
Texas Department of Public Safety



Regulatory Services Division

FY 2022 Annual Regulatory Report
Revision Date: October 2022

Table of Contents

1	Executive Summary	4
2	Calculation Definitions	5
2.1	Licenses Issued	5
I	Definition	5
2.2	Complaints	5
I	Complaint Definition.....	5
II	Received and Resolved.....	5
2.3	Investigations Conducted.....	5
I	Definition	5
2.4	Disciplinary Actions	6
I	Definition	6
3	Capitol Access Pass	7
3.1	Overview.....	7
3.2	Licenses Issued	7
3.3	Complaints	7
I	Violation Designation	8
3.4	Investigations Conducted.....	8
3.5	Disciplinary Actions	8
4	Compassionate Use Program	9
4.1	Overview.....	9
4.2	Licenses Issued	10
4.3	Complaints	11
I	Violation Designation	11
4.4	Investigations Conducted.....	12
4.5	Disciplinary Actions	12
5	Ignition Interlock Device	13
5.1	Overview.....	13
5.2	Licenses Issued	13
5.3	Complaints	14
I	Violation Designation	14
5.4	Investigations Conducted.....	14

5.5	<i>Disciplinary Actions</i>	14
6	<i>Private Security</i>	15
6.1	<i>Overview</i>	15
6.2	<i>Licenses Issued</i>	15
I	<i>Individual Licenses</i>	15
II	<i>Company Licenses</i>	16
6.3	<i>Complaints</i>	17
I	<i>Violation Designation</i>	17
6.4	<i>Investigations Conducted</i>	19
6.5	<i>Disciplinary Actions</i>	20
7	<i>Texas Metals Program</i>	21
7.1	<i>Overview</i>	21
7.2	<i>Licenses Issued</i>	21
7.3	<i>Complaints</i>	22
I	<i>Violation Designation</i>	22
7.4	<i>Investigations Conducted</i>	23
7.5	<i>Disciplinary Actions</i>	24
8	<i>Vehicle Inspection</i>	25
8.1	<i>Overview</i>	25
8.2	<i>Licenses Issued</i>	26
I	<i>Inspector Licenses</i>	26
II	<i>Station Licenses</i>	27
8.3	<i>Complaints</i>	28
I	<i>Violation Designation</i>	28
8.4	<i>Investigations Conducted</i>	30
8.5	<i>Disciplinary Actions</i>	31

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 2022, from September 1, 2021 through August 31, 2022.

