

MINUTES
PUBLIC SAFETY COMMISSION
December 21, 2017
AUSTIN, TX

The Public Safety Commission met in Austin, Texas on December 21, 2017. Attending the meeting were Chairman Steven Mach, Commissioners Cynthia Leon, Jason Pulliam, and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

CALL TO ORDER (0:00:12)

The meeting was called to order by Chairman Mach at 10:01 a.m. Proper notice had been posted.

APPROVAL OF MINUTES (0:00:48)

A motion was made by Commissioner Leon, seconded by Commissioner Watson, approving the minutes from the Public Safety Commission meeting held October 12, 2017. Motion passed unanimously.

Chairman Mach recognized the tragic loss of Troopers Thomas Nipper and Damon Allen and issued a moment of silence for the families.

PRESENTATIONS (0:01:56)

Certificate of Recognition – presented by Sergeant Terry Jacklin, Royal Canadian Mounted Police

Nick Hanna – Texas Ranger

Randall Prince – Texas Ranger Division Director

Service Awards

Wendy Schmidt – 30 years

Elizabeth “Betty” Kostecka – 30 years

Fernando Aguilar Jr. – 35 years

Antonio Rico Jr. – 35 years

Jacquelyn Muehlbrad – 40 years

John Tucker III – 40 years

Alfonso Jarero Jr. – 40 years

Texas Flag Presentation

Family of Barbara Ann Jenkins

Lifesaving Award

Trooper James Glaze

Director's Award

Officer Penelope Bernal – Dallas Police Department
Corporal Charles Jeffers – Dallas Police Department

Purple Heart

Emory King Jr.
Trooper Danny Shaw Jr.

Unit Citation Award

ICT – Texas Ranger Analytical Support Unit

(0:33:42) Break 10:34 – 10:49 a.m.

Chairman Mach acknowledged the following in attendance:
Fisher Reynolds – Legislative Budget Board
Julie Davis and Gregg Girvan – Sunset Advisory Commission
Libby Elliott and John Horchek – Office of the Governor

PUBLIC COMMENT (0:34:55)

None

DIRECTORS REPORT

A. Case Update: Operation Free Ride (0:35:08)

Update provided by Major Justin Owen and Lieutenant Javier Ortegon:
-Region 4, Midland
-Participating Agencies: Criminal Investigations Division/Odessa Police Department/Ector County Sheriff's Office/Drug Enforcement Agency/U.S. Attorney's Office – Western District of Texas/Midland County District Attorney's Office/Ector County District Attorney's Office
-Began in December 2014; local impact to address high auto theft rates in Midland/Odessa area

- Focused primarily on subjects who were members of Aryan Circle (AC) and Aryan Brotherhood of Texas (ABT)
- AC and ABT are Tier 2 Criminal Organizations
- Collaborated to steal vehicles to further criminal enterprise
- 115 Total Seizures (34 drug seizures valued at \$58,644/26 Firearms Seizures valued at \$17,548/55 Vehicle Recoveries valued at \$719,817)
- Charges filed: Aggravated Assault with a Deadly Weapon/Burglary of a Habitation/Theft/Forgery/Prohibited Weapons/Unlawful Possession of a Firearm by a Felon
- 21 Indictments; 20 Convictions
- Recognition of Special Agents Chris Goodman, Jerry Bell and Javier Ortegon

NEW BUSINESS

A. Report, discussion, and possible action regarding Need-Based Dismissal Report (0:48:31)

Brief provided by Director McCraw:

- During the 85th Legislature, agencies were instructed to do a 4% reduction (\$50 million budget cut for DPS)
- DPS was exempt from that deduction, at the time, due to securing the border
- For DPS, this meant a reduction of 177 commissioned positions
- DPS is now forced with having to reduce costs or risk overspending
- Since 2009, we've had the Retire/Rehire Program on a needs-based approach
- Retire/Rehire commissioned personnel are paid at a Senior Trooper salary plus 10%
- 117 commissioned individuals are currently in the Retire/Rehire Program and with attrition we should reach 177 positions
- Recommend Commission approves the Need-Based Dismissal Report as presented with an effective date of May 31, 2018 (see attached report).

A motion was made by Commissioner Pulliam, seconded by Commissioner Leon, to approve the Need-Based Dismissal Report as presented. Motion passed unanimously.

B. Report, discussion, and possible action regarding Capitol Grounds Security Measures (1:05:27)

Brief provided by Director McCraw: and secure brief provided by Regional Director Joe Ortiz during Executive Session:

- Groups seek violent confrontations during protests and equip themselves for physical combat
- Recommend approval by Commission the list of prohibited items from the Capitol grounds unless worn and carried by a licensed police officer (see attached list)

-Secure brief provided by Region VII Regional Director Joe Ortiz during Executive Session before making a motion

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

1. Amendments to 37 TAC Section 2.3 and Section 2.9, concerning Capitol Access Pass (1:14:37)

A motion was made by Commissioner Leon, seconded by Commissioner Watson, to approve New Business, Item C1, to receive public comment. Motion passed unanimously.

2. New 37 TAC Section 23.63, concerning Hearings (1:16:12)

A motion was made by Commissioner Watson, seconded by Commissioner Pulliam, to approve New Business, Item C2, to receive public comment. Motion passed unanimously.

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

ONGOING BUSINESS

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

1. Amendments to 37 TAC Section 6.1, concerning Definitions (1:17:23)

No comments.

2. Amendments to 37 TAC Section 6.14 and Section 6.16, concerning Eligibility and Application Procedures for a License to Carry a Handgun

No comments.

3. Amendments to 37 TAC Sections 6.32, 6.40, and 6.42, concerning Qualified Handgun Instructor License

No comments.

4. Repeal of 37 TAC Section 6.39, concerning Prior Notice of Training Required

No comments.

5. New 37 TAC Sections 6.81 – 6.92, concerning Approved Online Course Providers

No comments.

A motion was made by Commissioner Pulliam, seconded by Commissioner Watson, approving adoption of Ongoing Business, Items A1-5. Motion passed unanimously.

6. Amendments to 37 TAC Section 15.44, concerning Driver License Photograph (1:18:52)

No comments.

7. Amendments to 37 TAC Section 15.172, concerning Issuance by Counties and Municipalities

No comments.

A motion was made by Commissioner Leon, seconded by Commissioner Watson, approving adoption of Ongoing Business, Items A6-7. Motion passed unanimously.

