checkbox"/> Skilled/Effective <input type="checkbox"/> Competent <input type="checkbox"/> Marginal <input type="checkbox"/> Ineffective Comments:

Name (Last, First, Initial): _____ Last Four of Employee's SSN: _____

PART 2: Job Duties (Comments required for each evaluated Job Duty)

d. Job Duty 4: Liaison

Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

e. Job Duty 5: Job Knowledge

Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

f. Job Duty 6: Planning and Organizing

Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

Name (Last, First, Initial): _____ Last Four of Employee's SSN: _____

PART 2: Job Duties (Comments required for each evaluated Job Duty)

g. Job Duty 7: Delegation

Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

h. Job Duty 8: Problem Solving/Judgment

Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

i. Job Duty 9: Flexibility/Adaptability

Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

Name (Last, First, Initial): _____ Last Four of Employee's SSN: _____

PART 2: Job Duties (Comments required for each evaluated Job Duty)

j. Job Duty 10: Initiative	
Performance Rating:	
<input type="checkbox"/> Exemplary	<input type="checkbox"/> Skilled/Effective
<input type="checkbox"/> Competent	<input type="checkbox"/> Marginal
<input type="checkbox"/> Ineffective	
Comments:	

k. Job Duty 11: Accountability	
Performance Rating:	
<input type="checkbox"/> Exemplary	<input type="checkbox"/> Skilled/Effective
<input type="checkbox"/> Competent	<input type="checkbox"/> Marginal
<input type="checkbox"/> Ineffective	
Comments:	

Name (Last, First, Initial): _____ Last Four of Employee's SSN: _____

PART 2: Job Duties (Comments required for each evaluated Job Duty)

Overall Performance Rating:

☐ Exemplary ☐ Skilled/Effective ☐ Competent ☐ Marginal ☐ Ineffective

Comments:

Parameters for Overall Performance Rating

1. An Ineffective rating for any job skill requires an overall Ineffective rating.
2. An Marginal rating for any job skill requires an overall Marginal rating (unless #1).
3. The same rating in greater than 50% of total job skills requires that rating as the overall rating (unless #1 or #2).
4. When there is no majority in any one rating category, the rating that represents the average should be selected (unless #1 or #2) (Ex: three Exemplary/two Skilled/four Competent, equals an overall Skilled rating). If the average is exactly halfway between two categories, the lower category should be selected (unless #1 or #2) (Ex. five Skilled/five Competent, equals an overall Competent rating).

Name (Last, First, Initial): _____ Last Four of Employee's SSN: _____

PART 3: Signatures & Comments

EMPLOYEE

I certify that this performance evaluation has been discussed with me. I understand that my signature does not necessarily indicate agreement.

Employee's Signature: _____ Date: _____

Printed Name: _____

Employee comments (optional)

☐ Please check box if attaching additional pages

SUPERVISOR

I certify that this performance evaluation represents my best judgment of the employee's performance.

Supervisor Signature: _____ Date: _____

Printed Name: _____

Supervisor comments

(This space is reserved for responding to any employee comments. It is not used for general comments.)

☐ Please check box if attaching additional pages

REVIEWER

I have read and approved this performance plan.

Reviewer: _____ Date: _____

Printed Name: _____

Reviewer comments (optional)

☐ Please check box if attaching additional pages

In Line Review: _____ Date: _____

Printed Name: _____

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(f), 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 these employees:

Employee Name	Employee Title/Division	Date of Discharge
Brittany Trout	Customer Service Analyst/Driver License Division	02/11/14
Celestina Flores	Customer Service Representative/Driver License Division	02/28/14

Approved.