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

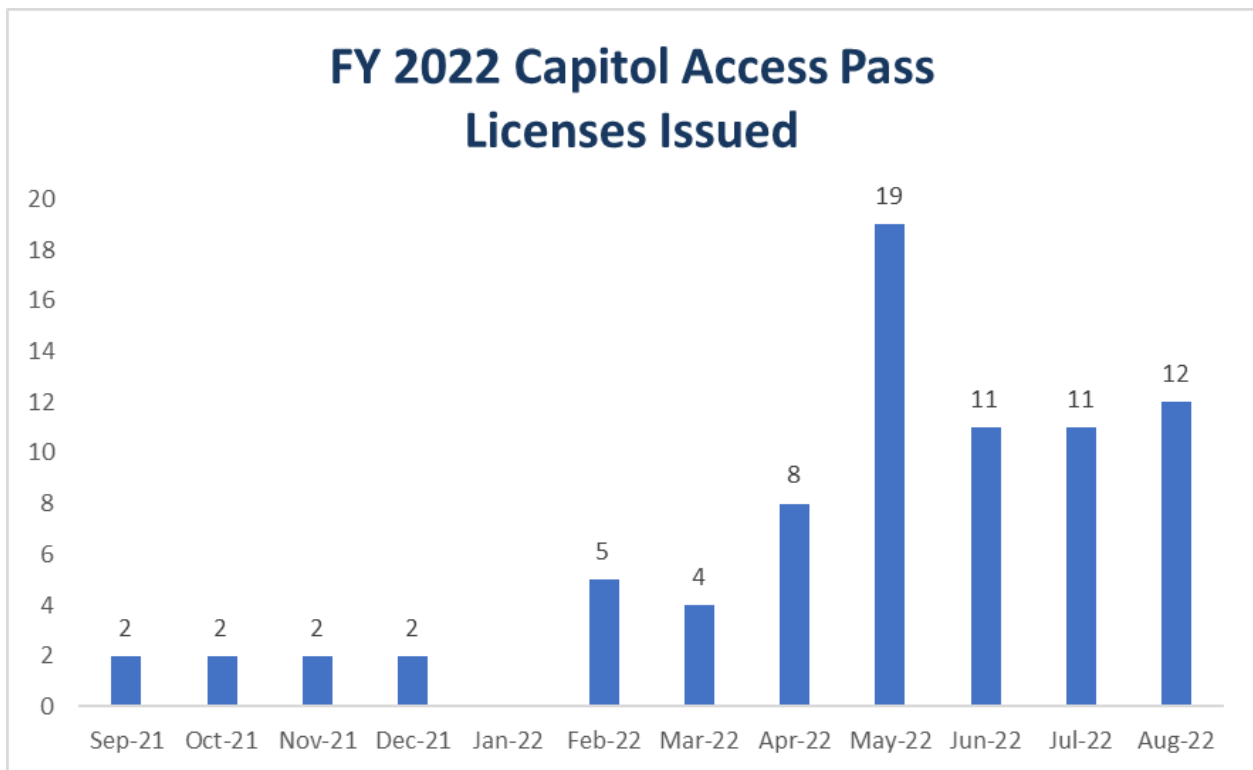
3.1 Overview

The Regulatory Services Division (RSD) 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 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 capitol access pass and handgun license holders.

3.2 Licenses Issued

In 2022, the Regulatory Services Division issued 78 individual licenses.



3.3 Complaints

In 2022, the Regulatory Services Division received two complaints resulting in no action due to insufficient evidence or no violation found.

I Violation Designation

Non-Statutory Authority	2
-------------------------	---

3.4 Investigations Conducted

In 2022, the Regulatory Services Division conducted two investigations from complaints resulting in no action due to insufficient evidence or no violation found.

3.5 Disciplinary Actions

In 2022, 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 (RSD) administers the Compassionate Use Program (CUP) in Texas, under the authority of the [Texas Health and Safety Code, Chapter 487](#), [Texas Occupation Code, Chapter 169](#), and the related administrative rules ([37 TAC Part 1, Chapter 12](#), and [25 TAC Part 1; Chapter 1, Rule §161](#)).