B. Update report, discussion and possible action regarding recruitment (1:21:11)

Update provided by Division Director Sonia Garcia:

-97 new troopers will graduate from the D-2017 School on 12/22/17 at 10:00 a.m. at the Austin Hilton (18 Females/79 Males). The class donated \$1,000 to the DPS Foundation for the Fallen Officer Memorial.

-A-2018 School begins on 1/7/18 with 115 recruits

C. 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 (1:22:29)

Director McCraw announced Regional Director Joe Ortiz will be retiring effective February 18, 2018.

Director is seeking advice and consent to promote Chance Collins as the new Region VII Capitol Complex Regional Director.

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, approving advice and consent to promote Chance Collins as the Regional VII Regional Director. Motion passed unanimously.

Director McCraw is seeking advice and consent to promote Wynn Reynolds to Assistant Division Director, Administration.

A motion was made by Commissioner Leon, seconded by Commissioner Watson, approving advice and consent to promote Wynn Reynolds to Assistant Division Director, Administration. Motion passed unanimously.

D. 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 (1:37:15)

A. Commission member reports and discussion - none

B. Finance Report - none

C. Chief Auditors Office - none

D. Division status reports on activities and action - none

CONSENT ITEMS (1:37:23)

A. Advice and consent regarding director's determination that certain probationary employees were found unsuitable for work during October and November 2017

B. Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024; Special Rangers: Richard H. Barnes, Michael A. Black, Christopher K. Boggs, Teodoso J. Cespedes, Gary A. Chandler, Mark W. Coonce, Scott A. Ellis, Enrique V. Garcia, Casey G. Goetz, Luis A. Gonzalez, Samuel L. Gonzalez, Dwight M. Hardin, Harold G. Kornegay, Timothy A. Lite, Audra C. Livingston, Walter P. Mezynski, Paul T. Middleton, Kevin Ray Odom, Charles J. Palcer, Jose P. Perez Jr., John R. Riper, Jeffrey W. Pirtle, Willie C. Ross, Steve Torres, James K. Verner, Dennis K. Westerman; Special Texas Rangers: None

C. Donations:

1. Texas Highway Patrol – Stable Donation – use of property to stable horses owned by the Department of Public Safety

2. Texas Highway Patrol – Eagle Scout Project – building a small pavilion for DPS use and making improvement to an existing Fallen Trooper monument flower bed

3. Texas Highway Patrol – Twelve Flat Bottom Boats, Motors and Trailers

4. Texas Rangers – Use of Lonesome Oak Ranch for meeting/lodging/training

5. Additional donation items, as needed

A motion was made by Commissioner Leon, seconded by Commissioner Watson, approving all Consent Items. Motion passed unanimously.

ITEMS FOR FUTURE AGENDA (1:37:57)

None at this time.

DATE FOR FUTURE MEETING (1:38:06)

Any discharge hearings will be scheduled on February 21, 2018, and the regular Public Safety Commission meeting is scheduled for February 22, 2018.

ADJOURN INTO EXECUTIVE SESSION

The Commission adjourned into Executive Session to discuss security issues, to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to

receive legal advice on items posted on this agenda; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the Director's action of discharging employees as identified in this agenda; ongoing criminal investigations. Executive Session began at 11:54 a.m.

(1:39:18) The Public Safety Commission reconvened in open session at 2:55 p.m. Commissioners present were Chairman Steven Mach, Commissioners Cynthia Leon, Jason Pulliam and Randy Watson.

NEW BUSINESS

B. Report, discussion, and possible action regarding Capitol Grounds Security Measures

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, to approve the Capitol Grounds Security Measures as proposed (see attached). Motion passed unanimously.

ADJOURN

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

The meeting was adjourned at 2:56 p.m.


Read and approved this 22nd day of February, 2018.



Chairman

DEPARTMENT OF PUBLIC SAFETY INTEROFFICE MEMORANDUM

TO: Steven McCraw, Director

FROM:  Skylor Hearn, Deputy Director

DATE: December 18, 2017

SUBJECT: Need-Based Dismissal Report

During the Legislative Appropriations Request development for the 85th Texas Legislature, state agencies were instructed by the Legislative Budget Board (LBB) to conduct a 4% reduction exercise to identify where budget cuts could be made. The Department determined and reported to the LBB that to achieve the targeted 4% budget cut the Department would be required to eliminate 320.4 FTEs, which included 177 commissioned positions. The 85th Legislature instituted a 4% reduction for the 2018-19 biennium which amounts to over \$50 million in budget reduction for the agency. As such, the Department must take steps to implement the plan that includes the identified reductions in staff and other budgetary cuts.¹

Reductions in FTEs for non-commissioned positions were accomplished through the elimination of vacant positions. Due to the low number of vacant commissioned positions and a recent trend of reduced rates of attrition by commissioned personnel, it will be necessary to require the dismissal of a number of commissioned employees due to a financial exigency to effectuate the required budgetary cuts. The following report has been prepared in accordance with the policy directives and is being submitted for your review and approval.

Recommendation

Multiple methodologies were analyzed to determine where the 177 commissioned officer positions could be eliminated. Attrition will account for some of these eliminated positions, but not all. A reasonable course of action to effectuate the necessary cuts to commissioned FTEs is to eliminate the positions of those reemployed under the Department's now defunct Retire/Rehire program. The elimination of these positions will provide significant budgetary savings, provide a reorganization of the current commissioned hiring cycle and have the least impact on the long term operations of the affected divisions.

Background of Retire/Rehire Program

In 2002, the Department experienced a significant retention problem in the commissioned ranks as many experienced officers were retiring as soon as eligible and going to other agencies to work for higher salaries. This combined with recruiting difficulties resulted in a record number

¹ See Attached for information from the DPS Four Percent General Revenue Reduction FY2018-19 plan.

of vacant commissioned positions statewide. To address these issues the Department initiated a program that allowed retired DPS officers to be rehired as commissioned officers. This program, commonly referred to as the Retire/Rehire program, served the dual purpose of ensuring sufficient staffing of Highway Patrol and enabled the Department to continue to leverage the experience and expertise of our retired officers in training and mentoring less experienced officers. The Retire/Rehire program was essential for the period of time during which the Department was unable to recruit, train and graduate an adequate number of troopers.

In recent years, the Texas Legislature increased commissioned officer salaries, significantly improving the Department's ability to recruit high quality candidates, compete with local law enforcement agencies, and enhance the retention efforts for commissioned officers. Since 2015, the Department has held 11 recruit schools, commissioned more than 1,050 new officers, and resolved the underlying issue which necessitated the Retire/Rehire program. The Department eliminated the routine practice of rehiring retired officers in 2013. At the cessation of the program, the Department had sufficient FTEs and budget to allow the retired employees to continue employment. Those circumstances have changed.

