

TEXAS DEPARTMENT OF PUBLIC SAFETY



REGULATORY SERVICES DIVISION

FY2021 Annual Regulatory Report
Revision Date: November 2021



TABLE OF CONTENTS

1. EXECUTIVE SUMMARY	4
2. CALCULATION DEFINITIONS.....	5
2.1. LICENSES ISSUED.....	5
2.2. COMPLAINTS	5
2.3. INVESTIGATIONS CONDUCTED	5
2.4. DISCIPLINARY ACTIONS.....	6
3. CAPITOL ACCESS PASS	7
3.1. OVERVIEW	7
3.2. LICENSES ISSUED.....	7
3.3. COMPLAINTS	8
3.4. INVESTIGATIONS CONDUCTED	8
3.5. DISCIPLINARY ACTIONS.....	8
4. COMPASSIONATE USE PROGRAM	9
4.1. OVERVIEW	9
4.2. LICENSES ISSUED.....	9
4.3. COMPLAINTS	10
4.4. INVESTIGATIONS CONDUCTED	10
4.5. DISCIPLINARY ACTIONS.....	10
5. IGNITION INTERLOCK DEVICE	11
5.1. OVERVIEW	11
5.2. LICENSES ISSUED.....	11
5.3. COMPLAINTS	11
5.4. INVESTIGATIONS CONDUCTED	12
5.5. DISCIPLINARY ACTIONS.....	12
6. PRIVATE SECURITY	13
6.1. OVERVIEW	13
6.2. LICENSES ISSUED.....	13
6.3. COMPLAINTS	14
6.4. INVESTIGATIONS CONDUCTED	16
6.5. DISCIPLINARY ACTIONS.....	17
7. TEXAS METALS PROGRAM	18
7.1. OVERVIEW	18
7.2. LICENSES ISSUED.....	18
7.3. COMPLAINTS	19
7.4. INVESTIGATIONS CONDUCTED	20
7.5. DISCIPLINARY ACTIONS.....	21

8. VEHICLE INSPECTION	22
8.1. OVERVIEW	22
8.2. LICENSES ISSUED.....	22
8.3. COMPLAINTS	24
8.4. INVESTIGATIONS CONDUCTED	26
8.5. DISCIPLINARY ACTIONS.....	27

1. EXECUTIVE SUMMARY

This report is provided by the Regulatory Services Division (RSD) of the Texas Department of Public Safety (DPS) in accordance with the requirements of Senate Bill 616, 86th Regular Session of the Texas Legislature, 2019.

The Regulatory Services Division (RSD) provides effective oversight of regulated programs as authorized by the Texas Legislature and uses a three-strategy approach: 1) Issuance 2) Modernization and 3) Compliance and Enforcement.

The Regulatory Services Issuance section is responsible for issuing regulatory licenses and permits, and for tracking the number of license and permit holders. Regulatory Services Issuance ensures the integrity of regulatory programs through a rigorous licensing process, which includes receiving and reviewing license and permit applications and ensuring compliance with applicable policies, codes, and statutes.

The Regulatory Services Modernization section is responsible for improving the operational efficiency and delivery of regulatory services to customers through re-engineered business processes and implementation of improved technological solutions.

The Regulatory Services Compliance and Enforcement section is responsible for auditing program licensees and permit holders for compliance with applicable state and federal regulations. The section reviews complaints from the public and monitors and analyzes program data to detect potential criminal or administrative violations. If warranted, investigations are conducted, administrative penalties are assessed, and criminal prosecutions are pursued.

RSD maintains LENS-focused regulatory services (lean, efficient, nimble, and scalable) to improvise and adapt to an ever-changing environment to provide services the citizens and legislative demands. In a LENS business model, services and employees are organized by function, rather than by program, which helps to eliminate duplication of effort and increase efficiencies. For example, RSD application staff can process permits and licenses for all regulatory programs. This allows team members to easily redirect to programs experiencing high volume to maintain processing time effectively.

2. CALCULATION DEFINITIONS

The reporting period is calculated as Fiscal Year 2021, from September 1, 2020 through August 31, 2021.

2.1. LICENSES ISSUED

The number of licenses issued under the program during the reporting period.

i DEFINITION

The figure reflects the number of new and renewal program licenses issued during the reporting period.

2.2. COMPLAINTS

The number and types of complaints received and resolved by the Department during the reporting period.

i COMPLAINT DEFINITION

A complaint is defined as any formal written statement received from a member of the public providing facts or cause for action against a licensed/authorized person or business, or a person/business working without a license in a program regulated by the Regulatory Services Division.

ii RECEIVED AND RESOLVED

Complaints are documented on the day received by the Department through an electronic form, email, fax, or the United States Postal Service.

RSD investigates complaints, and records are documented as closed on the day the Division disposes of the complaint. Complaint disposition points include closed for insufficient evidence, no violations found during the investigation, administrative violations found, and notification sent to the subject, or criminal violations are found and referred to law enforcement for further investigation.

2.3. INVESTIGATIONS CONDUCTED

The number of investigations conducted by the Department during the reporting period.

i DEFINITION

This is a cumulative number reflecting investigations resulting from received complaints, violations found during a routine inspection, leads from law enforcement and other state agencies, and reviewing program metrics such as Vehicle Inspection Clean Scan analysis. Since an investigation can be conducted without a complaint (i.e., violations found during a routine inspection or reviewing program metrics), it is important to note that the number of complaints and investigations conducted will not always match in this report.

2.4. DISCIPLINARY ACTIONS

The number and types of disciplinary actions taken by the Department during the reporting period.

i DEFINITION

This calculation reflects all the disciplinary actions taken by the Division during the reporting period. An action is defined as formal notification to the subject of violations of program statute or administrative rules. Disciplinary actions taken can be the outcome of a complaint, inspection, investigations, background report, and notice of arrest or ineligibility to remain a licensee. Since disciplinary action can be taken without a formal investigation such as cases where a licensee becomes ineligible, it is important to note that the number of disciplinary actions may not match the number of complaints or investigations in this report.

Disciplinary action types in the report include advisory notices, cease and desist, fine, reprimand, revocation, or suspension.