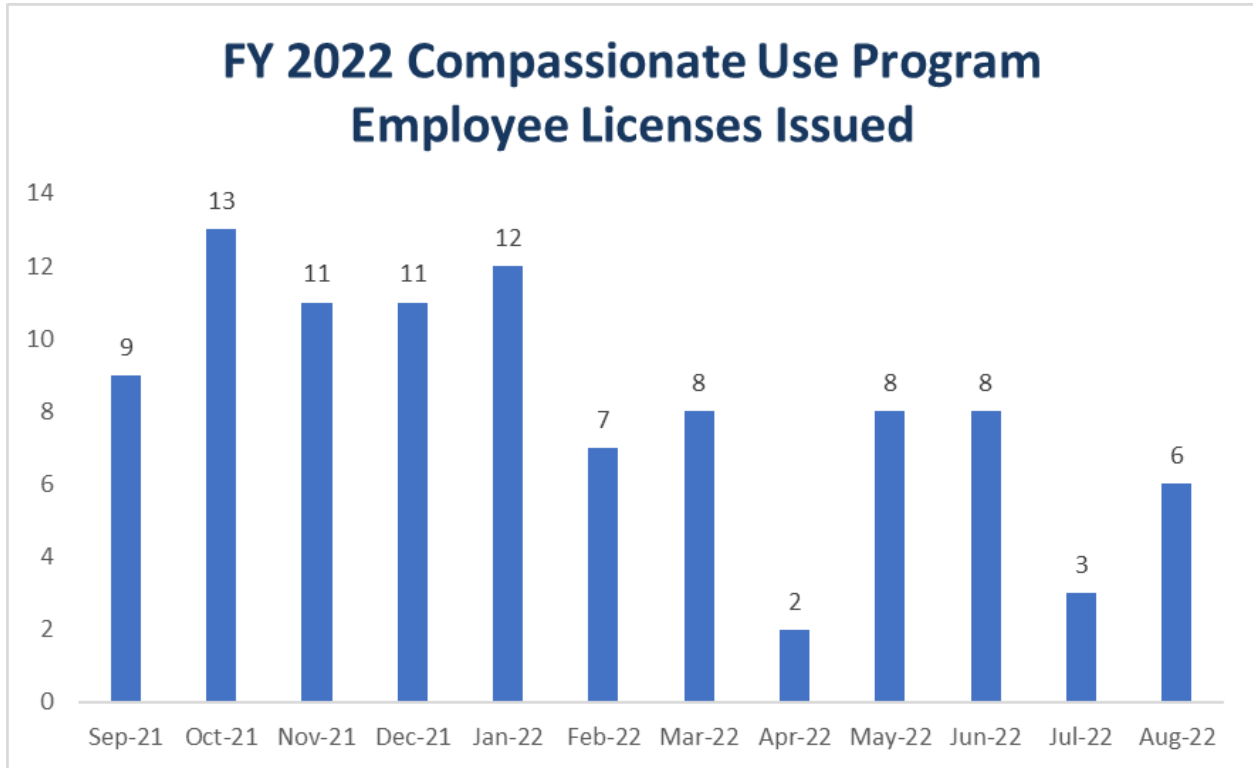
The program authorizes use of low tetrahydrocannabinol (THC) cannabis as a medical treatment option for amyotrophic lateral sclerosis, autism, cancer, epilepsy, multiple sclerosis, post-traumatic stress disorder, a seizure disorder, spasticity, and conditions designated by the Texas Health and Human Services Commission for [incurable neurodegenerative diseases](#) or patients participating in medical research.

RSD operates the Compassionate Use Registry of Texas (CURT), a secure online registry of qualified physicians who can prescribe low tetrahydrocannabinol (THC). The registry is designed to prevent more than one qualified physician from registering as the prescriber for a single patient and is the method by which physicians submit prescriptions with treatment safety and potency information to dispensing organizations.

RSD licenses businesses that cultivate, process, and dispense low-THC cannabis to patients and registers employees of licensed dispensing organizations. Division staff perform monthly inspections to ensure compliance with Texas law and conduct investigations submitted by the public, law enforcement, or other state agencies. RSD takes disciplinary action against licensees for failure to maintain compliance and may seek criminal prosecution.