Identification of Impacted Employees and Divisions

DPS currently employs 118 officers who returned to duty under the Retire/Rehire program. The elimination of these 118 positions would account for 67% of the identified 177 positions that need to be eliminated. The remaining eliminations can be achieved through attrition.

The following divisions and positions will be affected: 37 Highway Patrol (HP) Troopers, 31 Commercial Vehicle Enforcement (CVE) Troopers, 15 Criminal Investigations (CID) Special Agents, nine CVE Corporals, five Tactical Training Center Troopers, five CVE Sergeants, four Training Sergeants, three HP Corporals, one HP Sergeant, one HP Lieutenant, one Intelligence and Counter Terrorism (ICT) Special Agent, one ICT Lieutenant, one Motor Carrier Bureau Lieutenant, one CID Lieutenant, one Executive Protection Bureau (EPB) Trooper, one EPB Corporal, and one EPB Special Agent. The attached spreadsheet identifies the employees and duty stations affected by this needs-based dismissal.

Cost Savings

Commissioned employees are paid in accordance with Salary Schedule C which is set by the Legislature. Employee pay under Schedule C is determined by rank and number of years of service and there is no flexibility in setting salary. The majority of these rehired retirees have more than 20 years of service and must therefore be paid at the highest salary level of the Schedule C pay scale for their respective rank. Moreover, DPS must pay a 10% surcharge for each retiree who was rehired after September 1, 2009. At this time the Department is paying the surcharge for 30 rehired commissioned officers in addition to their statutorily set salary. The elimination of the FTEs currently filled by rehired retirees will have greater fiscal impact than the elimination of positions held by equal or lower rank employees performing the same duties. Additionally, these retired employees do not pay into the state retirement system like other employees which can have an overall impact on the long term stability of the retirement system.

The agency appreciates the knowledge and perspective these rehired commissioned officers provide to less experienced troopers, but that benefit comes at significant cost. The estimated cost for each non-retired trooper, including overtime costs, averages more than \$111,733 per year, not including vehicle and equipment costs. The comparable figure for the rehired commissioned officer averages \$125,700 not including the return to work surcharge. Over the course of a single fiscal year, the elimination of these 118 positions represents a savings of \$15.1 million for the agency.² This cost savings would help ease the current financial hardship to the agency, particularly to the Texas Highway Patrol Division, which is currently experiencing a General Revenue budget shortfall of \$11.2 million.

Operational Impact

The natural lifecycle for the Department's commissioned ranks is designed to routinely bring new troopers in at lower salaries to fill vacancies and to have more experienced troopers mentor and train them. As troopers gain experience, move up the salary scale and are able to train others they assume the more senior roles of those who promote or retire and their spots are filled back in by entry level troopers. Without officers consistently retiring and permanently separating from DPS, the opportunities for the more junior officers do not open up and leads to stagnation in the annual hiring cycle. Disruption of the cycle can lead to tenured FTE gaps several years in the future, result in negative impact on internal promotional pools and create adversely large retirement groups. The healthiest systems require regular steady infusions of new employees and perspectives to maintain long term balance in the existing structure. This one time reorganization of the cycle will serve the purpose of meeting budgetary needs as well as adjusting the cycle in a manner that will better ensure long term viability of the commissioned structure and prevent a repeat of the situation that necessitated the implementation Retire /Rehire program in 2002.

The proposed needs-based dismissal of the 118 employees who took advantage of the Retire/Rehire program will not leave an insurmountable experience deficit. DPS officers perform the same functions and have the same responsibilities regardless of whether or not they have previously retired. The agency currently has 144 commissioned employees with 20 or more years of service who have not previously retired. There are an additional 411 commissioned employees with over 16 years of service who have not previously retired. These employees will continue to fill the senior role in the standard career cycle.

Other Considerations

The Department considered methodologies other than the elimination of commissioned positions, but other avenues did not lead to the level of fiscal savings necessary to achieve the required budget cut. The Texas Legislature mandated the agency cut 4% of the budget and the reduction in commissioned FTEs; however, they also funded and required that we hire 250 new troopers under Goal B, Secure Texas. Unfortunately, funding source restrictions prevent the Agency from simply hiring the net commissioned FTE increase. Rider 61 of the agency's appropriations specifically prohibits transferring funds from Goal B to fund these 177 commissioned positions. Rider 61 also prohibits the transferring of funds from Goal F, Driver License Services and Driver Safety, and Strategy E.1.1, Crime Laboratory Services, to fund the

² This figure includes the return-to-work surcharge the Department is currently paying for 30 rehired retirees.

177 commissioned positions. Due to eliminating these potential funding sources to retain these positions, alternative options such as job sharing, pay freezes/cuts, and demotions are unavailable. Texas Government Code §657.007 requires a veteran's preference be considered as part of a reduction in workforce, but subsection (b) specifically states that the section only applies to employees of a similar type or classification. Because DPS seeks to eliminate all positions within the Retire/Retire category, no preference is applicable.

Implementation

- The positions will be eliminated effective May 31, 2018. Advanced notification will be provided in writing to all affected personnel regarding the elimination of these 118 positions.
- Representatives from the Human Resources department will meet with the members of the affected group to answer questions regarding the process and provide assistance in seeking other employment.
- An analysis will be conducted to determine whether any of the positions held by these retired/rehired employees can be converted to non-commissioned positions utilizing current non-commissioned vacancies. While the managers and executives of the impacted divisions will review the functional job responsibilities and make a determination regarding whether that position requires a commissioned officer to perform the job duties, the positions of Trooper and similar front line positions will not meet this criteria because the positions require they be filled by commissioned officers.

Based upon the information contained in this report, I recommend the 118 FTEs held by commissioned employees who returned to duty under the Retire/Rehire program be dismissed from employment pursuant to the Need-Based Dismissal Policy.

