

MINUTES
PUBLIC SAFETY COMMISSION
February 21, 2019
AUSTIN, TX

The Public Safety Commission met in Austin, Texas on February 21, 2019. Attending the meeting were Chairman Steven Mach, Commissioners Cynthia Leon, Manny Flores, Jason Pulliam and Randy Watson. DPS staff members and guests were also present.

CALL TO ORDER (0:00:02)

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

APPROVAL OF MINUTES (0:00:30)

A motion was made by Commissioner Flores, seconded by Commissioner Pulliam, approving the minutes from the Public Safety Commission meeting held December 13, 2018. Motion passed unanimously.

PRESENTATIONS (0:00:53)

Service Awards

Kameron Pierce – 30 years
Elizabeth Stineman – 30 years
Sandra Garcia Barrette – 35 years
Chet D. Jones – 35 years
Patricia V. Mokry – 35 years
Virginia M. Saldana – 35 years
Joanne G. Scarbrough – 35 years
Herman Ward Jr. – 35 years
Gary Albus – 40 years
Johnnie Berkley – 40 years
Reynaldo Gonzalez – 40 years
Richard "Dickie" Jones – 45 years

William P. Clements Excellence Award

Non-Commissioned – Mary Ann Araiza
Commissioned – Texas Ranger James B. Holland

Lifesaving Award

Sergeant James Arnwine
Trooper Robert McGrath
Trooper Laura Pearman
Trooper Jesse Perez
Trooper Matt Ruiz
Christopher Martin
Jason Dush
Jack Doebbler
Lynn Burttschell
Captain Shawn Stephenson
Lieutenant Jeff Evans
Sergeant Steven Tippet

Directors Award

Game Warden Cody Buckaloo
Thomas Haire
Donovan Haire
Justin Tobey

(0:50:12) Break 9:50 a.m. – 10:02 a.m.

DIRECTORS REPORT

A. Case Update: Threatening Subject Arrested in Smith County (0:51:03)

Update provided by Trooper Donald Appleman:

- Mental health incident involving a 48 year old white male on August 14, 2018, in Smith County.
- White male is noticed exiting a Valero gas station wearing heavy body armor under his clothing.
- Male is followed to a motel where he parks and remains in his vehicle.
- Call for backup is made as he was observed moving nervously inside his vehicle.
- Subject claimed he was in a “defense posture” due to assassination attempts.
- Trooper quickly determined that the subject was an immediate threat to the safety of himself and others due to his paranoia.
- Several weapons, ammunition, and armor were retrieved from the subject’s person, vehicle and motel room.
- Subject was taken into custody on Apprehension by Peace Officer.
- He was transported to a local hospital where he was evaluated and transferred to the VA Hospital in South Dallas for further evaluation and treated for his mental health

issues.

PUBLIC COMMENT (1:05:03)

None

DIRECTORS REPORT

B. Case Update: Russian Fraud Investigation (1:05:44)

Update provided by Captain Steven Schwartz for Special Agent Michael Boyett who conducted the investigation:

- October 2017, investigation began as a local impact case into a wire fraud incident in Limestone County.
- Rapidly grew to target a group of suspects who had created a criminal enterprise to defraud prospective purchasers of motor vehicles, boats and machinery.
- Investigation determined that suspects were part of a nationwide scheme to defraud victims who responded to fake internet advertisements.
- Suspects created fictitious online presences, advertisements and postings on which the online entity impersonated a once-legitimate business.
- Shell companies were created to receive victim payments.
- Suspects withdrew funds from different bank branches multiple times a day to prevent financial institutions from detecting and reporting fraud.
- After funds were withdrawn, the suspects sent the proceeds outside the U.S. to Eastern European countries.
- Many of the suspects originated from Eastern European countries (i.e. Kazakhstan, Republic of Georgia, Azerbaijan, Ukraine and Russia) but resided in the U.S.
- Approximately 150 victims were identified across the U.S. (17 in Texas), as well as New Zealand, Taiwan, Australia, Canada, Germany and the Netherlands.
- Victims were defrauded for more than \$4.5 million.
- June 2018 - CID turned over the results of the investigation to the FBI for federal prosecution in Brooklyn, NY.
- Outcome:
 - *25 suspects indicted (Conspiracy to Commit Wire Fraud and Conspiracy to Commit Money Laundering)
 - *18 suspects arrested in July 2018
 - *4 suspects arrested in August – October 2018
 - *3 suspects remain at large
- Special Agent Michael Boyett was awarded the Division Director's Award by Chief Ruocco and the investigation garnered national to local media attention.