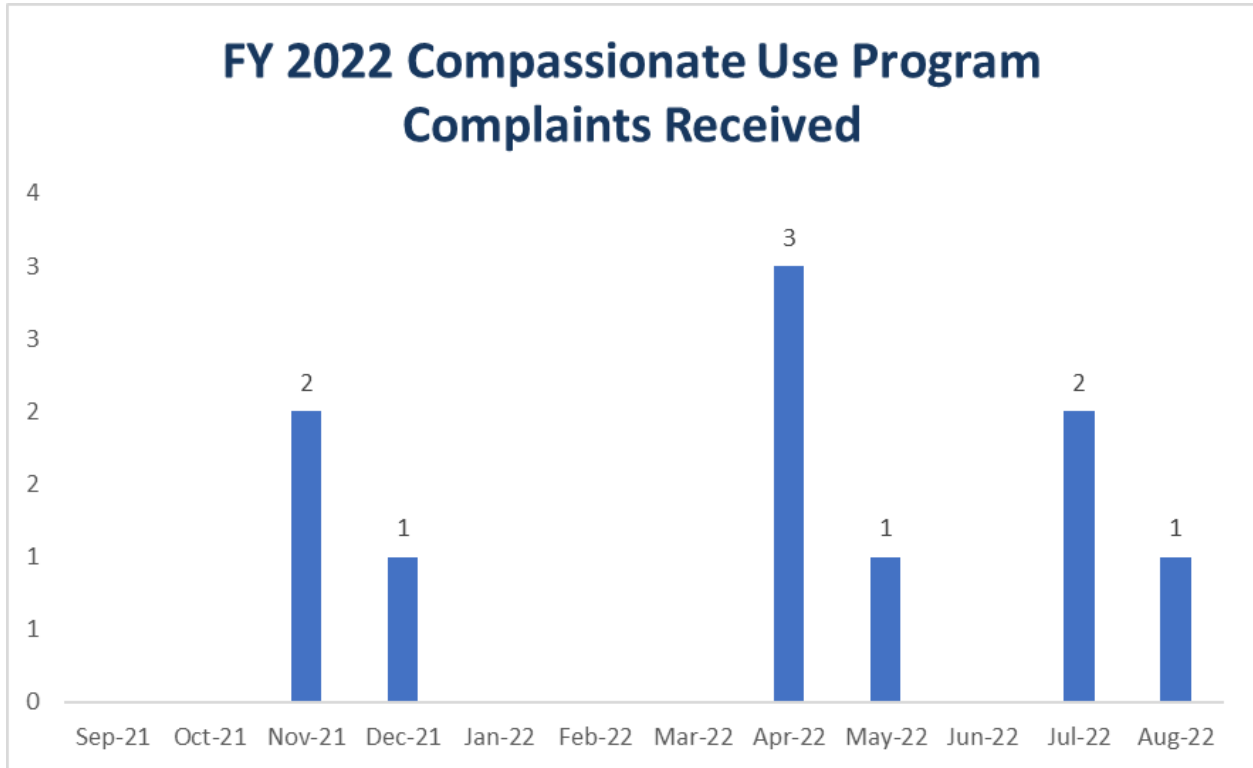
4.2 Licenses Issued

In 2022, the Regulatory Services Division issued 98 employee licenses and had three active dispensing facilities.



4.3 Complaints

In 2022, the Regulatory Services Division received 10 complaints resulting in no action due to insufficient evidence or no violation found.