**Texas Department of Public Safety
 FY2018-19 LAR
 4% General Revenue & GR-Dedicated Reduction Targets**

\$ 50,237,400

DIV#	Division	\$	FTEs
0102	Chief Auditor's Office	\$ 139,021	1.0
0103	Inspector General	\$ 243,314	1.0
0117	General Counsel	\$ 369,076	4.0
	Director		
	Agency Wide		
0131	DD Homeland Security (including SAA)	\$ 810,745	5.0
0150	DD Law Enforcement	\$ 1,062,042	-
0200	ICT	\$ 774,091	7.9
0300	THP	\$ 17,351,804	129.0
0700	CID	\$ 5,409,039	32.9
0800	Tx Ranger Division	\$ 2,535,354	10.5
0900	TDEM	\$ 292,570	-
1000	IT	\$ 4,240,798	-
1600	Driver License	\$ 7,384,776	108.0
1100	LES	\$ 3,158,400	-
1250	Finance	\$ 505,256	1.0
1400	Regulatory Services	\$ 1,346,000	20.1
0111	Executive Office	\$ 88,482	-
1300	Administration	\$ 2,870,233	-
1750	ETR	\$ 1,656,399	-
	Total	\$ 50,237,400	320.4

*Assumptions:
 Operations & Capital Budget GR reductions
 Subject to LBB's Base Reconciliation confirmation*

Employee Name	DOB	Age	Dept Name	FUNC Jobcode Descr	Step	Salary Plan	Monthly	Sex	Ident Co	Race	Re-Hire Dt	DPS Adj Service Dt	Work City
Adams, Willie O'Neal	8/23/1952	65	THP Dallas Region 1	Highway Patrol Trooper	6	C03	6610.250	M	X	BLACK	10/1/2002	10/15/1976	PLANO
Adamson, Glenn Dale	12/9/1951	65	THP El Paso Region 4	Highway Patrol Lieutenant	5	C05	7932.660	M	Y	WHITE	10/1/2003	1/6/1978	MIDLAND
Aguilar, Jr, Fernando R	1/17/1962	55	THP El Paso Region 4	CVE Trooper	6	C03	6610.250	M	X	HISPA	5/1/2012	11/8/1982	EL PASO
Amoles, Angel Benito	5/1/1962	55	THP McAllen Region 3	Highway Patrol Trooper	6	C03	6610.250	M	Y	HISPA	1/7/2013	10/17/1986	GEORGE WEST
Ard Jr, Aaron Alton	5/22/1962	55	THP Capitol Cmd Region 7	Highway Patrol Trooper	6	C03	6610.250	M	Y	WHITE	12/1/2007	2/18/1988	AUSTIN
Asby, James Michael	5/8/1954	63	THP Houston Region 2	Highway Patrol Trooper	6	C03	6610.250	M	X	WHITE	10/1/2003	3/14/1975	CENTERVILLE
Ashley, Craig Michael	7/27/1953	64	THP Houston Region 2	CVE Trooper	6	C03	6610.250	M	Y	WHITE	4/15/2009	8/21/1982	BRYAN
Baker, Timothy Alan	8/24/1957	60	THP Capitol Cmd Region 7	Highway Patrol Trooper	6	C03	6610.250	M	X	WHITE	7/1/2006	4/10/1975	AUSTIN
Barton, Richard Wilbur	7/9/1952	65	THP Dallas Region 1	Highway Patrol Trooper	6	C03	6610.250	M	Y	WHITE	5/1/2008	7/10/1981	HURST
Bigham, Larry Clifton	12/3/1947	69	THP Dallas Region 1	CVE Trooper	6	C03	6610.250	M	X	WHITE	10/1/2003	8/2/1972	CANTON
Bratten Jr., Robert Kenneth	3/12/1960	57	THP San Antonio Region 6	Highway Patrol Trooper	6	C03	6610.250	M	Y	WHITE	8/15/2016	8/15/2016	PEARSALL
Brothers, Howard Loel	1/21/1955	62	THP San Antonio Region 6	Highway Patrol Trooper	6	C03	6610.250	M	X	BLACK	3/3/2005	2/9/1979	GONZALES
Brown, Richard Clay	3/8/1956	61	CID Region 1	DPS Special Agent CID	5	C04	7207.910	M	X	WHITE	9/1/2006	7/9/1977	TYLER
Burrell, Duane	6/11/1956	61	THP Houston Region 2	CVE Corporal	6	C03	6610.250	M	X	BLACK	8/1/2006	7/9/1977	CONROE
Caldwell, Ted Barret	9/8/1960	57	THP San Antonio Region 6	Highway Patrol Trooper	3	C03	5795.080	M	X	WHITE	7/8/2013	5/12/1988	AUSTIN
Camacho Sr, Israel Zamora	4/25/1958	59	THP San Antonio Region 6	CVE Trooper	6	C03	6610.250	M	Y	HISPA	2/1/2008	7/10/1982	NEW BRAUNFELS
Cantu, Agapito Lira	7/5/1951	66	THP McAllen Region 3	Highway Patrol Trooper	6	C03	6610.250	M	X	HISPA	2/1/2004	11/1/1988	HARLINGEN
Cespedes, Teodoso Juan	3/6/1952	65	THP McAllen Region 3	Highway Patrol Trooper	6	C03	6610.250	M	X	HISPA	10/1/2003	10/15/1976	BROWNSVILLE
Coleman, Kent Alan	2/21/1951	66	THP San Antonio Region 6	CVE Trooper	6	C03	6610.250	M	X	WHITE	10/1/2003	1/6/1978	SEGUIN
Conaway, Earl	12/17/1946	70	THP San Antonio Region 6	CVE Trooper	6	C03	6610.250	M	Y	BLACK	10/1/2002	12/14/1977	SAN ANTONIO
Corral, Jose Arturo	11/11/1957	59	THP El Paso Region 4	CVE Sergeant	5	C04	7207.910	M	X	HISPA	1/1/2008	2/14/1981	EL PASO
Cottle III, John Thomas	1/10/1956	61	THP Motor Carrier Bureau	Lieutenant MCB	5	C05	7932.660	M	Y	WHITE	8/11/2008	8/20/1981	AUSTIN
Cramer, David Reed	4/28/1952	65	THP Dallas Region 1	CVE Sergeant	5	C04	7207.910	M	X	WHITE	8/1/2002	7/13/1974	DECATUR
Cruddas, John Edward	4/7/1954	63	THP San Antonio Region 6	CVE Trooper	6	C03	6610.250	M	X	WHITE	6/1/2004	6/24/1978	TEMPLE
Daniel, Loy Vein	12/10/1949	67	THP Lubbock Region 5	CVE Trooper	6	C03	6610.250	M	X	WHITE	10/1/2002	10/26/1973	BROWNFIELD
Davis, Gary Don	2/28/1956	61	THP Lubbock Region 5	CVE Trooper	6	C03	6610.250	M	X	WHITE	8/1/2005	2/14/1981	AMARILLO
Davis, Henry Briscoe	2/10/1959	58	CID Region 1	DPS Special Agent CID	3	C04	6735.080	M	X	WHITE	8/1/2012	5/12/1981	TEXARKANA
Davis, Roberto	12/31/1960	56	CID Region 3	DPS Special Agent CID	5	C04	7207.910	M	X	HISPA	2/1/2013	4/11/1985	WESLACO
Delossantos, Eugene	7/15/1958	59	CSHS Exec Protection Bureau	Trooper EPB	6	C03	6610.250	M	X	HISPA	5/15/2009	2/22/1981	AUSTIN
Drummond, Kim Overby	9/2/1955	62	THP Dallas Region 1	CVE Sergeant	5	C04	7207.910	M	X	WHITE	1/1/2006	7/9/1977	MOUNT PLEASAN
Dudley, David Wayne	9/15/1954	63	CID Investigative Support	DPS Special Agent CID	5	C04	7207.910	M	X	WHITE	11/1/2004	2/9/1980	AUSTIN