3. CAPITOL ACCESS PASS

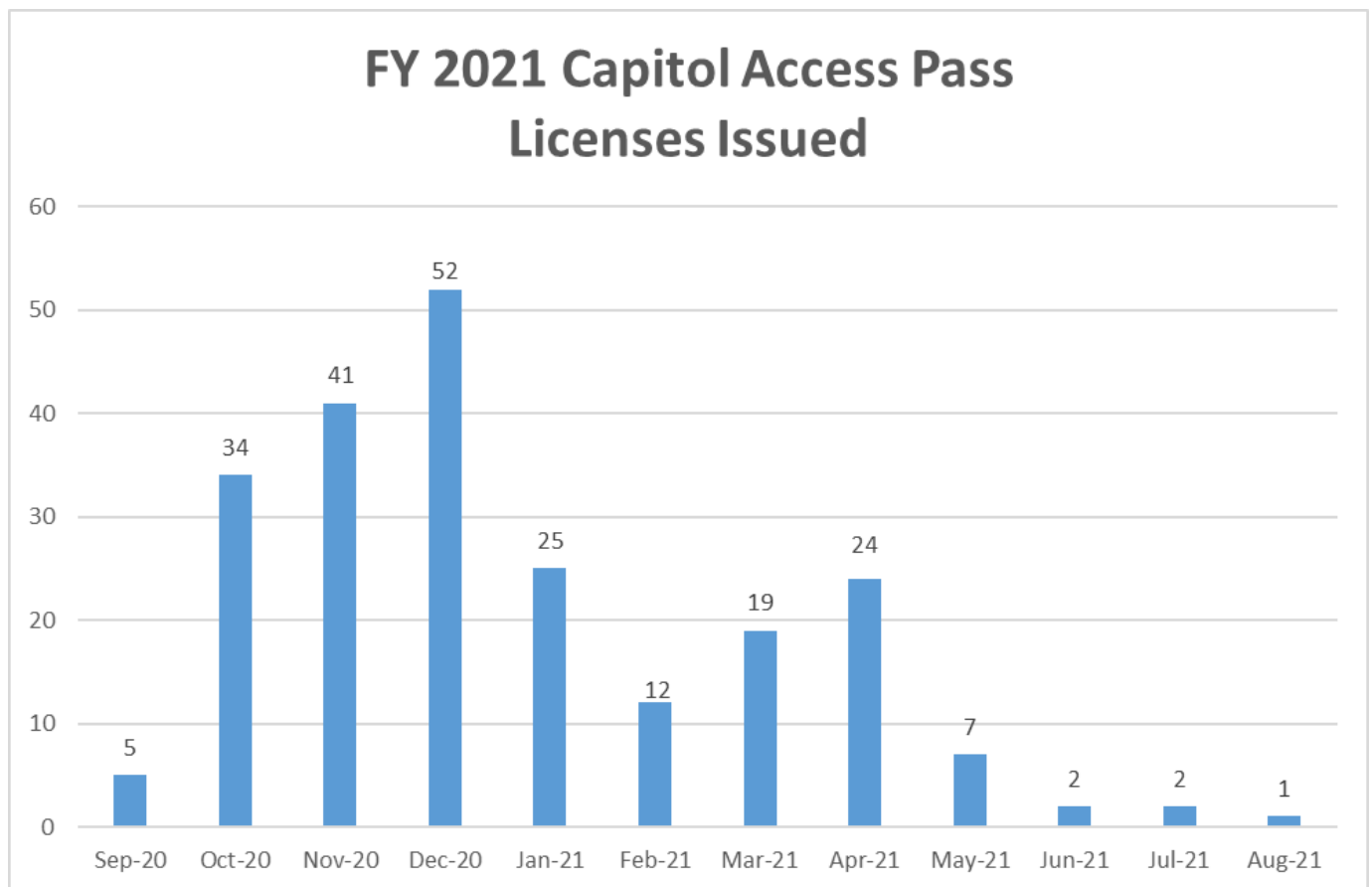
3.1. OVERVIEW

The Regulatory Services Division oversees the Capitol Access Pass (CAP) expedited access program under the authority of the Texas Government Code, [Chapter 411](#), and the related administrative rules ([37 TAC Part 1, Chapter 2](#)).

The CAP program provides expedited access to the Texas State Capitol through the main public entrances. Approved applicants gain access to the Capitol by presenting their Texas Driver License or Texas ID card at the line designated for CAP and handgun license holders.

3.2. LICENSES ISSUED

In 2021, the Regulatory Services Division issued 224 individual licenses.



3.3. COMPLAINTS

In 2021, the Regulatory Services Division received one complaint resulting in no action due to insufficient evidence or no violation found.

i VIOLATION DESIGNATION

Non-Regulated Program	1
-----------------------	---

3.4. INVESTIGATIONS CONDUCTED

In 2021, the Regulatory Services Division conducted one investigation from a complaint resulting in no action due to insufficient evidence or no violation found.

3.5. DISCIPLINARY ACTIONS

In 2021, the Regulatory Services Division did not take any formal disciplinary action against a licensee.

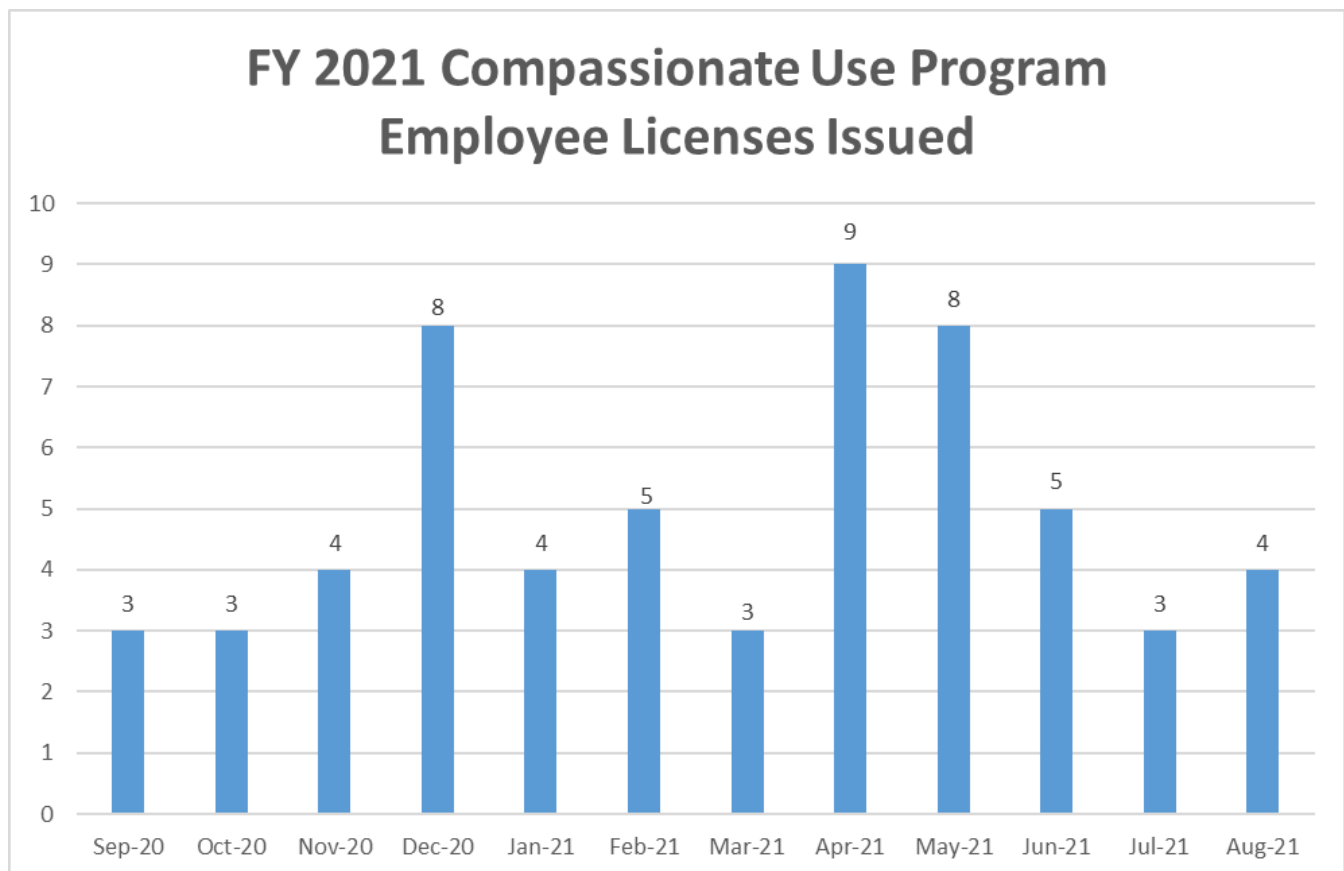
4. COMPASSIONATE USE PROGRAM

4.1. OVERVIEW

The Regulatory Services Division administers the Compassionate Use Program (CUP) in Texas, under the authority of the Texas Health and Safety Code, Chapter 487. Through the program, the Division operates a secure online registry of qualified physicians who can prescribe low tetrahydrocannabinol (THC) to patients with specific medical conditions. The registry, called the Compassionate Use Registry of Texas (CURT), is designed to prevent more than one qualified physician from registering as the prescriber for a single patient, is accessible to law enforcement agencies and dispensing organizations to verify patients of low-THC cannabis, and allows a physician to input safety and efficacy data derived from the treatment of patients for whom low-THC cannabis is prescribed. The Regulatory Services Division also manages the licensing of organizations that dispense low-THC cannabis to patients in the Compassionate Use Registry of Texas.

4.2. LICENSES ISSUED

In 2021, the Regulatory Services Division issued 59 employee licenses and had three active dispensing facilities.



4.3. COMPLAINTS

In 2021, the Regulatory Services Division received three complaints resulting in no action due to insufficient evidence or no violation found.

i VIOLATION DESIGNATION

Theft	1
Other	2

4.4. INVESTIGATIONS CONDUCTED

In 2021, the Regulatory Services Division conducted 6 investigations: three from complaints, two from inspections, and one from Law Enforcement.

4.5. DISCIPLINARY ACTIONS

In 2021, the Regulatory Services Division did not take any formal disciplinary action against a licensee.