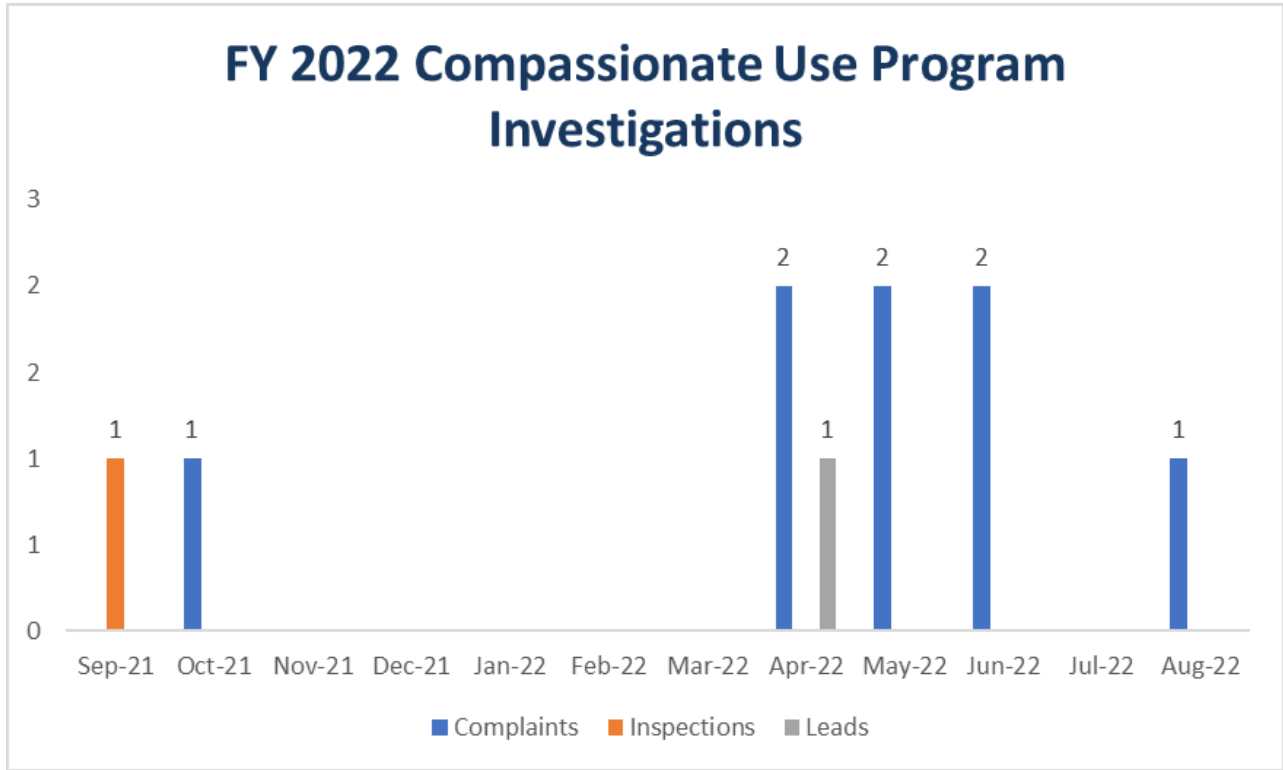


I Violation Designation

Deceptive Business Practices	1
Fraud	2
Non-Statutory Authority	3
Operating Without A License	1
Records Issue	1
Standards Of Conduct	1
Threat	1

4.4 Investigations Conducted

In 2022, the Regulatory Services Division conducted 10 investigations: eight from complaints, one from inspections, and one from Law Enforcement.



4.5 Disciplinary Actions

In 2022, the Regulatory Services Division did not take any formal disciplinary action against a licensee.