Eden, Bruce Glenn	1/23/1959	58 THP San Antonio Region 6	CVE Trooper	6 C03	6610.250 M	X	WHITE	9/13/2009	9/25/1979	TEMPLE
Esquivel, Bonifacio	12/29/1953	63 CID Region 5	Lieutenant CID	5 C05	7932.660 M	X	HISPA	2/1/2004	10/16/1976	LUBBOCK
Flores, Gilbert	11/18/1957	59 THP El Paso Region 4	CVE Trooper	6 C03	6610.250 M	X	HISPA	1/1/2008	2/13/1982	EL PASO
Freeman, Brian Keith	1/27/1958	59 THP San Antonio Region 6	CVE Trooper	6 C03	6610.250 M	Y	AMIND	9/14/2009	10/27/1984	SEGÜIN
Gens, Martin Walter	10/17/1954	63 THP Houston Region 2	Highway Patrol Trooper	6 C03	6610.250 M	Y	WHITE	12/1/2007	2/8/1985	HUMBLE
Gomez, Sergio	12/1/1954	62 THP McAllen Region 3A	Highway Patrol Trooper	6 C03	6610.250 M	X	HISPA	2/1/2005	7/11/1981	DEL RIO
Gonzalez, Reynaldo	2/10/1953	64 THP McAllen Region 3	CVE Corporal	6 C03	6610.250 M	Y	HISPA	7/1/2003	2/1/1979	BROWNSVILLE
Green Jr, Taft Struxton	4/8/1953	64 CID Region 1	DPS Special Agent CID	5 C04	7207.910 M	X	BLACK	6/1/2003	10/16/1976	HURST
Guzman, Jose Fidencio	11/15/1959	57 CID Region 3	DPS Special Agent CID	3 C04	6735.080 M	X	HISPA	3/7/2016	7/14/1984	MCALLEN
Hearne, Keith Paul	9/23/1952	65 THP Houston Region 2	CVE Corporal	6 C03	6610.250 M	X	WHITE	3/3/2003	2/1/1980	LUFKIN
Hernandez, Martin Perez	2/25/1957	60 THP Lubbock Region 5	CVE Trooper	6 C03	6610.250 M	X	HISPA	10/1/2007	2/9/1979	ABILENE
Hester, Todd A	10/17/1962	55 THP El Paso Region 4	CVE Trooper	6 C03	6610.250 M	X	WHITE	5/6/2013	10/9/1987	EL PASO
Hiebert, Kenneth Gordon	8/21/1961	56 THP Houston Region 2	Highway Patrol Trooper	3 C03	5795.080 M	Y	WHITE	12/1/2012	1/17/1989	CONROE
Hinojosa, Adelido	11/27/1957	59 THP El Paso Region 4	CVE Trooper	6 C03	6610.250 M	X	HISPA	1/1/2008	2/14/1981	ODESSA
Hinojosa, Leonard Rene	11/13/1958	58 ICT TX Joint Crime Info Center	Lieutenant ICT	5 C05	7932.660 M	Y	HISPA	4/1/2008	4/10/1982	AUSTIN
Hoelscher, Harry Joseph	12/11/1956	60 THP Motor Carrier Bureau	Training Technical Sergeant	5 C04	7207.910 M	X	WHITE	5/22/2007	8/3/1984	AUSTIN
Holmes, Jimmy Lee	1/10/1957	60 ETR Tactical Training Center	Trooper Tactical Trng Ctr	6 C03	6610.250 M	X	WHITE	6/11/2012	10/20/1980	FLORENCE
Houghton, Scot E	7/14/1961	56 ETR Tactical Training Center	Trooper Tactical Trng Ctr	6 C03	6610.250 M	Y	WHITE	9/1/2012	4/22/1987	FLORENCE
Jimenez, Eduardo	11/19/1961	55 CID Region 3	DPS Special Agent CID	5 C04	7207.910 M	X	HISPA	6/27/2012	7/17/1987	MCALLEN
King, Randolph Dayle	10/16/1957	60 THP San Antonio Region 6	CVE Corporal	6 C03	6610.250 M	X	WHITE	1/1/2008	1/12/1981	SEGUIN
Ladd, Billy Mitchell	12/24/1952	64 THP San Antonio Region 6	CVE Trooper	6 C03	6610.250 M	X	WHITE	12/1/2009	3/29/1975	WACO
Land, John Russell	6/9/1961	56 ETR Tactical Training Center	Trooper Tactical Trng Ctr	4 C03	6051.080 M	X	WHITE	6/4/2012	9/21/1984	FLORENCE
Larocque, John Randal	6/7/1958	59 CSHS Exec Protection Bureau	Corporal EPB	6 C03	6610.250 M	X	WHITE	10/1/2009	4/10/1980	AUSTIN
Locklar, Otis B	8/31/1947	70 THP El Paso Region 4	Highway Patrol Trooper	6 C03	6610.250 M	Y	WHITE	10/1/2003	11/21/1969	MIDLAND
Longfellow, Charles Richard	4/7/1950	67 THP Motor Carrier Bureau	Training Technical Sergeant	5 C04	7207.910 M	X	WHITE	8/1/2002	6/29/1973	AUSTIN
Lozano, Frank E	6/27/1958	59 THP McAllen Region 3	CVE Trooper	6 C03	6610.250 M	X	HISPA	10/1/2007	7/9/1982	WESLACO
Lyssey, Daniel David	10/5/1948	69 THP El Paso Region 4	Highway Patrol Trooper	6 C03	6610.250 M	Y	WHITE	10/1/2003	11/5/1971	MIDLAND
Mahan, Rodney Wayne	6/15/1963	54 THP Houston Region 2	Highway Patrol Trooper	3 C03	5795.080 M	Y	WHITE	7/1/2013	4/19/1988	NACOGDOCHES
Marks, Charles Anthony	8/29/1957	60 THP Houston Region 2	Highway Patrol Trooper	6 C03	6610.250 M	X	BLACK	10/1/2007	4/9/1982	TEXAS CITY
Martin, James Edward	8/26/1959	58 THP Dallas Region 1	Highway Patrol Corporal	3 C03	5795.080 M	X	WHITE	9/29/2012	4/13/1982	ATHENS
Martinez Jr, Carlos	1/6/1950	67 CID Region 3	DPS Special Agent CID	3 C04	6735.080 M	Y	HISPA	3/3/2003	7/10/1981	WESLACO
Martinez, Noe	1/20/1954	63 CID Region 3	DPS Special Agent CID	5 C04	7207.910 M	X	HISPA	3/3/2004	7/11/1981	BROWNSVILLE
Matlock, Joe Wayne	3/15/1960	57 CID Administration	DPS Special Agent CID	3 C04	6735.080 M	X	WHITE	1/1/2013	5/12/1984	AUSTIN
Matteson, Daniel S	3/23/1952	65 THP Lubbock Region 5	CVE Corporal	6 C03	6610.250 M	X	WHITE	1/1/2005	10/2/1976	CHILDRESS