5. IGNITION INTERLOCK DEVICE

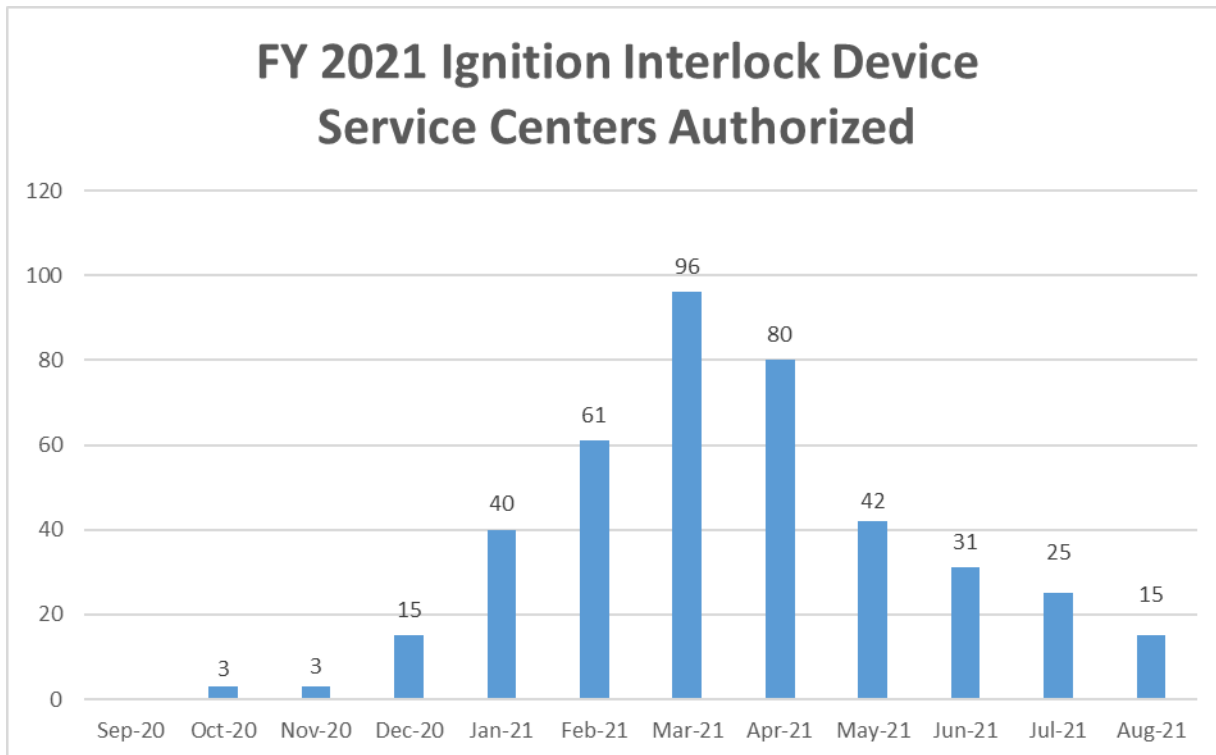
5.1. OVERVIEW

The Regulatory Services Division regulates the service providers of ignition interlock devices for citizens who are court-ordered to have a device installed.

The Texas Transportation Code [§521.2476](#) requires DPS to establish minimum standards for vendors of Ignition Interlock Devices (IID) who conduct business in Texas and procedures to ensure compliance with those standards, including procedures for the inspection of a vendor’s facilities.

5.2. LICENSES ISSUED

In 2021, the Regulatory Services Division issued 411 service center authorizations.



5.3. COMPLAINTS

In 2021, the Regulatory Services Division received one complaint resulting in no action due to insufficient evidence or no violation found.

i VIOLATION DESIGNATION

Other	1
-------	---

5.4. INVESTIGATIONS CONDUCTED

In 2021, the Regulatory Services Division conducted three investigations: one complaint, and two as a result of inspections.

5.5. DISCIPLINARY ACTIONS

In 2021, the Regulatory Services Division did not take any formal disciplinary action against a licensee. Service Centers were able to correct deficiencies to comply.

6. PRIVATE SECURITY

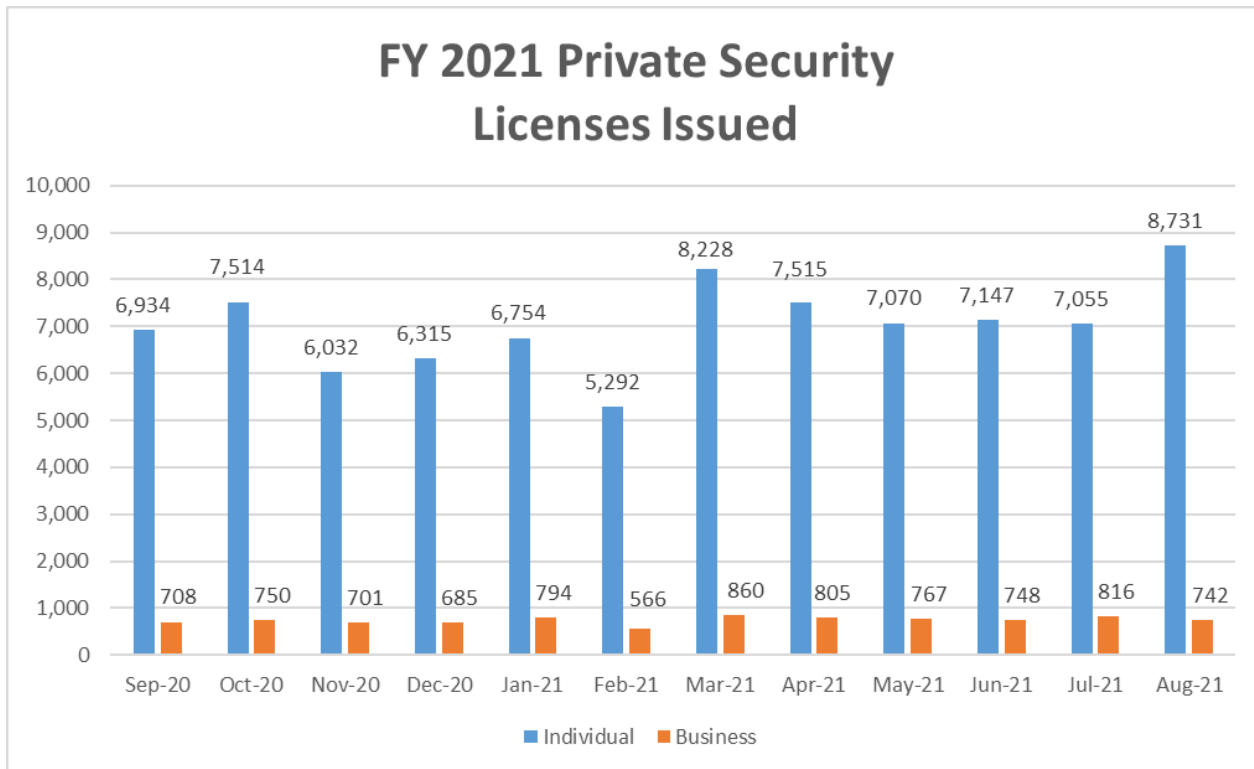
6.1. OVERVIEW

The Regulatory Services Division regulates the private security profession in Texas. The Division protects the public by conducting fingerprint-based background checks on applicants, investigating and resolving complaints, and taking disciplinary action against licensees or seeking criminal prosecution of those who perform private security services without a license.

The private security profession includes armed and unarmed security guards, personal protection officers, private investigators, alarm systems installers and monitors, armored car couriers, electronic access control device installers, and locksmiths. DPS regulates the private security profession under the authority of the Texas Occupations Code, [Chapter 1702](#), and the related administrative rules ([Title 37, Part 1, Chapter 35](#)).