5 Ignition Interlock Device

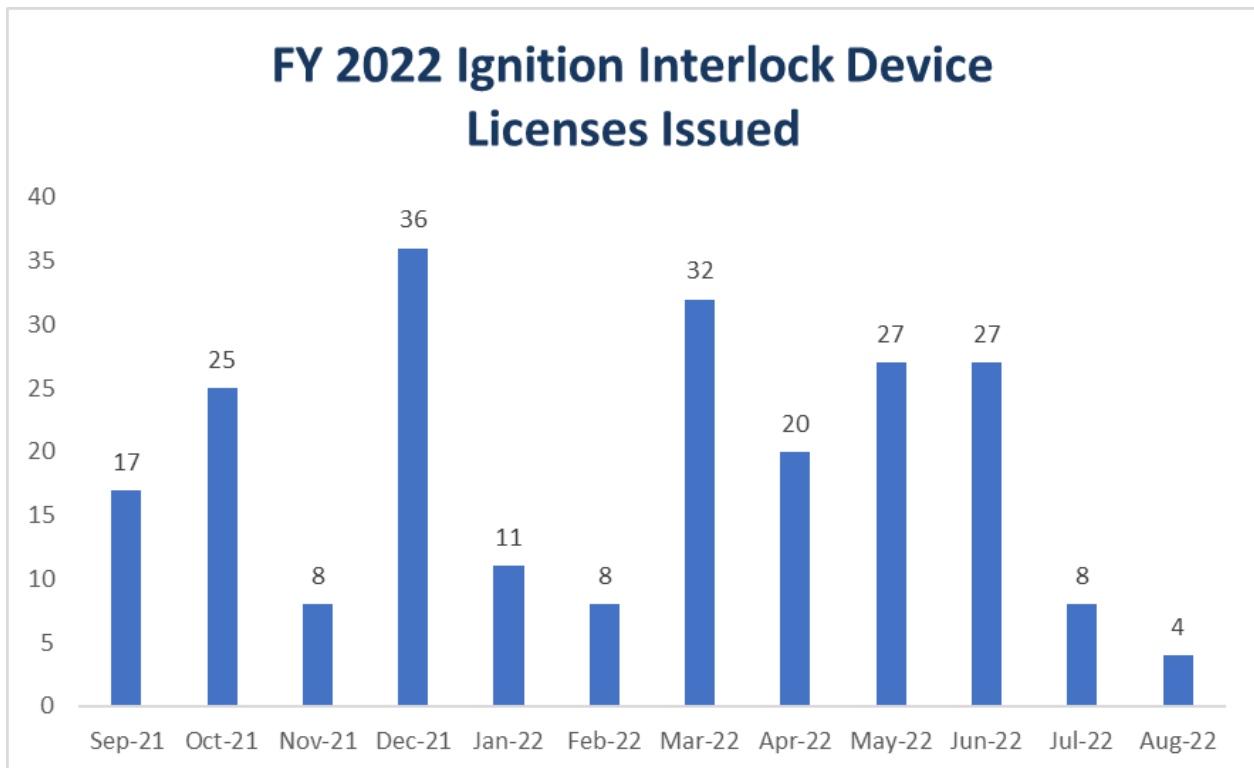
5.1 Overview

The Regulatory Services Division (RSD) regulates the Ignition Interlock Device (IID) program under the authority of the [Texas Transportation Code , Chapter 521, §521.2476](#), and the related administrative rules ([37 TAC Part1, Chapter 10](#)).

All court-ordered installations of ignition interlock devices used to measure a person’s breath for the presence of alcohol, must be performed by Department-certified service centers. RSD certifies service centers that can install, download, remove, repair, replace and report required data recorded on department approved devices. Division staff perform annual inspections to ensure compliance with applicable laws and administrative rules and conduct investigations submitted by the public, law enforcement, or other state agencies.

5.2 Licenses Issued

In 2022, the Regulatory Services Division issued 223 service center authorizations.



5.3 Complaints