A. Cynthia Leon, Chair
Public Safety Commission
Date: April 10, 2014

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS
April 10, 2014




Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Allen, Garry D.	THP	CVE/Weatherford	02/28/14	26 years	
Carlson, Michael S.	THP	CVE/Lubbock	02/28/14	26 years	
Fikes, Ronnie G.	THP	CVE/Beaumont	03/31/08	29 years	
Flores, Jorge J.	THP	CVE/Harlingen	12/31/13	25 years	
Fulton, Richard K.	CID	Athens	01/03/14	25 years	
Prudom, Tom H.	THP	HP/Waxahachie	08/31/03	23 years	
Saenz, Jairo A.	CID	San Antonio	02/28/14	24 years	
Zarate, Rudolph O.	THP	HP/San Antonio	08/31/02	28 years	

Special Texas Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Cook, Jeffery G.	Texas Rangers	Richmond	12/31/07	23 years	
Lewis, James W.	Texas Rangers	Del Rio	01/31/14	23 years	
Pullen, Kevin D.	Texas Rangers	Huntsville	04/30/13	24 years	

Approved by the Public Safety Commission on:

 Date: 4/10/14

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Organization and Administration
Title 37 T.A.C. Part I, Chapter 1
Subchapter C
Section 1.38

The Texas Department of Public Safety (the department) adopts proposed amendments to Section 1.38, concerning Personnel Complaint Policy. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1681) and will not be republished.

Pursuant to Texas Government Code, Section 2001.039, the department reviewed this chapter and determined an update to this rule was necessary to reflect current office titles and addresses. Additional non-substantive changes were made to correct formatting errors in this section.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.006(4), which authorizes the director to adopt rules, subject to commission approval, considered necessary for the control of the department, and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Organization and Administration
Title 37 T.A.C. Part I, Chapter 1
Subchapter D
Section 1.58

The Texas Department of Public Safety (the department) adopts proposed amendments to Section 1.58, concerning Release of Information on Victims. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1682) and will not be republished.

In an effort to exercise courtesy and respect for human life, these amendments clarify department policy concerning notifying the next of kin of any victim who has died or been seriously injured, before releasing the victim's name to the news media.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Public Safety Communications
Title 37 T.A.C. Part I, Chapter 9
Subchapter A
Section 9.3

The Texas Department of Public Safety (the department) adopts the repeal of Section 9.3, concerning Release of Information on Accident Victims. This section is repealed without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1683) and will not be republished.

This repeal was filed simultaneously with the proposal amending Section 1.58, concerning Release of Information on Victims. The language in Section 9.3 is substantially similar and duplicative of the language found in Section 1.58; therefore the repeal of Section 9.3 is necessary.

No comments were received regarding the adoption of this repeal.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work.

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 handwritten signature in black ink, appearing to read 'Cynthia Leon', is written over a horizontal line.

A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On April 10, 2014, 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 15.5

The Texas Department of Public Safety (the department) adopts the amendments to Section 15.5, concerning Learner License. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1684) and will not be republished.

Pursuant to Texas Government Code, Section 2001.039, the department reviewed this chapter and determined an update to this rule was necessary to reflect the current requirements as determined by Texas Transportation Code, Section 521.223. This rule amendment removes the reference to minor restricted driver license (MRDL) or hardship license and clarifies that a learner license may be issued to applicants over 18 years of age.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section; and Texas Transportation Code, Section 521.223.

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 April 10, 2014, 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 K
Section 15.172

The Texas Department of Public Safety (the department) adopts new Section 15.172, concerning Issuance by Counties. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1684) and will not be republished.

Texas Transportation Code, Section 521.008 authorizes the department to create a pilot program allowing the issuance of renewal and duplicate driver licenses, election identification certificates, and personal identification certificates by certain counties. This new rule creates a program wherein the department may enter into memoranda of understanding with counties that meet the pilot program criteria.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Texas Transportation Code, Section 521.008(d), which authorizes the department to adopt rules to administer this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Crime Records
Title 37 T.A.C. Part I, Chapter 27
Subchapter A
Section 27.1

The Texas Department of Public Safety (the department) adopts proposed amendments to Section 27.1, concerning Right of Review. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1692) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined an update to this rule was necessary to reflect current procedures for the personal review of criminal history record information. Additional non-substantive changes were made to correct formatting errors in this section.