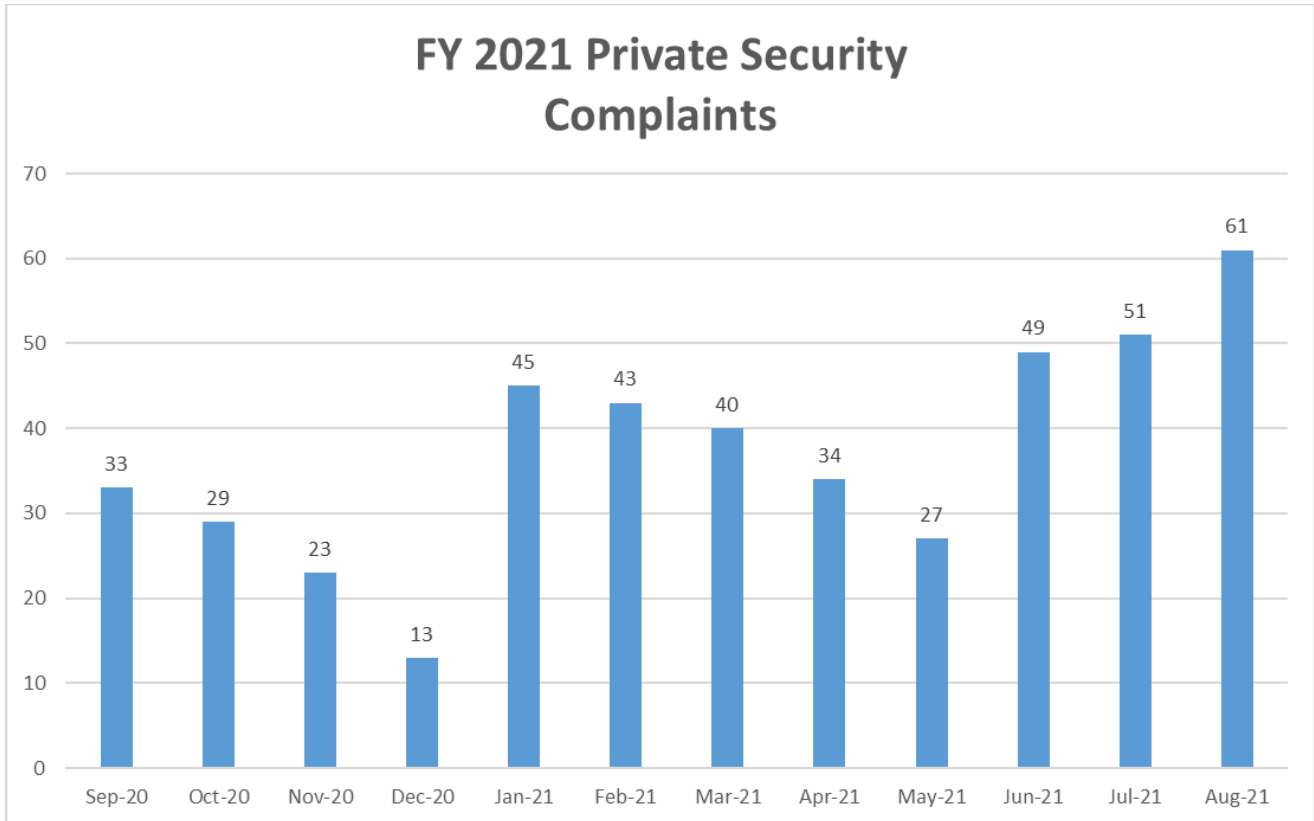
6.2. LICENSES ISSUED

In 2021, the Regulatory Services Division issued 84,587 individual licenses and 8,942 business licenses.



6.3. COMPLAINTS

In 2021, the Regulatory Services Division received 448 complaints: 96 were referred for disciplinary action, five were referred to law enforcement, five referred to other state agencies, and the remainder resulted in no action due to insufficient evidence or no violation found.



i VIOLATION DESIGNATION

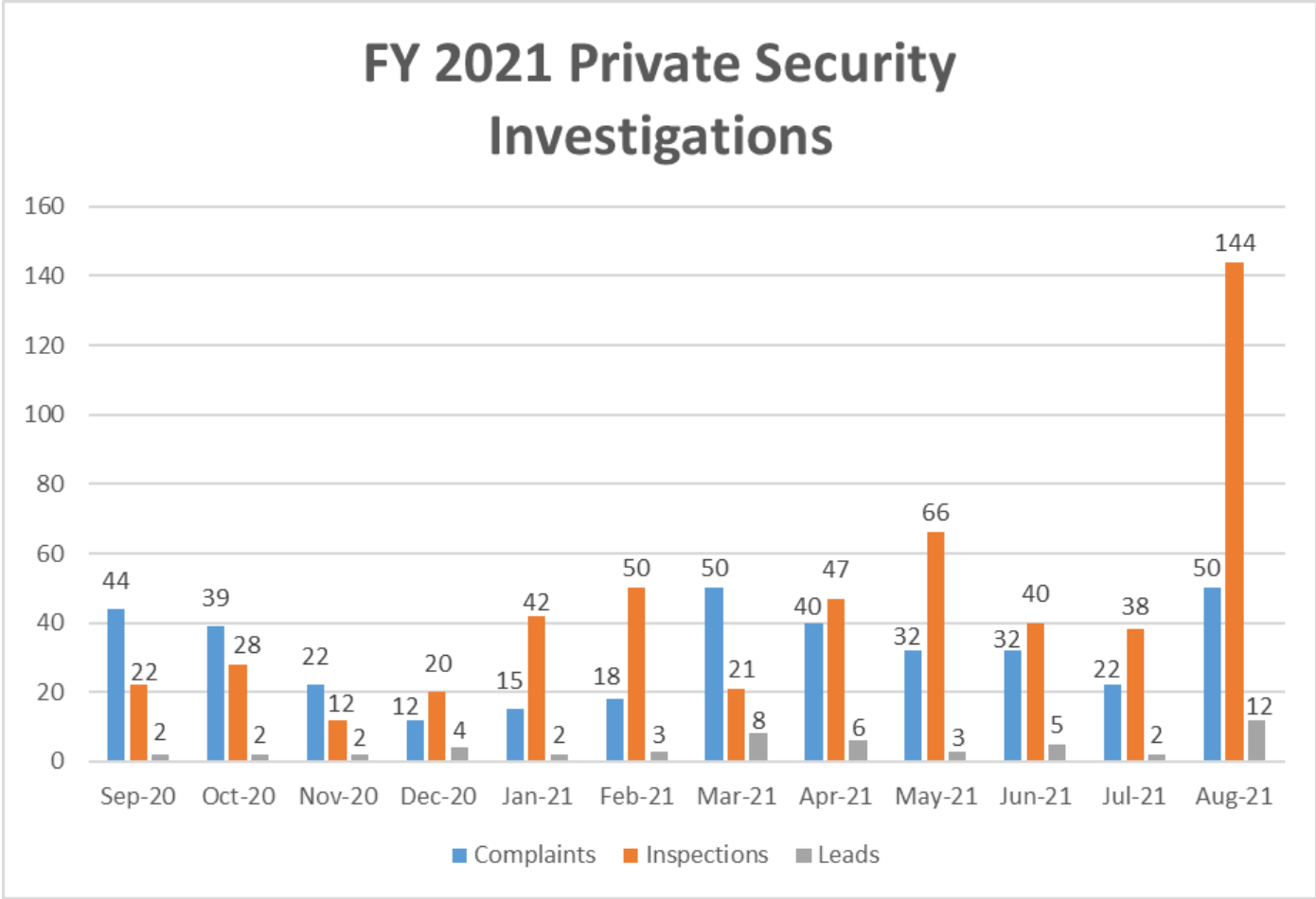
Advertisement Violation	7
Arrest Notification	3
Assault	7
Bounty Hunters	1
Brandish Firearm	1
Continuing Education	1
Contract Violation	19
Criminal Trespass	1

Deceptive Business Practices	26
Eligibility	1
Employing an Unqualified Person	10
Equipment	3
Failure to Register	4
Firearms Discharge	2
Fraud	7
Harassment	12
Impersonating a Public Servant	7
Impersonating a Security Officer	4
Non-Compliance	3
Non-Regulated Program	1
Operating with Expired License	29
Operating with Suspended Insurance	3
Operating without a License	117
Operating without Company Representative	7
Pocket Card	1
Records Issue	7
Safety Issue	2
Standards of Conduct	17
Tampering with a Government Document	2
Theft	8
Threat	6
Uniform	14
Unregistered Entity	6