In 2022, the Regulatory Services Division received three complaints resulting in no action due to insufficient evidence or no violation found.

I Violation Designation

Deceptive Business Practices	1
Non-Statutory Authority	1
Standards Of Conduct	1

5.4 Investigations Conducted

In 2022, the Regulatory Services Division conducted three investigations as a result of complaints received from the public.

5.5 Disciplinary Actions

In 2022, 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 (RSD) regulates the Private Security program under the authority of the [Texas Occupations Code, Chapter 1702](#), and the related administrative rules ([37 TAC Part 1, Chapter 35](#)).

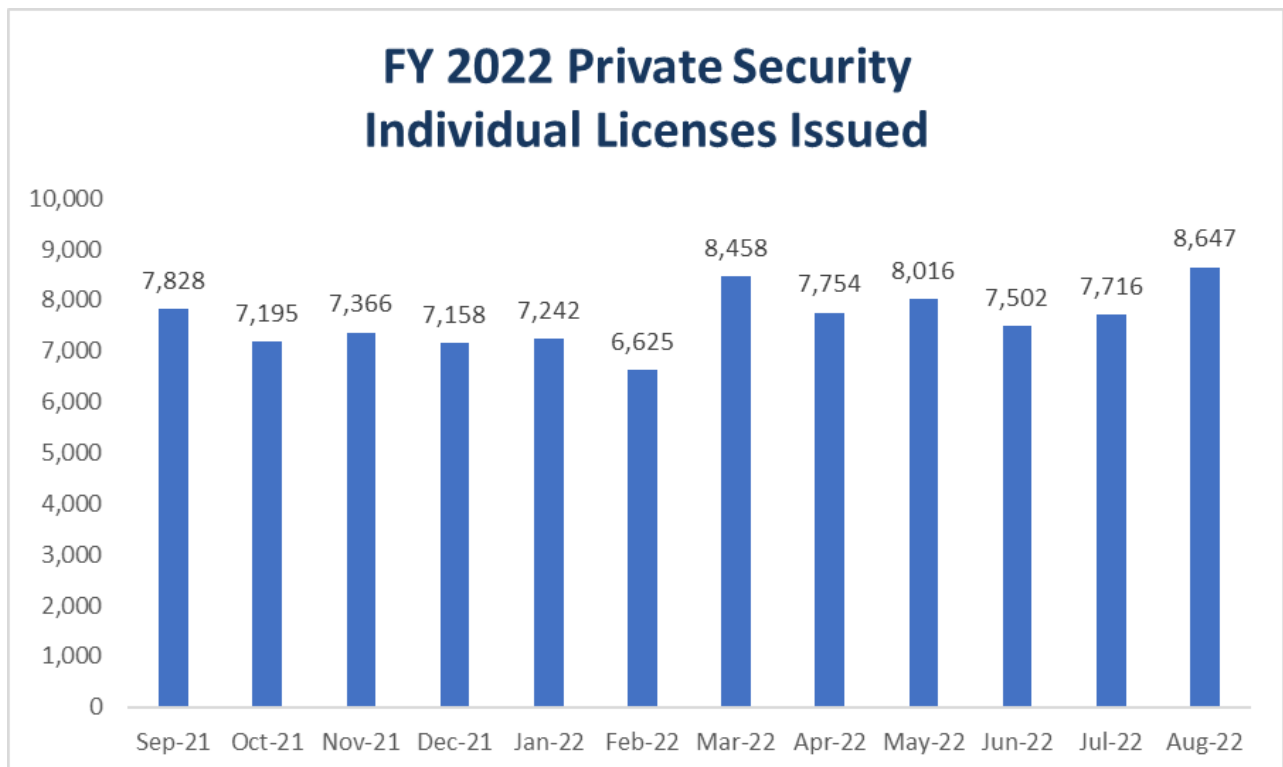
RSD protects the public by conducting fingerprint-based background checks on applicants in the private security industry applying to work professionally as a security guard (armed, unarmed), personal protection officer, private investigator, alarm system installer or monitor, armored car courier, electronic access control device installer, or locksmith.