No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Section 411.083(b)(3), which requires the department to grant access to criminal history record information to the person who is the subject of the information; Section 411.086, which requires the department to adopt rules that provide for a uniform method of requesting criminal history record information from the department; and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Crime Records
Title 37 T.A.C. Part I, Chapter 27
Subchapter E
Section 27.55 and Section 27.63

The Texas Department of Public Safety (the department) adopts proposed amendments to Section 27.55 and Section 27.63, concerning Juvenile Justice Information System. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1694) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined an update to these sections were necessary to remove references to the Texas Youth Commission (TYC). On December 1, 2011, the Texas Youth Commission was abolished and the Texas Juvenile Justice Department (TJJD) was created. Amendments replace the reference to TYC with TJJD. Additional amendments in Section 27.63 are necessary to add the ability to release juvenile justice data to a county, justice, and a municipal court exercising jurisdiction over a juvenile pursuant to Texas Family Code, Section 54.021.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.006(4), which authorizes the director to adopt rules, subject to commission approval, considered necessary for the control of the department, and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section; and Texas Family Code, Sections 58.001 - 58.113.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Crime Records
Title 37 T.A.C. Part I, Chapter 27
Subchapter G
Sections 27.81 – 27.89

The Texas Department of Public Safety (the department) adopts the repeal of Sections 27.81 – 27.89, concerning Texas Help End Auto Theft. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1695) and will not be republished.

Pursuant to Texas Government Code, Section 2001.039, the department reviewed this chapter and determined the reasons for initially adopting these rules no longer exist. The Texas Help End Auto Theft program is no longer in operation at the department; therefore, this subchapter is obsolete.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Government Code, Section 411.006(4), which authorizes the director to adopt rules, subject to commission approval, considered necessary for the control of the department, and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Crime Records
Title 37 T.A.C. Part I, Chapter 27
Subchapter I
Section 27.111

The Texas Department of Public Safety (the department) adopts the proposed amendments to Section 27.111, concerning Minimum Standards. This section is adopted without changes to the proposed text as published in the March 7, 2014 issue of the *Texas Register* (39 TexReg 1696) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined an update to this rule was necessary to remove an invalid link and make additional non-substantive changes for clarity and conformity.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Government Code, Section 411.006(4), which authorizes the director to adopt rules, subject to commission approval, considered necessary for the control of the department, and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Section 35.1

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.1, concerning Definitions. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 584) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter B
Sections 35.11 – 35.14

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.11 – 35.14, concerning Prohibitions. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 585) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter C
Sections 35.31, 35.32, 35.34 – 35.43, 35.45 – 35.47

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.31, 35.32, 35.34 – 35.43, and 35.45 – 35.47, concerning Standards. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 585) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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 35.51

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.51, concerning Stay of Summary Suspension. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 586) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.60 – 35.78

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.60 – 35.78, concerning General Administration and Examinations. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 587) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter F
Sections 35.91 – 35.97

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.91 – 35.97, concerning Administrative Hearings. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 587) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter H
Section 35.131

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.131, concerning Welfare Requirements. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 588) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.141 – 35.146

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.141 – 35.146, concerning Commissioned Security Officers. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 589) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter J
Sections 35.161 – 35.163

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.161 – 35.163, concerning Personal Protection Officers. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 589) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter K
Section 35.171 and Section 35.172

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.171 and Section 35.172, concerning Letters of Authority. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 590) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.181, 35.183, 35.184, 35.186, 35.187

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.181, 35.183, 35.184, 35.186, and 35.187, concerning General Registration Requirements. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 591) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.201 – 35.205

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.201 – 35.205, concerning Company Records. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 591) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter N
Section 35.221 and Section 35.222

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.221 and Section 35.222, concerning Company License Qualifications. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 592) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter O
Sections 35.231 – 35.233

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.231 – 35.233, concerning Fees. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 593) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter P
Section 35.242

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.242, concerning Investigations Related to Unclaimed Property. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 593) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter Q
Sections 35.251 - 35.268

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.251 – 35.268, concerning Training. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 594) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter R
Section 35.281

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.281, concerning Training – Personal Protection Officers. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 595) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter S
Section 35.291 and Section 35.292

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.291 and Section 35.292, concerning Continuing Education. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 595) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter T
Section 35.301

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.301, concerning Delegation of Board Authority to Bureau Manager. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 596) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter U
Sections 35.311 - 35.313

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.311 – 35.313, concerning Locksmith. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 597) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter V
Sections 35.321 – 35.323

The Texas Department of Public Safety (the department) adopts the repeal of Sections 35.321 – 35.323, concerning Active Military and Spouses – Special Conditions. This repeal is adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 597) and will not be republished.