C. Legislative Update (1:18:00)

Update provided by Director McCraw:

-Director and executive staff attended the following hearings and testified on the issues of Driver License and Border Security:

*House Appropriations Committee

*Senate Finance

*Senate Veterans Affairs & Border Security

*House Homeland Security & Public Safety

-UCR Index Crime dropped 22% from 2014 – 2017

-USBP Apprehensions from 1/1/14 – 2/13/19 show an immediate drop in June 2014 to our most recent high of over 10,000 for February 2019 (numbers are driven by events occurring in other countries and policy in the U.S.)

-Operation Secure Texas – 59% reduction in all drugs from 2014 – 2017

-Bailouts – 52% reduction for period of August 2013 – December 2018

-Impact Statement for Drawbridge Cameras – if state funding ends, CBP does not have funding available to continue the cameras and it would negatively affect operations.

-Violent crime is up in major cities resulting in combined crime preventions operations in Houston (Operation North Star); San Antonio (Operation Alamo); and an operation in Killeen resulting in the following:

*30% decrease in armed robberies in Houston

*15 – 17% reduction in crime in San Antonio

*25% reduction in crime in Killeen

(1:33:57) Chairman Mach acknowledged the following in attendance:

Fisher Reynolds – Office of the Governor

NEW BUSINESS

A. Update on Driver License Exceptional Item (1:34:15)

Update provided by Chief Amanda Arriaga and Deputy Director Skylor Hearn:

Improvements since the 81st Legislative Session:

-Addition of 13 Mega Centers, 6 large offices and 66 remodels/refreshes.

-Improvements to Customer Service – DL/ID:

*Allow customers to renew their DL/ID up to two years ahead of time

*Provide targeted information on the DL/ID renewal notice

*Secured all Google pages and update them daily

*Implemented Get in Line Online

*Implemented online scheduling for drive tests

*Accept proof of insurance electronically

- *Accept credit cards in Driver License offices
- *Implemented Customer Communications Binders
- *Allow customers to pay compliance fees online
- *Established the Courtesy Call Back feature for the Customer Service Center
- *Implemented Disaster Response Units
- Improvements to Customer Service – CDL:
 - *Implemented ability for CDL holders to update their address and request duplicates online
 - *Implemented ability to accept Medical Certificates electronically
 - *Created CDL Video training
 - *Improved CDL lane layouts to accommodate testing of multiple drivers
 - *Partnered with TxDOT to find suitable locations to conduct CDL tests
 - *Implemented CDL Mobile Teams
 - *Implemented Third Party Testing Program
 - *Improvements to Public Safety:
 - *Implemented Impact Texas Driver (ITD)
 - *Implemented REAL ID
 - *Implemented the Commercial Skills Test Information Management System (CSTIMS)
 - *Implemented Online Verification of Immigration Status (SAVE)
 - *Implemented Automated Driver Knowledge Testing in all DL offices
 - *Implemented the Offender Identification Card
 - *Improved the Medical Advisory Board Field Investigation workflow
- Improvements for Employees:
 - *Increased use of virtual training
 - *Created an electronic Resource Guide for employees
 - *Implemented Facilitator Program
 - *Established “Lead” positions
 - *Implemented a Hearing Officer sharepoint workflow
- Proposed Improvements for the Future:**
 - Exceptional Item Requests (\$420M – 1,914 FTEs)
 - *Reclassify Customer Service Representatives to License and Permit Specialists (\$53M)
 - *Fully staff all Driver License Offices (\$178.6M – 962 FTEs) (At the current level of offices, this is 854 additional FTEs for Driver License and 108 Indirect FTEs)
 - *Add 15 additional offices in the most populated Metropolitan Statistical Areas and fully staff them (\$190.1M – 952 FTEs) (This equates to an additional 846 Driver License employees and 106 additional Indirect FTEs)
 - Legislative Changes:
 - *Extend the term of the DL from 6 to 8 years.
 - *Extend the term of the CDL from 5 to 8 years.

- *Provide the Director the authority to waive the skills exam for customers under 18 who have completed driver education.
- *Partner with a 3rd party vendor to expand locations to conduct renewal or duplicate Drive License/Identification Card transactions.