Other	109
-------	-----

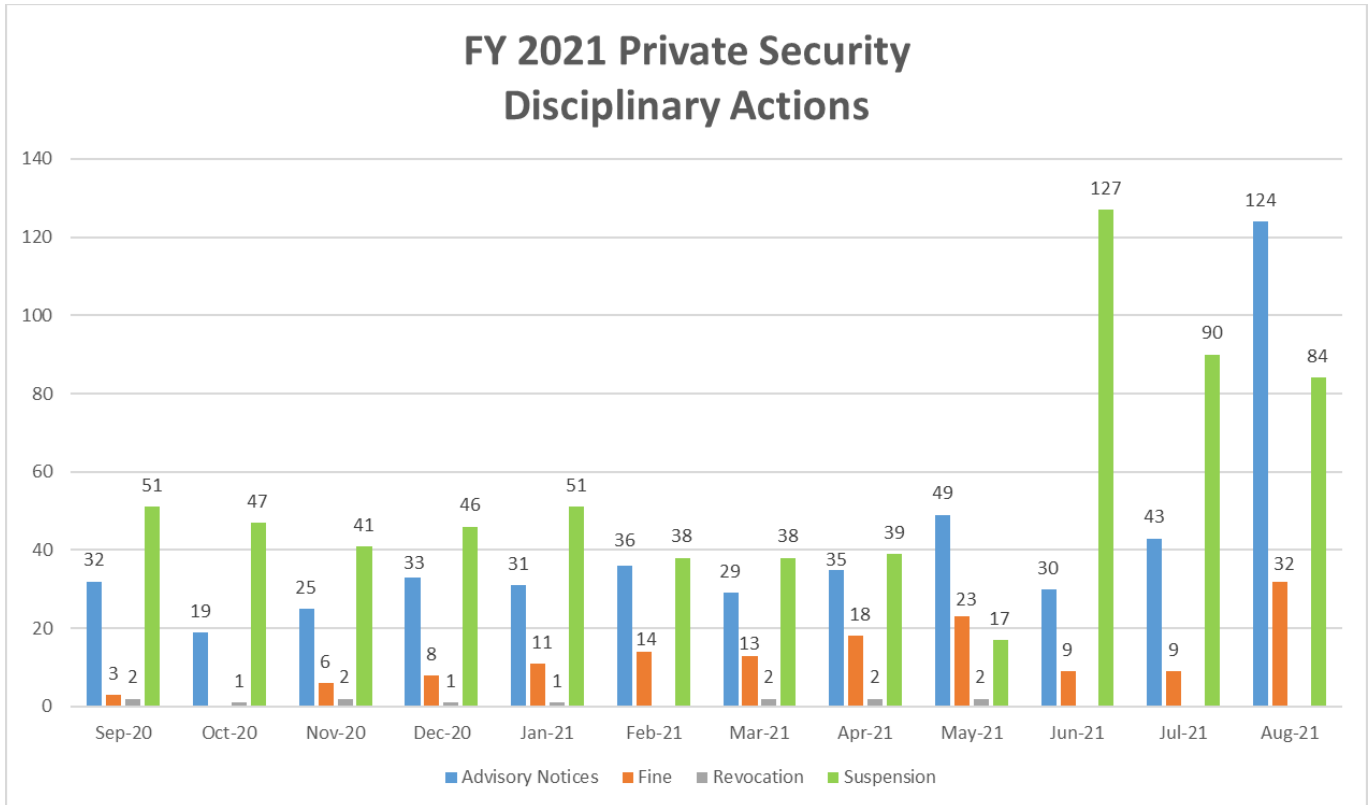
6.4. INVESTIGATIONS CONDUCTED

In 2021, the Regulatory Services Division conducted 957 investigations: 376 from complaints, 530 from inspections, and 51 from Leads submitted by Law Enforcement or another State Agency.



6.5. DISCIPLINARY ACTIONS

In 2021, the Regulatory Services Division issued 1,314 formal disciplinary actions: 486 advisory notices, 146 fines, 13 revocations, and 669 suspensions.



7. TEXAS METALS PROGRAM

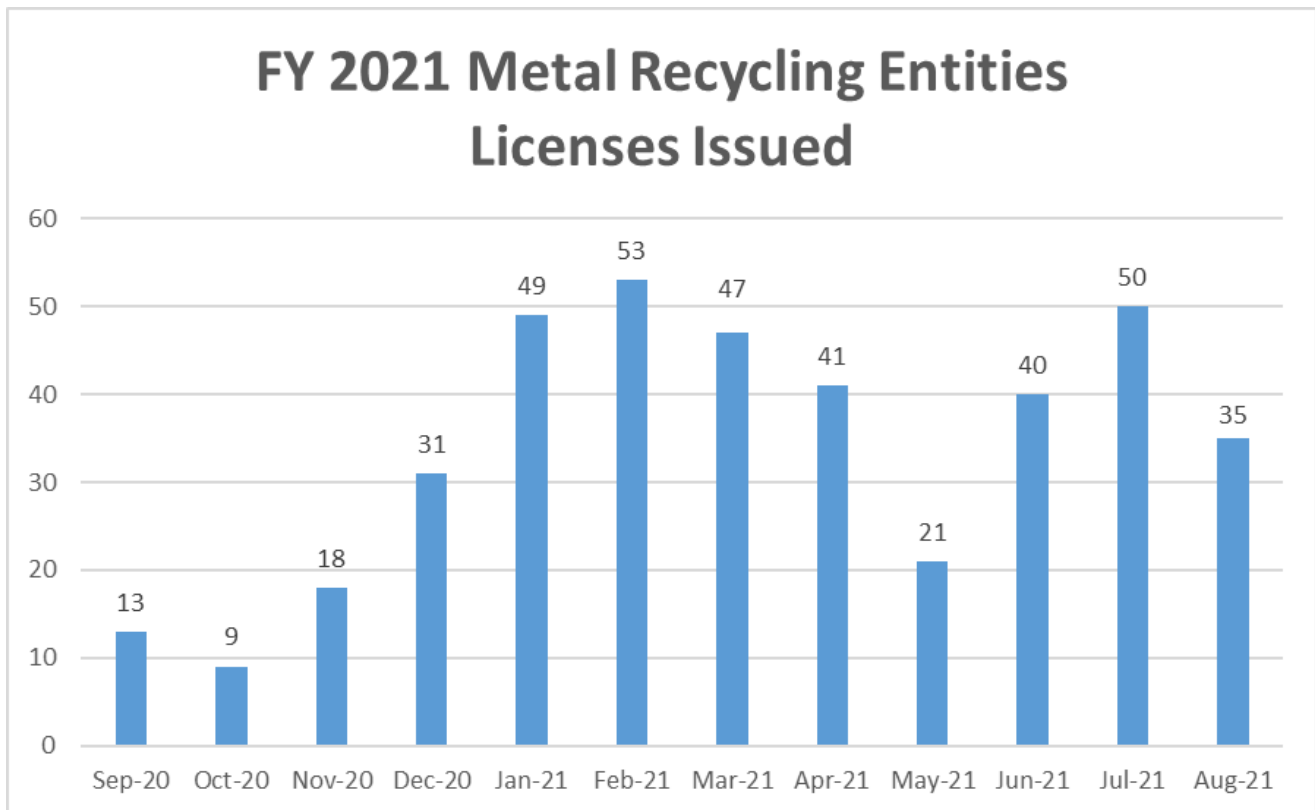
7.1. OVERVIEW

The Regulatory Services Division registers and regulates all Metal Recycling Entities (MREs) in Texas under the authority of the Texas Occupations Code, Chapter 1956, and the related administrative rules (Title 37, Part 1, Chapter 36).

The Division licenses businesses, evaluates the eligibility of applicants through criminal history background checks, oversees transaction record-keeping, and conducts routine inspections to ensure compliance with applicable laws and administrative rules. The Division also provides online training to all MRE owners.