McClain, Michael Westbrook	8/22/1957	60 THP Houston Region 2	CVL Trooper	6 C03	6610.250 M	Y	WHITE	7/6/2008	4/14/1983	LUFKIN
McGinnis, Thomas Matthew	1/10/1957	60 THP Dallas Region 1	CVL Sergeant	3 C04	6735.080 M	X	WHITE	6/1/2008	4/1/2003	PALESTINE
Medina, Abundio Jesus	7/11/1950	67 THP McAllen Region 3A	CVL Sergeant	5 C04	7207.910 M	X	HISPA	10/1/2003	11/28/1975	LAREDO
Mendoza, Jesse Joaquin	2/19/1954	63 THP Lubbock Region 5	CVL Trooper	6 C03	6610.250 M	Y	HISPA	4/1/2004	7/10/1982	PLAINVIEW
Mills, Lester Ray	10/10/1954	63 THP Capitol Cmd Region 7	Highway Patrol Trooper	6 C03	6610.250 M	X	BLACK	2/16/2009	11/28/1979	AUSTIN
Moore, Dana Clark	7/28/1956	61 THP Motor Carrier Bureau	Training Technical Sergeant	5 C04	7207.910 M	X	WHITE	10/1/2006	2/12/1982	AUSTIN
Munzell, Raymond Barber	2/15/1955	62 THP McAllen Region 3A	CVL Corporal	6 C03	6610.250 M	X	WHITE	4/1/2005	7/12/1980	RIO GRANDE CITY
Murphy, William John	1/20/1961	56 CID Region 1	DPS Special Agent CID	3 C04	6735.080 M	X	WHITE	10/15/2012	9/27/1984	GARLAND
Nielsen, Timothy Robert	9/23/1952	65 THP San Antonio Region 6	CVL Trooper	6 C03	6610.250 M	X	WHITE	10/1/2003	10/26/1973	EDNA
Orozco, Mario	7/2/1958	59 THP San Antonio Region 6	CVL Trooper	6 C03	6610.250 M	Y	HISPA	12/1/2008	5/11/1985	GEORGETOWN
Owen, James Wylie	1/14/1963	54 ETR Tactical Training Center	Trooper Tactical Trng Ctr	4 C03	6051.080 M	X	WHITE	4/8/2013	1/1/1985	FLORENCE
Parker, Earnest Lance	7/7/1961	56 THP Lubbock Region 5	Highway Patrol Corporal	3 C03	5795.080 M	X	WHITE	11/5/2012	2/4/1996	BAIRD
Pena, Leo John	6/9/1958	59 ICT TX Joint Crime Info Center	DPS Special Agent ICT	5 C04	7207.910 M	X	HISPA	2/1/2012	9/11/1986	AUSTIN
Perez III, Leonardo	10/19/1961	56 CID Investigative Support	DPS Special Agent CID	5 C04	7207.910 M	X	HISPA	4/1/2012	5/11/1985	LAREDO
Pierce, Kameron Wayne	9/30/1965	52 THP Capitol Cmd Region 7	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	3/28/2016	1/31/1989	AUSTIN
Pittman, Kenneth Wayne	5/9/1957	60 ETR Tactical Training Center	Trooper Tactical Trng Ctr	6 C03	6610.250 M	X	WHITE	7/1/2007	6/23/1978	FLORENCE
Posey, Monty Lewis	8/30/1954	63 THP Dallas Region 1	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	7/1/2007	11/17/1988	GARLAND
Pringle, Ricky Lynn	7/14/1950	67 THP Houston Region 2	CVL Trooper	6 C03	6610.250 M	X	WHITE	10/1/2002	10/15/1976	BUFFALO
Proveaux, Anthony Mark	11/27/1958	58 THP San Antonio Region 6	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	3/16/2009	9/24/1980	GEORGETOWN
Ramos, Arnaldo	12/6/1959	57 CID Region 3	DPS Special Agent CID	5 C04	7207.910 M	X	HISPA	7/1/2012	9/13/1986	DEL RIO
Reed, John Dallas	6/27/1953	64 THP McAllen Region 3	CVL Trooper	6 C03	6610.250 M	X	WHITE	10/1/2003	7/27/1973	CORPUS CHRISTI
Reed, Ronnie Wayne	8/5/1953	64 THP San Antonio Region 6	CVL Corporal	6 C03	6610.250 M	Y	WHITE	10/1/2003	7/11/1980	WACO
Reyes, Quirino	5/16/1958	59 THP Capitol Cmd Region 7	Highway Patrol Trooper	6 C03	6610.250 M	Y	HISPA	10/1/2012	5/12/1984	AUSTIN
Rico Jr, Antonio	6/3/1958	59 THP Capitol Cmd Region 7	Highway Patrol Trooper	6 C03	6610.250 M	X	HISPA	12/21/2008	9/28/1982	AUSTIN
Riddle, Starlane Marie	9/6/1956	61 ETR Tactical Training Center	Sergeant Firearms Training	5 C04	7207.910 F	X	WHITE	11/1/2006	2/13/1982	FLORENCE
Robinson, Joseph Mckenney	10/1/1952	65 THP Dallas Region 1	Highway Patrol Trooper	6 C03	6610.250 M	X	BLACK	5/1/2003	10/15/1976	CARROLLTON
Romo, Reynaldo	7/2/1961	56 THP McAllen Region 3A	Highway Patrol Trooper	4 C03	6051.080 M	Y	HISPA	2/1/2013	8/1/2003	MISSION
Sanders Jr, Marvin Floyd	8/15/1952	65 THP Lubbock Region 5	Highway Patrol Trooper	6 C03	6610.250 M	Y	WHITE	8/1/2006	7/14/1979	ABILENE
Sawyer, Larry Dee	11/23/1949	67 THP El Paso Region 4	CVL Trooper	6 C03	6610.250 M	X	WHITE	10/1/2002	10/23/1970	BRADY
Scott, Carlton Ray	12/5/1955	61 CID Region 7	DPS Special Agent CID	5 C04	7207.910 M	X	WHITE	2/1/2008	2/8/1985	AUSTIN
Seaton, Robert La-Voy	9/27/1955	62 THP San Antonio Region 6	CVL Trooper	6 C03	6610.250 M	Y	WHITE	3/3/2005	7/9/1982	TEMPLE
Sims, Robert Jack	4/19/1948	69 THP Lubbock Region 5	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	12/1/2002	7/9/1982	BRECKENRIDGE
Skelton, Robert M	1/23/1954	63 THP Lubbock Region 5	CVL Trooper	6 C03	6610.250 M	X	WHITE	3/3/2004	10/16/1976	BRECKENRIDGE
Smith, Scott Newton	3/12/1954	63 THP Dallas Region 1	CVL Trooper	6 C03	6610.250 M	X	WHITE	7/9/2007	9/2/1981	PALESTINE