This subchapter was proposed for repeal simultaneously with the proposal of new Chapter 35, for the purpose of reorganizing, updating, and clarifying the rules governing the Private Security Program.


No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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 35.1 – 35.13

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.1 – 35.13, concerning General Provisions. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 598) and will not be republished.

This new subchapter was proposed simultaneously with the repeal of current Subchapter A consisting of Section 35.1. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter B
Sections 35.21 – 35.29

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.21 – 35.29, concerning Registration and Licensing. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 602) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter B consisting of Sections 35.11 - 35.14. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter C
Sections 35.41 – 35.43

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.41 – 35.43, concerning Manager Standards. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 604) and will not be republished.

This new subchapter is filed simultaneously with the repeal of current Subchapter C consisting of Sections 35.31, 35.32, 35.34 - 35.43, and 35.45 - 35.47. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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 35.51 and Section 35.52

The Texas Department of Public Safety (the department) adopts the proposed new Section 35.51 and Section 35.52, concerning Disciplinary Actions. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 605) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter D consisting of Section 35.51. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.61 – 35.65

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.61 – 35.65, concerning Administrative Hearings. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 606) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter E consisting of Sections 35.60 - 35.78. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter F
Sections 35.81 – 35.83

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.81 – 35.83, concerning Commissioned Security Officers. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 607) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter F consisting of Sections 35.91 - 35.97. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter G
Sections 35.91 – 35.93

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.91 – 35.93, concerning Personal Protection Officers. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 608) and will not be republished.

The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter H
Section 35.101 and Section 35.102

The Texas Department of Public Safety (the department) adopts the proposed new Section 35.101 and Section 35.102, concerning Letter of Authority. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 609) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter H consisting of Section 35.131. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

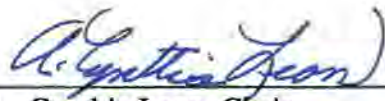
No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.111 – 35.113

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.111 – 35.113, concerning Company Records. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 610) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter I consisting of Sections 35.141 - 35.146. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter J
Sections 35.121 – 35.123

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.121 – 35.123, concerning Special Company License Qualifications. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 611) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter J consisting of Sections 35.161 - 35.163. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter K
Section 35.131 and Section 35.132

The Texas Department of Public Safety (the department) adopts the proposed new Section 35.131 and Section 35.132, concerning Fees. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 613) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter K consisting of Section 35.171 and Section 35.172. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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
Sections 35.141 – 35.147

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.141 – 35.147, concerning Training. These sections are adopted with changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 614) and will be republished. A formatting error was corrected in Section 35.147, concerning Certificates of Completion and Training Records. Section 35.147(b)(2)(F) was changed to Section 35.147(b)(2)(E).

This new subchapter is proposed simultaneously with the repeal of current Subchapter L consisting of Sections 35.181, 35.183, 35.184, 35.186, and 35.187. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, 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 the proposed new Section 35.161 and Section 35.162, concerning Continuing Education. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 617) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter M consisting of Sections 35.201 - 35.205. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter N
Sections 35.171 – 35.173

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.171 – 35.173, concerning Exemptions. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 619) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter N consisting of Section 35.221 and Section 35.222. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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 April 10, 2014, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security
Title 37 T.A.C. Part I, Chapter 35
Subchapter O
Sections 35.181 – 35.184

The Texas Department of Public Safety (the department) adopts the proposed new Sections 35.181 – 35.184, concerning Active Military and Spouses – Special Conditions. These sections are adopted without changes to the proposed text as published in the February 7, 2014 issue of the *Texas Register* (39 TexReg 620) and will not be republished.

This new subchapter is proposed simultaneously with the repeal of current Subchapter O consisting of Sections 35.231 - 35.233. The proposed new subchapter is intended to reorganize, update, and consolidate the rules governing the private security program and to generally improve the clarity of the related rules.

No comments were received regarding the adoption of this proposal.

This proposal is adopted pursuant to Texas Occupations Code, Section 1702.061(b), which authorizes the board to adopt rules to guide the agency in the administration of this chapter and Texas Government Code, Section 2001.039 which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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