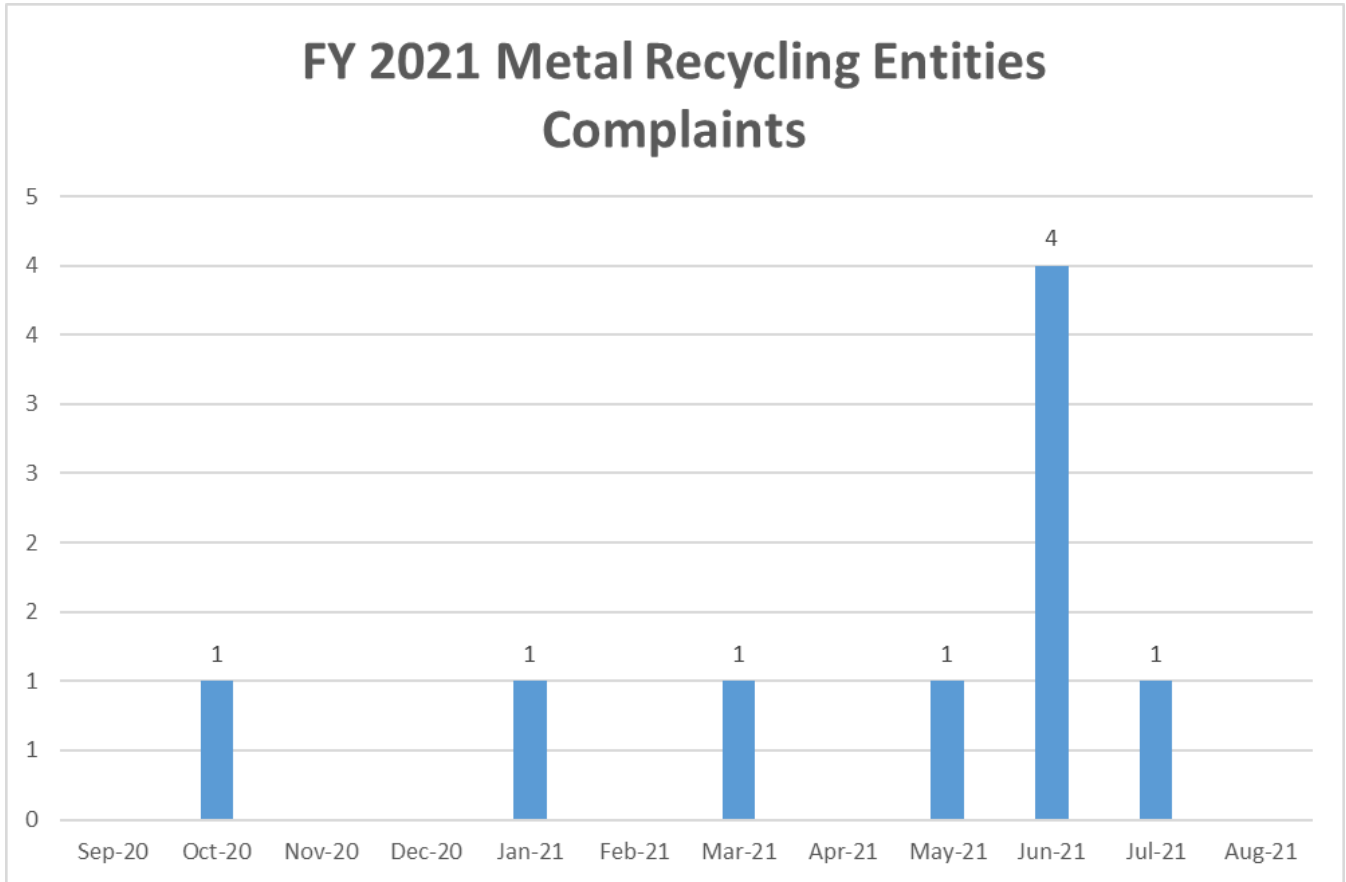
7.2. LICENSES ISSUED

In 2021, the Regulatory Services Division issued 407 licenses.



7.3. COMPLAINTS

In 2021, the Regulatory Services Division received nine complaints: one was referred to another state agency, and the remainder resulted in no action due to insufficient evidence or no violation found.

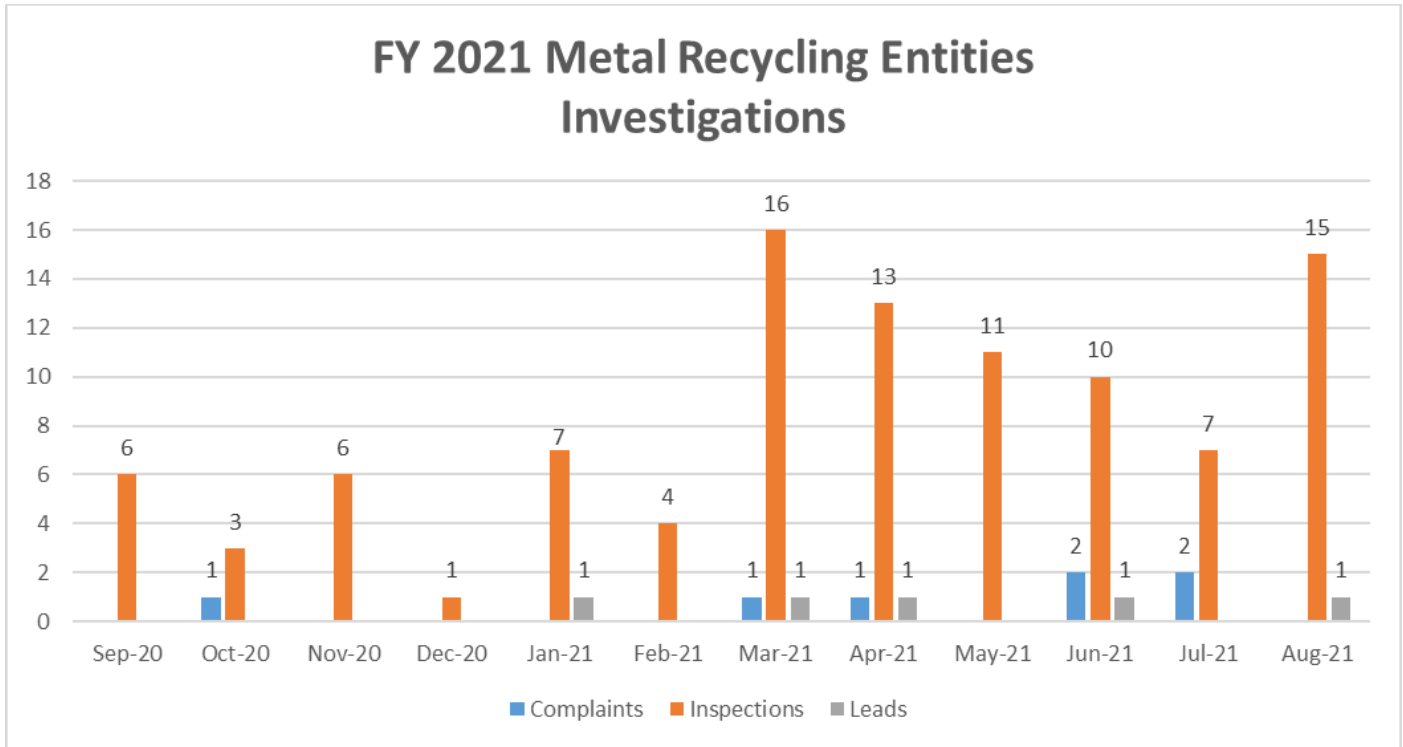


i VIOLATION DESIGNATION

Deceptive Business Practices	1
Non-Regulated Program	2
Operating without a License	2
Theft	3
Other	1

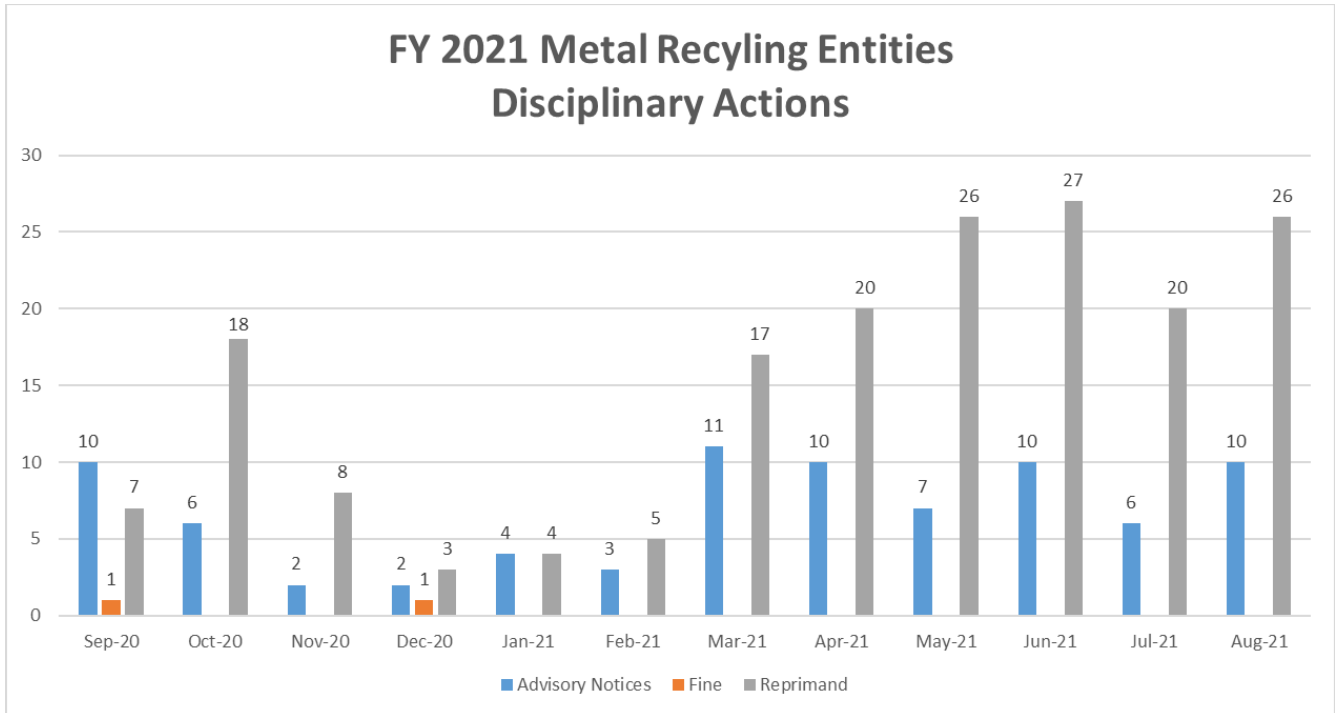
7.4. INVESTIGATIONS CONDUCTED

In 2021, the Regulatory Services Division conducted 111 investigations: seven from complaints, 99 from Inspections, and five were Leads submitted by Law Enforcement or another State Agency.