B. Report, discussion, and possible action on Health, Physical Fitness, and Command Presence Policy (1:51:17)

Brief provided by Deputy Director Skylor Hearn:

- Legal Requirement – Texas Government Code 614.172
- September 2019 – implement dual compliance requirements:
 - *Must maintain 70% or greater on Physical Fitness Testing (PFT)
 - ***AND** must be in compliance with the Command Presence Policy requiring a waist measurement below 35” (Female)/40” (Male)
 - *Award of earned Fitness Leave based on PFT performance will be contingent on the successful passing of both prongs.
- Failure to maintain both components will result in sanctions that can include:
 - *Temporary reassignment to a non-enforcement role;
 - *no overtime allowed;
 - *no secondary employment allowed;
 - *not eligible for promotion.
- Tier 2 -If Fail the Command Presence Waist Measurement, then move to Height & Weight Standards (performed by Fitness Wellness Unit (FWU) or DPS Certified Tester). Take Height & Weight and compare to Height & Weight Standards Table.
- Tier 3 – If Fail the Height & Weight Standards, then move to Circumference Measurement (performed by FWU or DPS Certified Tester).
 - *Males – take circumference measurements at umbilical of waist and neck
 - *Females – take circumference measurements at hips, narrowest waist and neck
 - *Compare to table to estimate percent body fat and table of allowed percent body fat
 - *A 2% grace will be allowed for the first year (9/1/19 – 8/31/20) only.
- Per General Manual 8.14.02, all commissioned employees must take their first attempt within the first month of the testing cycle (September: Fall; March: Spring).
- To reflect aforementioned timelines, adjustment of submission deadlines to 15 days after the first month of the testing cycle for submission of the first attempt (October 15th and April 15th).
- Next Steps:
 - *Employees who find themselves outside these guidelines today will be provided all of the resources necessary through the FWU and certified personnel in the regions.
 - *For the January 2019 Performance Evaluation Plan, supervisors are encouraged to include goals to meet the Physical Fitness Testing and Weight/BMI requirements.
 - *Performance issues related to obesity are to be addressed immediately by supervisors.

-500 Meter Row Test:

*At the conclusion of the Fall testing cycle, the FWU reviewed the data as well as similar

data from previous cycles.

*As a result of that data analysis, the FWU recommended adjusting the times of the test to ensure the scaled times for both genders appropriately meet the intention of DPS testing standards.

*The 500 meter row test will remain available for personnel in the Spring 2019 cycle utilizing the updated time standards.

A motion was made by Commissioner Leon, seconded by Commissioner Flores, adopting the Health, Physical Fitness, and Command Presence Policy as presented. Motion passed unanimously.

(2:11:19) Break 11:23 a.m. – 11:31 a.m.

C. Report, discussion, and possible action regarding the Internal Audit Charter proposed by the Chief Auditor's Office (2:12:14)

Brief provided by Chief Auditor Catherine Melvin:

-Last Internal Audit Charter was signed in April 2013.

-Charter does not expand authority or responsibilities.

A motion was made by Commissioner Flores, seconded by Commissioner Pulliam, approving the Internal Audit Charter. Motion passed unanimously.

D. Report, discussion, and possible action on CRB Charter and Policy Updates

(2:15:22)

Update provided by Chief Jessica Ballew:

-Updates to CRB Charter and Policy include:

*Organizational change – division name change

*CRB Criteria changed to 25% review instead of 50%

A motion was made by Commissioner Watson, seconded by Commissioner Pulliam, approving the updates to the CRB Charter and Policy. Motion pass unanimously.

E. Intelligence Threat Briefing (Clearance Required – Executive Session)

To be discussed in Executive Session.

ONGOING BUSINESS

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

(2:22:23)

1. New 37 TAC Section 15.50, concerning State-to-State Verification Service

No comments.

A motion was made by Commissioner Pulliam, seconded by Commissioner Flores, to adopt Ongoing Business, Item A1, for adoption. Motion passed unanimously.

2. New 37 TAC Section 37.3, concerning Minimum Required Registration Period (2:26:13)

No comments.

A motion was made by Commissioner Leon, seconded by Commissioner Watson, to adopt Ongoing Business, Item A2, for adoption. Motion passed unanimously.

B. Report, discussion, and possible action regarding the modification of the DPS organizational structure and the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team (2:27:40)

Director McCraw sought advice and consent to appoint Kevin Cooper as Office Chief of Government Relations.

A motion was made by Commissioner Flores, seconded by Commissioner Pulliam, to approve the appointment of Kevin Cooper as the head of Government Relations. Motion passed unanimously.

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

To be discussed during Executive Session.