Sones, Jeffrey Dale	2/8/1956	61 THP San Antonio Region 6	CVE Trooper	6 C03	6610.250 M	X	WHITE	12/1/2004	3/14/1975	NEW BRAUNFELS
Taylor, Clay Kyle	7/22/1961	56 THP Houston Region 2	Highway Patrol Trooper	3 C03	5795.080 M	X	WHITE	5/28/2012	10/4/1982	BRYAN
Taylor, Victor Sidney	5/29/1961	56 THP Capitol Cmd Region 7	Highway Patrol Sergeant	5 C04	7207.910 M	X	HISPA	6/4/2012	9/13/1981	AUSTIN
Thomas, Lawrence	7/18/1952	65 THP Dallas Region 1	Highway Patrol Trooper	6 C03	6610.250 M	X	BLACK	10/1/2003	2/12/1982	GARLAND
Thomas, Willie Earl	6/23/1955	62 THP Dallas Region 1	CVE Corporal	6 C03	6610.250 M	X	BLACK	8/1/2005	7/9/1977	HURST
Tone, Stephen Jay	9/12/1952	65 THP Lubbock Region 5	CVE Trooper	6 C03	6610.250 M	X	WHITE	10/1/2003	6/23/1978	EASTLAND
Valenzuela, Jose	5/19/1947	70 CID Region 4	DPS Special Agent CID	5 C04	7207.910 M	Y	HISPA	4/1/2008	11/29/1975	EL PASO
Vanzandt, Donald Lee	7/27/1944	73 THP El Paso Region 4	Highway Patrol Trooper	6 C03	6610.250 M	Y	WHITE	10/1/2002	5/31/1968	SONORA
Vasquez, Eloy	10/20/1954	63 THP McAllen Region 3	Highway Patrol Corporal	6 C03	6610.250 M	Y	HISPA	12/1/2004	4/9/1982	CORPUS CHRISTI
Vaughan, Larry Michael	1/29/1958	59 THP Dallas Region 1	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	3/2/2008	2/9/1979	QUITMAN
Vogler, Terry Bass	12/5/1952	64 THP Houston Region 2	CVE Trooper	6 C03	6610.250 M	X	WHITE	2/1/2003	4/10/1979	HUNTSVILLE
Waggener, Paul Stuart	1/10/1958	59 THP Capitol Cmd Region 7	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	5/1/2012	6/28/1985	AUSTIN
Wallace, Warren Wayne	7/20/1958	59 CSHS Exec Protection Bureau	DPS Special Agent EPB	2 C04	6469.910 M	X	WHITE	12/1/2013	9/10/1980	AUSTIN
Ward Jr, Herman	5/7/1962	55 THP Dallas Region 1	Highway Patrol Trooper	6 C03	6610.250 M	X	BLACK	3/1/2013	1/4/1984	PLANO
Warren, John Scott	3/10/1951	66 THP Lubbock Region 5	CVE Corporal	6 C03	6610.250 M	X	WHITE	9/22/2003	5/10/1975	BALLINGER
Winslow, Bobby Ray	5/9/1954	63 THP Houston Region 2	Highway Patrol Trooper	6 C03	6610.250 M	X	BLACK	12/1/2002	7/8/1977	HUMBLE
Wolpman, Anthony Joseph	7/8/1954	63 THP San Antonio Region 6	CVE Trooper	6 C03	6610.250 M	Y	WHITE	9/1/2004	7/14/1984	SAN MARCOS
Yndian, Robert Carlos	6/1/1958	59 THP San Antonio Region 6	Highway Patrol Trooper	6 C03	6610.250 M	X	HISPA	7/20/2009	3/31/1984	GONZALES
Zurovec, Duane Emil	10/7/1952	65 THP Capitol Cmd Region 7	Highway Patrol Trooper	6 C03	6610.250 M	X	WHITE	10/1/2003	7/8/1977	AUSTIN

New Business, Item B



Every citizen has a right to peacefully assemble and protest but no one has a right to engage in violence or other criminal acts while they protest. Government has an obligation to maintain order and protect citizens from injury and death.

Some groups seek violent confrontations during protests and equip themselves for physical combat. To ensure the safety and security of the public and those who seek to exercise their right to peacefully assemble and protest the following is prohibited from the Capitol Grounds unless worn or carried by a licensed peace officer:



- Firearms and other deadly weapons except when authorized under License to Carry authority
- Improvised items used to lock a person to another person or object
- Plastic bottles containing alcohol or non-consumable substances
- Open flame torches
- Metal signs
- Metal, plastic and wood objects longer than 12 inches
- Sticks or other objects with protruding nails
- Balloons not filled with air, oxygen or helium
- Bricks, stones or rocks



- Projectile launchers, including water cannons
- Spray paint cans
- Gas masks or similar equipment
- Glass bottles
- Hammers
- Crow bars
- Toxic fluid, gas or solids in any container
- Improvised shields
- Helmets
- Drones
- Pepper spray



- Tasers
- Any item manifestly designed, made or adapted for the purpose of preparing a person to engage in physical combat

Additionally, citizens have the right to counter protest but within the Capitol Complex they must do so at a distance sufficient to avoid physical altercations. Officers are authorized to instruct individuals failing to comply with these measures to leave the Capitol grounds until the person is in compliance.



TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter A
Section 6.1

The Texas Department of Public Safety (the department) adopts amendments to §6.1, concerning Definitions. This rule is adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5991) and will not be republished.

The changes to §6.1 are intended to clarify the meaning of terms used in the administrative rules.

No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and §411.197 which authorizes the director to adopt rules to administer this subchapter.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter B
Section 6.14 and Section 6.16

The Texas Department of Public Safety (the department) adopts amendments to §6.14 and §6.16, concerning Eligibility and Application Procedures for a License to Carry a Handgun. These rules are adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5992) and will not be republished.

Amendments to §6.14 and §6.16 are made as a result of 85th Legislative Session, HB 3784 and SB 16 respectively. Additional changes have been made to §6.14 to clarify proficiency requirements.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and §411.197, which authorizes the director to adopt rules to administer this subchapter.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter C
Sections 6.32, 6.40, and 6.42

The Texas Department of Public Safety (the department) adopts amendments to §§6.32, 6.40, and 6.42, concerning Qualified Handgun Instructor License. These rules are adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5992) and will not be republished.

Amendments to §6.32 and §6.40 are made as a result of 85th Legislative Session, HB 3784. The amendment to §6.42 is made to clarify a record retention obligation of instructors.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and §411.197, which authorizes the director to adopt rules to administer this subchapter.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter C
Section 6.39

The Texas Department of Public Safety (the department) adopts the repeal of §6.39, concerning Prior Notice of Training Required. This repeal is adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5993) and will not be republished.

The department has determined the requirement imposed by this rule is unnecessary to the effective administration of the statute.

No comments were received regarding the adoption of this repeal.

This repeal is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and §411.197, which authorizes the director to adopt rules to administer this subchapter.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, the Public Safety Commission (the commission) by majority vote approved rules concerning:

License to Carry Handguns
Title 37 T.A.C. Part I, Chapter 6
Subchapter E
Sections 6.81 – 6.92

The Texas Department of Public Safety (the department) adopts new §§6.81 – 6.92, concerning Approved Online Course Providers. These rules are adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5994) and will not be republished.

The proposal of new §§6.81 - 6.92 is necessary to implement the requirements of the 85th Legislative Session, HB 3784 which adds approved online course providers for the classroom instruction part of the handgun proficiency course.

No comments were received regarding the adoption of these rules.

These rules are adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and §411.197, which authorizes the director to adopt rules to administer this subchapter.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter B
Section 15.44

The Texas Department of Public Safety (the department) adopts amendments to §15.44 concerning Driver License Photograph. This rule is adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5996) and will not be republished.

This amendment strikes the word color according to House Bill 1345 and House Bill 3050 enacted by the 85th Texas Legislature.


No comments were received regarding the adoption of this rule.

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

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On December 21, 2017, 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 amendments to §15.172 concerning Issuance by Counties and Municipalities. This rule is adopted without changes to the proposed text as published in the October 27, 2017 issue of the *Texas Register* (42 TexReg 5996) and will not be republished.

These amendments add municipalities as authorized entities to issue certain renewal and duplicate driver licenses and identification cards according to House Bill 3050 enacted by the 85th Texas Legislature.

No comments were received regarding the adoption of this rule.

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

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, §2001.033.



Steven P. Mach, Chairman
Public Safety Commission

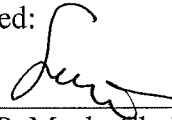
IN THE MATTER OF § BEFORE THE
THE DISCHARGE OF § PUBLIC SAFETY COMMISSION
PROBATIONARY EMPLOYEES § IN AUSTIN, TRAVIS COUNTY, TX

Advice and Consent

In accordance with Government Code Section 411.007(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
Sandra Salinas	Customer Service Representative/Driver License	10/09/17
Jeremy Keys	Probationary Trooper/Highway Patrol	10/25/17
Paul Allen	Customer Service Representative/Driver License	10/30/17
Filiberto Cardenas	Probationary Trooper/Highway Patrol	11/21/17

Approved:



Steven P. Mach, Chairman
Public Safety Commission
Date: December 21, 2017

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS
December 21, 2017



Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Barnes, Richard H.	THP	Amarillo	08/31/2002	31	
Black, Michael A.	THP	Capitol	8/31/2017	21	
Boggs, Christopher K.	THP	Sulphur Springs	11/30/2005	24	
Cespedes, Teodoso J.	THP	Brownsville	08/31/2003	26	
Chandler, Gary A.	THP	Columbus	08/31/2017	32	
Coonce, Mark W.	THP	Archer City	08/31/2014	26	
Ellis, Scott A.	CID	Conroe	08/31/2017	28	
Garcia, Enrique V.	CID	Austin	09/30/2000	25	
Goetz, Casey G.	THP	Austin-Capitol	08/31/2017	25	
Gonzalez, Luis A.	THP	Austin	07/31/2017	29	
Gonzalez, Samuel L.	THP	San Angelo	08/31/2017	29	
Hardin, Dwight M.	CID	Austin	08/31/2004	23	
Kornegay, Harold G.	THP	Lubbock	08/31/1992	27	
Lite, Timothy A.	RSD	Austin	08/31/2017	27	
Livingston, Audra C.	THP	Tyler	08/31/2017	32	
Mezynski, Walter P.	THP	Temple	12/31/2009	23	
Middleton, Paul T.	THP	Lubbock	08/31/2017	29	
Odom, Kevin Ray	CID	Beaumont	12/31/16	20	
Palcer, Charles J.	RSD	Austin	08/31/2017	27	
Perez Jr., Jose P.	CID	Austin	8/31/2002	24	
Piper, John R.	THP	Amarillo	08/31/2017	29	
Pirtle, Jeffrey W.	THP	Nacogdoches	08/31/2017	27	
Ross, Willie C.	THP	Paris	8/31/1987	30	
Torres, Steve	THP	San Angelo	08/31/2017	29	
Verner, James K.	THP	Bonham	08/31/2017	29	
Westerman, Dennis K.	CID	Austin	08/31/2017	27	

Approved by the Public Safety Commission on: _____

Sean

Date: 12/21/17