7.5. DISCIPLINARY ACTIONS

In 2021, the Regulatory Services Division issued 264 formal disciplinary actions: 81 advisory notices, two fines, and 181 reprimands.



8. VEHICLE INSPECTION

8.1. OVERVIEW

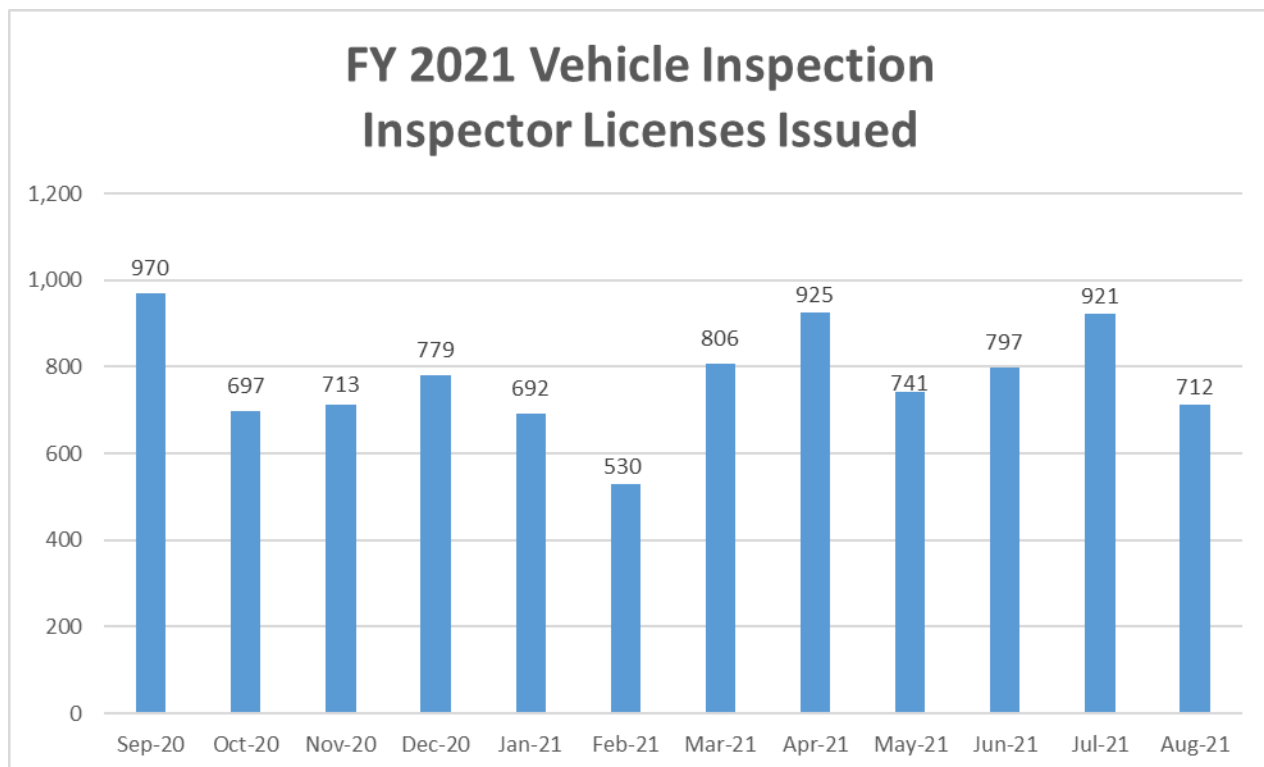
The Regulatory Services Division administers the Vehicle Inspection (VI) program in Texas under the authority of the Texas Transportation Code, Chapters 547 and 548, and the related administrative rules (Title 37, Part 1, Chapter 23).

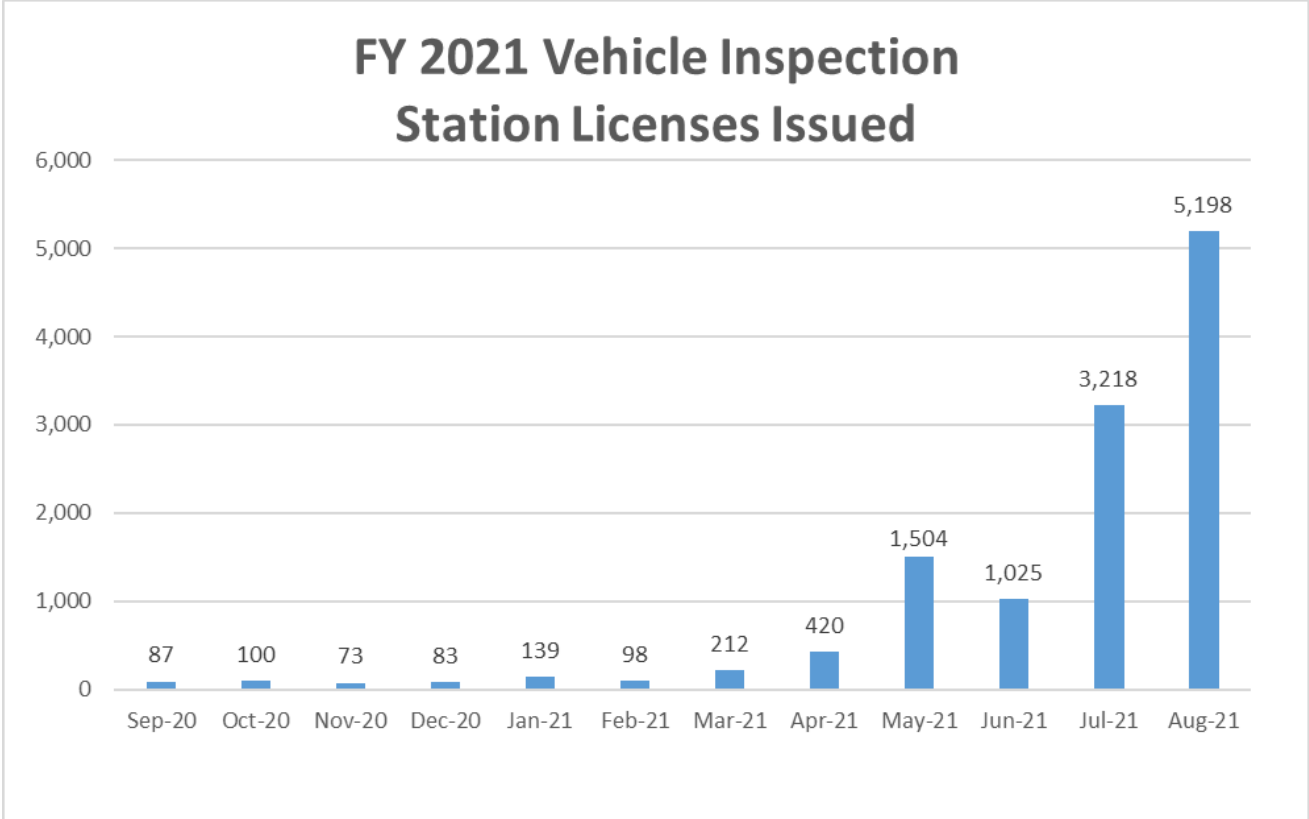
The VI program licenses all official vehicle inspection stations and inspectors throughout the state to help keep roadways safe and the environment clean. Vehicles are required to be inspected annually for conditions or defects that might cause traffic collisions and contribute to air pollution. Division employees are authorized to take appropriate enforcement action against anyone in violation of Texas laws.

Vehicles registered in Texas are required to pass an annual inspection to ensure compliance with safety standards. While safety inspections are required throughout the state, emissions testing is required of vehicles inspected in 17 Texas counties to comply with federally mandated clean air requirements. Vehicle inspections are performed at Official Vehicle Inspection Stations licensed by DPS.

8.2. LICENSES ISSUED

In 2021, the Regulatory Services Division issued 9,283 inspector licenses and 12,157 station licenses.