REPORTS (2:30:03)

A. Commission member reports and discussion - none

B. Finance Report – none

C. Chief Auditors Office – none

D. Division status reports on activities and action - none

CONSENT ITEMS (2:30:28)

A. Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024: Special Rangers: Richard G. Arnwine, John E. Bateman, Doyle R. Blair, Kenneth L. Bulger, Israel Z. Camacho, Paula M. Dominguez, Lonnie J. Dulin, David M. Franklin, John Gonzalez, Christopher J. Hughes, James E. Jordan, Thomas Mandarino, Mark G.

Milanovich, Michael G. Murphy, Kenneth R. Parma, Richardo Perez, Andrew Priddy, Lee E. Richards, Christopher A. Stephens, Alan R. Troup and Thomas L. Williams, Jr., Special Texas Rangers: Matthew Lindemann

B. Donations:

1. Texas Highway Patrol – donation of 156 Naloxone Kits by the Abilene Regional Council on Alcohol and Drug Abuse, Inc.

2. Additional donation items, as needed

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

ITEMS FOR FUTURE AGENDA (2:30:59)

DATE FOR FUTURE MEETING (2:31:09)

Any discharge hearings will be scheduled on April 17, 2019, and the regular Public Safety Commission meeting is scheduled for April 18, 2019.

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 11:51 a.m.

(2:32:04) The Public Safety Commission reconvened in open session at 1:29 p.m. Commissioners present were Chairman Steven Mach, Commissioners Cynthia Leon, Jason Pulliam, Manny Flores, and Randy Watson.

ADJOURN

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

The meeting was adjourned at 1:29 p.m.

Read and approved this 18th day of April, 2019.



Chairman



Chief Auditor's Office CHARTER

The Texas Department of Public Safety (Department) Chief Auditor's Office (CAO) serves as the internal audit function for the Department. This charter defines the purpose, authority responsibilities, professional requirements, and quality assurance of the Department's Chief Auditor's Office in accordance with the Texas Internal Auditing Act.

PURPOSE

The Chief Auditor's Office is an independent and objective assurance and consulting activity designed to add value and improve the Department's operations. The CAO assists the Department in accomplishing its mission and objectives by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of the Department's governance, risk management, and internal control processes.

The CAO contributes directly to the continuous improvement of the Department's operations, governance, risk management, and internal control framework through its delivery of superior assurance and advisory services in an atmosphere of respect and teamwork.

Our mission is to advise the Department in achieving its strategic and operational goals by providing risk-based and objective assurance, advice, and insight.

AUTHORITY

The Texas Internal Auditing Act (Government Code 2102) requires certain Texas state agencies, including the Department, to conduct a program of internal auditing. Furthermore, Government Code §411.241 requires the Department to establish an Office of Audit and Review. The CAO is established to meet these requirements. Government Code also requires the Public Safety Commission (PSC) to appoint an internal auditor / Director. The Department's Chief Auditor is the internal auditor required by the Act and serves as the Director called for in the Government Code.

Authority is granted for full, free, and unrestricted access to all Department operations, records (in any form), information systems, physical properties, activities, and Department personnel relevant to any function under review. The CAO staff will take appropriate measures to maintain the confidentiality of information gained in the course of their work and to safeguard any records entrusted to their care. Audit working papers are excepted from disclosure under the Public Information Act per the Texas Government Code 552.116.

The CAO shall provide assurance and consulting services for the Department. The nature of these services are defined as follows:

- Assurance Services involve an objective examination of evidence for the purpose of providing an independent assessment on governance, risk management, and control processes for the organization. Examples may include financial, performance, compliance, system security, and due diligence engagements.
- Consulting Services are advisory and related client service activities, the nature and scope of which are agreed with the client, are intended to add value and improve an organization's governance, risk management, and control processes without the internal auditor assuming management responsibility. Examples include counsel, advice, facilitation, and training.

Independence and Objectivity

Objectivity and independence are essential to the CAO in the proper fulfillment of its duties and is mandated by the Texas Internal Auditing Act and professional standards as defined later in this document.

To ensure independence, comprehensive audit coverage, adequate consideration of audit findings, and appropriate management action on audit recommendations, the CAO reports directly to the Public Safety Commission (PSC). The PSC shall ensure the independence of the CAO.

Performance of line responsibilities by the CAO may compromise its objectivity. This, however, does not preclude the CAO from serving in an advisory capacity in the implementation of corrective action or the establishment of new activities, policies, or procedures. The CAO is a staff function and has no authority over activities which it reviews, and the performance of these reviews does not relieve management of any assigned responsibilities.

