

Texas Private Security Advisory Committee (TPSAC)

Meeting Minutes

January 11, 2023

1. Call to Order

The regular meeting of the Texas Private Security Advisory Committee was called to order at 11:13 a.m. on January 11, 2023, via conference call.

2. Roll Call

Wade Hayden	Member	Public Representative
John Helweg	Member	Locksmith Representative
Debi Ulmer	Member	Alarm System & Electronic Access Rep
Pablo Luna	Service Director	Texas Department of Public Safety
Chris Sims	Service Director	Texas Department of Public Safety
Christopher Hanson	Captain	Texas Department of Public Safety
Robert Hawkins	Special Assignments Manager	Texas Department of Public Safety
Lisa Cargill	RSD Manager	Texas Department of Public Safety
Christopher Lyons	RSD Manger	Texas Department of Public Safety
Jeremy LeCrone	Program Manager	Texas Department of Public Safety
Amalia Sanchez	Program Supervisor	Texas Department of Public Safety
Ryan Garcia	Program Manager	Texas Department of Public Safety
Linsey Silva	Program Supervisor	Texas Department of Public Safety
Trey Struhall	Program Supervisor	Texas Department of Public Safety
Steve Moninger	Senior Policy Analyst	Texas Department of Public Safety
Leslie Stevens	Personnel Admin Specialist	Texas Department of Public Safety
Renee Davis	Staff Services Specialist	Texas Department of Public Safety
Deborah Failey	Staff Services Specialist	Texas Department of Public Safety
Carlos Romero	Admin Operations Specialist	Texas Department of Public Safety

3. Minutes from April 13, 2022

Corrections were required for John Helweg's name, which was reported as Wade Helweg. Minutes were approved unanimously with these corrections.

4. Quarterly Reports from Regulatory Services Division

a. Executive Office Report

Pablo Luna informed the committee that RSD continues to focus on unlicensed activity across the various industries. He stated that operations in Region 3 (the Laredo area) have resulted in recent arrests of individuals who were not licensed.

b. Complaints/Investigations

Pablo Luna presented this information to the committee. There were no follow up questions.

c. Disciplinary Actions

Jeremy LeCrone presented this information to the committee. Debi Ulmer asked if the reported revocation in the report was a business or individual and of which regulated industry. Amalia Sanchez answered that this was an individual revocation.

d. Licensing Statistics

Ryan Garcia presented this information to the committee. There were no follow up questions.

5. Industry Reports

a. Security Officers

Alan Trevino was not present to provide a report.

b. Investigators

Patti James was not present to provide a report.

c. Alarm systems and Electronic Access Control

Debi Ulmer stated she had no information to report.

d. Locksmiths

John Helweg stated he had no information to report.

e. Public Report

Wade Hayden stated he had no information to report.

6. Discussion and Possible Recommendation Items

a. Amendments to Rule 35.5, Standards of Conduct, clarifying the use of the department's name or seal and providing for company licensee's responsibility for employee conduct relating to sales or other customer interactions occurring on behalf of the company.

Steve Moninger addressed the committee explaining that the proposed amendments to this rule were based on Mr. Helweg's recommendation regarding unlicensed employees. For example, salespersons are no longer required to be licensed and whether or not there is any action that can be taken to regulate the sales industry. Mr. Moninger stated that the changes to subsection (a) were addressing items the department sometimes observes from licensees' advertisements. Mr. Moninger stated that changes to subsection (e) were holding the company license holders responsible for the actions of their employees, which includes independent contractors or unregulated individuals. John Helweg stated that he had a few items to discuss. He stated he would like to see the company held accountable, not the individual license holder. His second point to discuss was regarding how employees introduce themselves to customers. Mr. Helweg explained that in the past employees would present the potential customer with a card that had all pertinent information including their name, the company name and license number, as well as contact information for questions or concerns. Debi Ulmer added that she agreed with the need for identification, she stated as an example, a company in the Houston area who hired independent contractors who would solicit and receive signed contracts and then sell

those contracts to the highest bidder for alarm installation and monitoring. Ms. Ulmer stated that having individuals provide that information ties them to a specific company for contacting purposes. Mr. Moninger stated that he would draft a requirement that salespersons present identification reflecting the license holder's name, address, phone number and license number. He stated that he would send the proposed rule via email for approval at a later date. Mr. Moninger also addressed Mr. Helweg's question regarding holding a licensee accountable rather than the employee. Given the change to individual licensees rather than registrants, the way to distinguish which licensees are being referenced is to refer to them as license holder, which refers to the company.

b. Amendments to Rule 35.9, Advertisements, excluding residential address from required item in advertisements and otherwise clarifying the requirements.

Steve Moninger addressed the committee explaining that the amendments to this rule were to address advertising. John Helweg stated he did not think it was right for a license holder to get a pass on the requirement to publish their address just because they may be operating the company out of their home. Mr. Helweg stated that the licensee could obtain a PO box and list that instead. Mr. Moninger stated that many people, Private Investigators especially, manage their company from their home and do not want certain personal information made publicly available. He also stated that subsection (d) is clarifying that a business card is a form of advertisement also.

c. Proposed new Rule 35.124, Alarm Company and Alarm Training School Licenses, clarifying experience requirements.

Steve Moninger addressed the committee stating this proposed rule is in response to the recent discussion referencing Alarm Training Schools and the need for instructors to have a two-year experience requirement.

d. Amendments to Rule 35.143, Training Instructor Approval, clarifying hours required and adding additional means of qualification.

Steve Moninger addressed the committee regarding these proposed Rule amendments. He stated that the addition of the fourth item under subsection 'c' was to establish the same requirements for private security handgun instructors as for license to carry handgun instructors. This requirement is to use a nationally accepted course for certification.

The committee voted to approve all Rule changes for 35.9, 35.124, and 35.143 as written and provided. The committee voted to approve Rule changes for 35.5, with the addition of changes discussed at the meeting, specifically the addition of the language "provide" rather than "display", as well as a possible addition of subsection (f).

The committee also recommended by vote for new penalties to follow the current penalty schedule. First offense- \$250 fine, second offense- \$500 fine, third offense- 60 day suspension, and a final offense- revocation.

These rule changes were to be sent to members who were absent for their input, recommendations and approval as well.

7. Future agenda items

There were no future agenda items currently.

8. Date of next meeting

Date of the next meeting was confirmed to be April 12, 2023, at 11am.

9. Adjourn

Meeting adjourned at 12:06 p.m.