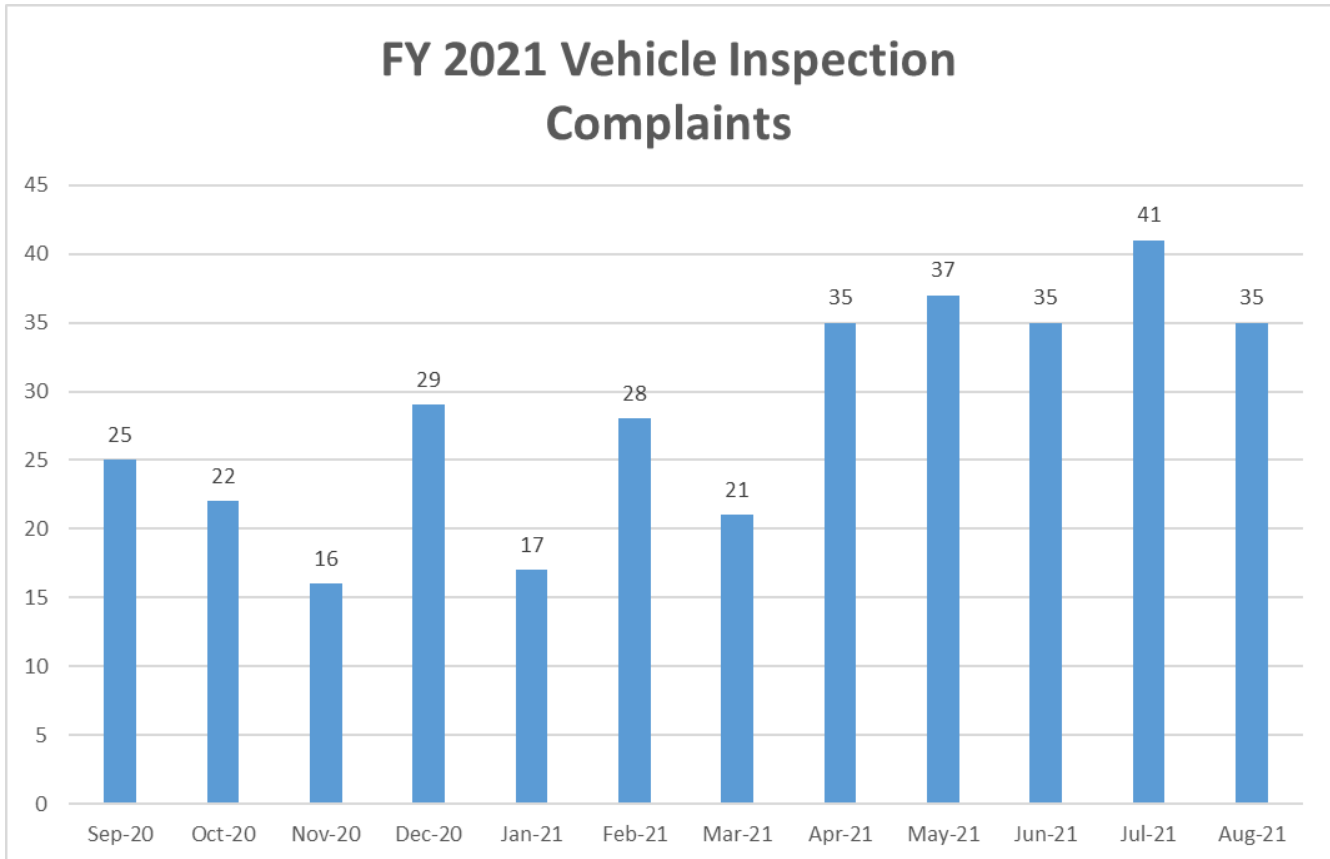




Note: Inspector licenses expire August 31st of even number years and station licenses expire August 31st of odd number years. The bulk of the renewal applications are submitted in the month of August.

8.3. COMPLAINTS

In 2021, the Regulatory Services Division received 341 complaints: 71 were referred for disciplinary action, two were referred to another division, and the remainder resulted in no action due to insufficient evidence or no violation found.



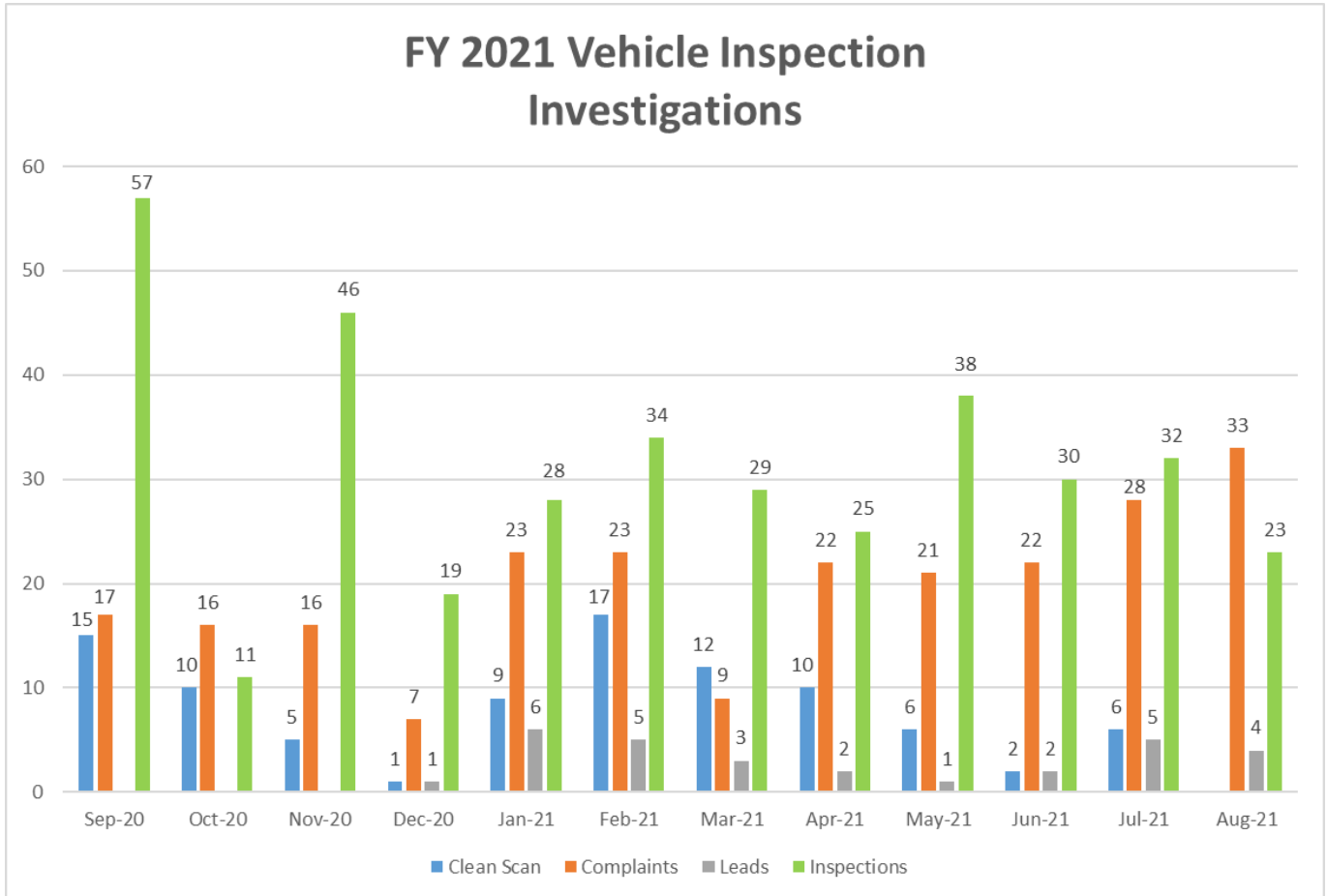
i VIOLATION DESIGNATION

Advertisement Violation	1
Company Representative Failing to Oversee Business	1
Deceptive Business Practices	37
Defective Equipment	2
Emissions Violations	2
Employing an Unqualified Person	3
Failure to Inspect	12
Fraud	8

Fraudulent Inspection	117
Fraudulent VIR	7
Non-Compliance	1
Operating without a License	1
Records Issue	3
Safety Issue	14
Standards of Conduct	22
VI Inspection Fee Overcharge	29
Other	81

8.4. INVESTIGATIONS CONDUCTED

In 2021, the Regulatory Services Division conducted 731 investigations: 93 from Clean Scan analysis, 237 from complaints, 372 from inspections, and 29 were Leads submitted by Law Enforcement or another State Agency.



8.5. DISCIPLINARY ACTIONS

In 2021, the Regulatory Services Division issued 1,249 formal disciplinary actions: 595 fines, 38 revocations and 616 suspensions.