The CAO is not authorized to:

- Perform any operational duties for the Department or its contractors.
- Initiate or approve accounting transactions external to the CAO.
- Direct the activities of any Department employee not employed by the CAO, except to the extent such employees have been appropriately assigned to assist in the performance of internal audit activities.

RESPONSIBILITY

The following outlines the respective responsibilities of the Public Safety Commission (PSC), the Chief Auditor, and Department management as it relates to implementing an effective internal audit function for the Department.

Responsibilities of the Public Safety Commission (PSC)

The PSC ensures the independence of the internal audit function. The PSC may designate a Commissioner to serve as the Audit Liaison. The PSC may delegate to the Audit Liaison certain responsibilities of the PSC. The PSC shall:

- Appoint, remove, oversee, evaluate and take any appropriate personnel action, and determine the compensation of the Chief Auditor.
- Periodically review the resources dedicated to the internal audit function and determine whether adequate resources exist to ensure that risks identified in the annual risk assessment are adequately covered within a reasonable time frame.
- Approve an annual internal audit plan, including any significant changes or deviations.
- Receive and review all internal audit reports.
- Approval of the audit charter.

Responsibilities of the Chief Auditor

The Chief Auditor is responsible for assessing the adequacy and effectiveness of the various functions and control systems within the Department, advising the PSC and Department management concerning the condition of those functions and systems, and developing recommendations to enhance economy, efficiency, effectiveness, and excellence. In fulfilling these responsibilities, the Chief Auditor shall:

- Develop a flexible annual internal audit plan using an appropriate risk-based methodology and submit that plan to the PSC for review and approval.
- Implement the approved annual internal audit plan including, as appropriate, special assignments, projects, or reviews requested by Department management or the PSC.
- Submit any significant changes or deviations to the annual internal audit plan to the PSC for review and approval.
- Provide updates to the PSC, as requested, regarding the activities and responsibilities of the CAO.
- Conduct all audit functions as required by Texas Government Code 2102.
- Appraise the effectiveness, reliability, and integrity of the Department's accounting, administrative, electronic data processing, and other major systems and controls, and ensure that all major systems and controls are reviewed on a periodic basis.
- Evaluate risk exposures relating to the Department's governance, operations, and information systems regarding the reliability and integrity of financial and operational information, effectiveness and efficiency of operations, safeguarding of assets, and compliance with laws, regulations, and other requirements.

- Review operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned.
- Seek and utilize the available resources of the Department, as appropriate, including legal counsel.
- Perform special assignments, projects, or reviews as requested by the PSC and, as appropriate, other such special assignments, projects, or reviews requested by Department management. Such assignments and reviews must not impair the CAO's independence.
- Based on an assessment of risk, determine whether corrective action was taken on reported audit findings and is achieving the desired results, or that senior management has assumed the risk of not taking corrective action. The CAO shall assess the adequacy, effectiveness, and timeliness of actions taken by management to resolve reported audit findings.
- Perform consulting/advisory services to the extent they do not nor will not represent a conflict of interest, compromise or impair independence or objectivity, or detract from the CAO's obligations to the PSC and the Department. Examples include, but are not limited to:
 - evaluating and assessing significant new or changing functions, services, processes, operations, and control processes concurrent with their development, implementation, and/or expansion,
 - participating in manual and automated system design as an advisor on risk and management controls, and
 - appraising existing allocation of resources by the Department.
- Keep the PSC informed of emerging trends and successful practices in internal auditing.
- Consider both internal and external audit and review efforts to ensure optimal audit coverage at a reasonable overall cost.
- Serve as the primary liaison with external auditors or review groups for any audit or review conducted of the Department.
- Perform all duties and responsibilities as set forth in the job description of the Chief Auditor.

Responsibilities of Texas Department of Public Safety (Department) Management

Management of the Department shall:

- Cooperate with and provide CAO full and free access to all activities, records, property, and personnel of the Department and of its contractors and subcontractors.

- Timely inform the CAO of any reviews, evaluations, assessments, audits, or inspections conducted by local, state, or federal entities, or any external consultants, contractors, or auditors.
- Respond to draft CAO audit reports within the time specified, indicating management's agreement or disagreement with the issues and recommendations; management's corrective actions proposed or taken, and dates for accomplishing those corrective actions. If there is any disagreement with the issues or recommendations, management will provide reasons. Alternative actions which correct issues are acceptable. Management accepts the risk of not taking appropriate corrective action on reported issues.
- Establish, administer, and assess the system of risk management and control processes designed to ensure the achievement of Department objectives and the following conditions exist:
 - Financial and operational information is reliable and possesses integrity.
 - Operations are performed efficiently and achieve effective results.
 - Assets are safeguarded.
 - Actions and decisions of the Department are in compliance with laws, regulations, and other requirements.
- Report to the CAO instances in which management has reasonable cause to believe that money received from the state by the Department or by a client or contractor of the Department may have been lost, misappropriated, or misused, or that other fraudulent or unlawful conduct has occurred in relation to the operation of the Department.

PROFESSIONAL REQUIREMENTS

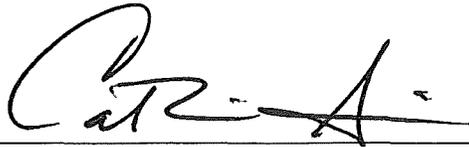
The CAO shall adhere to The Institute of Internal Auditors' Mandatory Guidance, which includes the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the *International Standards for the Professional Practice of Internal Auditing*, and the Definition of Internal Auditing. The CAO shall also adhere to generally accepted government auditing standards as promulgated by the Government Accountability Office, and the requirements found under the Texas Internal Auditing Act (Chapter 2102, Government Code). The CAO shall also adhere to the policies, procedures, and requirements of the Texas Department of Public Safety.

The professional staff of the CAO shall maintain technical competence by attending continuing professional education as required by the governing boards which regulate the professional designations of Certified Internal Auditor and Certified Public Accountant, as appropriate. Ordinary and necessary expenses of maintaining the above named professional designations will be paid by the Department. Other relevant certification programs may also be supported on a case by case basis at the discretion of the Chief Auditor.

QUALITY ASSURANCE

The Chief Auditor shall maintain an effective quality assurance program to include supervision, training, internal reviews, and periodic comprehensive external peer reviews to ensure compliance with the Texas Internal Auditing Act and professional standards.

The Chief Auditor shall maintain a professional audit staff with sufficient knowledge, skills, experience, and professional certifications, or supplement with external resources, to meet the requirements of this charter.



Catherine A. Melvin
Chief Auditor

2-21-2019

Date



Steven C. McCraw
Director

2/21/2019

Date

This Charter was approved by the Public Safety Commission on February 21, 2019, and supersedes the previously approved charter dated April 17, 2013:



Steven P. Mach
Chairman, Public Safety Commission

02-21-19

Date

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On February 21, 2019, 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 15.50

The Texas Department of Public Safety (the department) adopts new §15.50, concerning State-to-State Verification Service. This rule is adopted without changes to the proposed text as published in the December 28, 2018 issue of the *Texas Register* (43 TexReg 8566) and will not be republished.

The new rule is intended to inform applicants for driver licenses (DL) and identification certificates (ID) that Texas will utilize the State-to-State Verification Service (S2S) to determine if an applicant holds a DL or ID in another state or U.S. jurisdiction. Texas Transportation Code, Chapter 521 requires the surrender of DLs and IDs issued by Texas, other states, or other U.S. jurisdictions before issuance of a Texas DL or ID. The new rule consolidates the various provisions related to DL or ID surrender in Chapter 521 to clarify the requirements related to the surrender of a previously issued DL or ID. Additionally, if the department determines through S2S that the applicant holds a DL or ID in another state or U.S. jurisdiction, the applicant will be required to surrender that document prior to issuance of a Texas DL or ID.

No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code; Texas Transportation Code, §521.182, which requires surrender of a license issued by another jurisdiction; Texas Transportation Code, §521.183, which requires surrender of a DL or ID issued by this state; and Texas Transportation Code, §521.142(e), which authorizes the department to determine eligibility for a DL or ID.

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 February 21, 2019, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Sex Offender Registration
Title 37 T.A.C. Part I, Chapter 37
Section 37.3

The Texas Department of Public Safety (the department) adopts new §37.3, concerning Minimum Required Registration Period. This rule is adopted without changes to the proposed text as published in the December 28, 2018 issue of the *Texas Register* (43 TexReg 8567) and will not be republished.

Texas Code of Criminal Procedure, Article 62.402(a), directs the department to determine by rule the minimum required registration period under federal law for each reportable conviction or adjudication that requires registration as a sex offender. Registrants with a reportable conviction or adjudication that must register under Texas law for a period that exceeds the minimum required registration period under federal law may petition their trial court for early termination of their obligation to register as a sex offender.

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 Code of Criminal Procedure, Article 62.402(a), which authorizes the department to determine the minimum required registration period under federal law for each reportable conviction or adjudication under Chapter 62.

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