Division staff perform inspections to ensure compliance with Texas law and conduct investigations submitted by the public, law enforcement, or other state agencies. RSD takes disciplinary action against licensees for failure to maintain compliance or may seek criminal prosecution of those who perform private security services without a license.

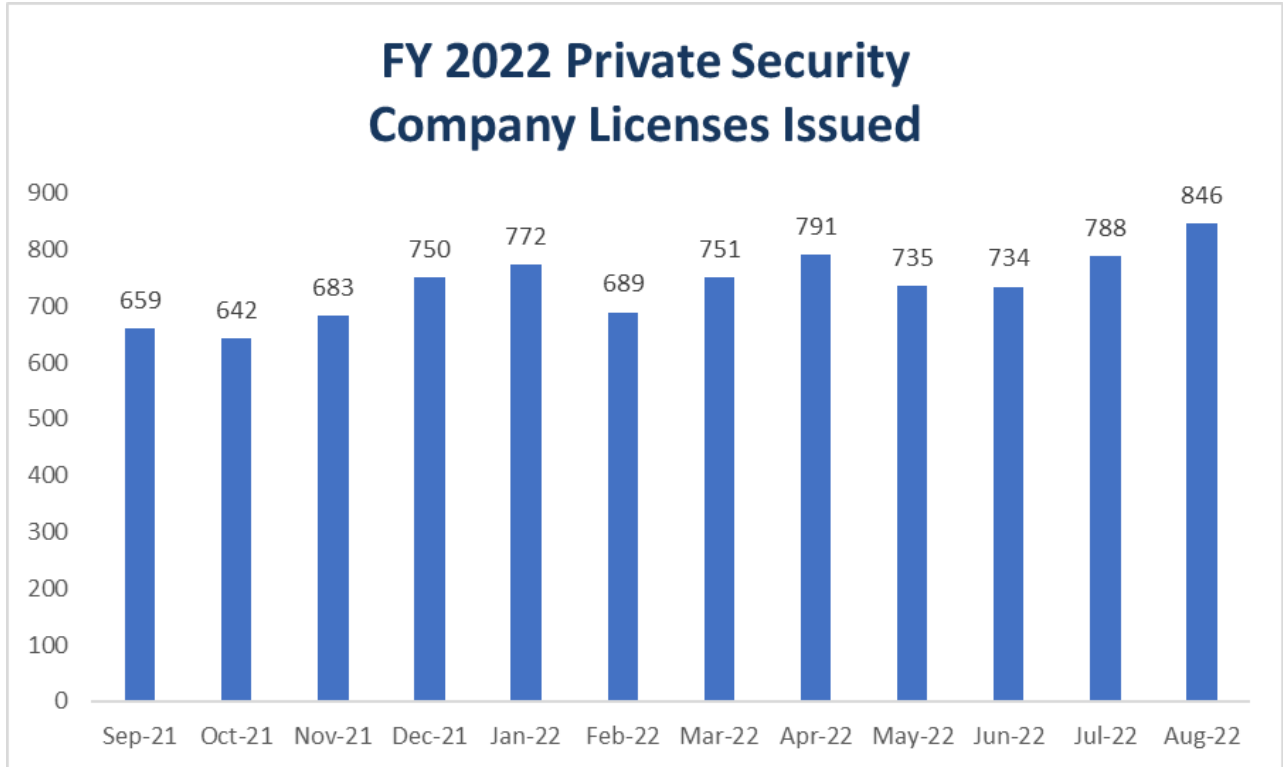
6.2 Licenses Issued

In 2022, the Regulatory Services Division issued 91,507 individual licenses and 8,840 business licenses.

I Individual Licenses

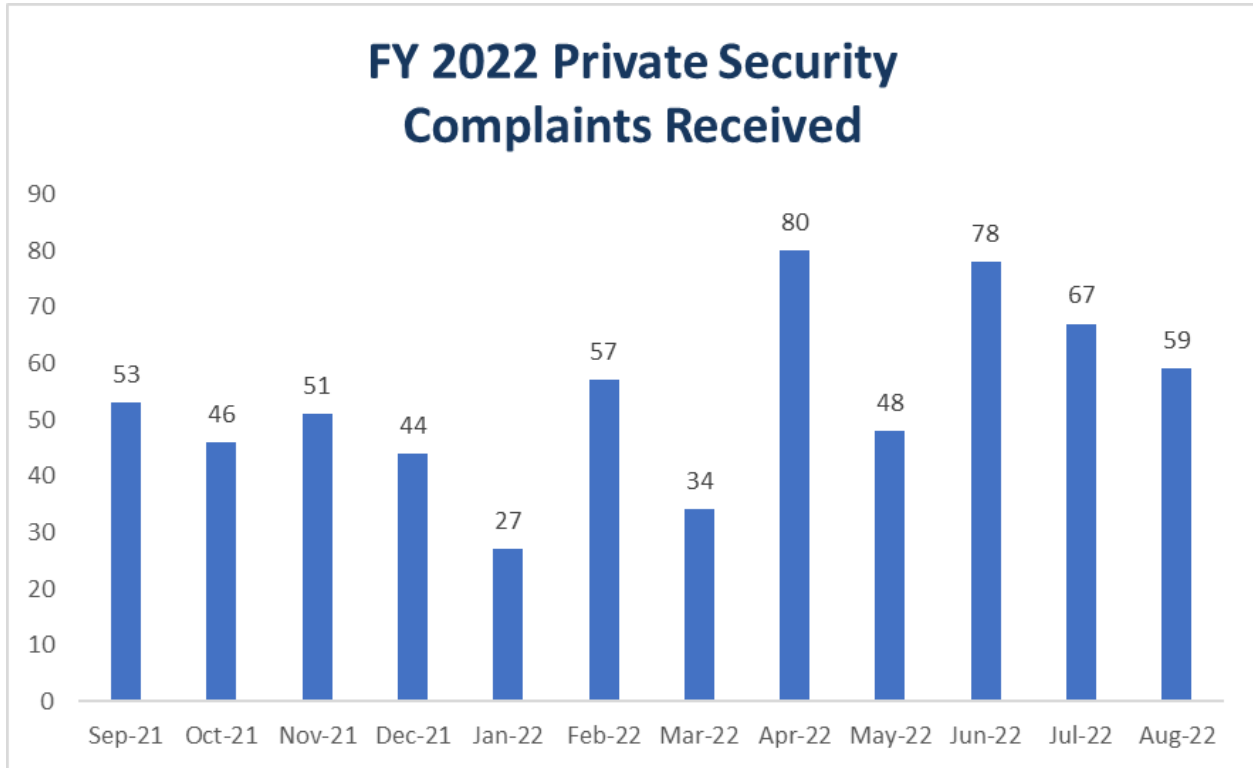


II Company Licenses



6.3 Complaints

In 2022, the Regulatory Services Division received 644 complaints: 65 were referred for disciplinary action, and the remainder resulted in no action due to insufficient evidence or no violation found.



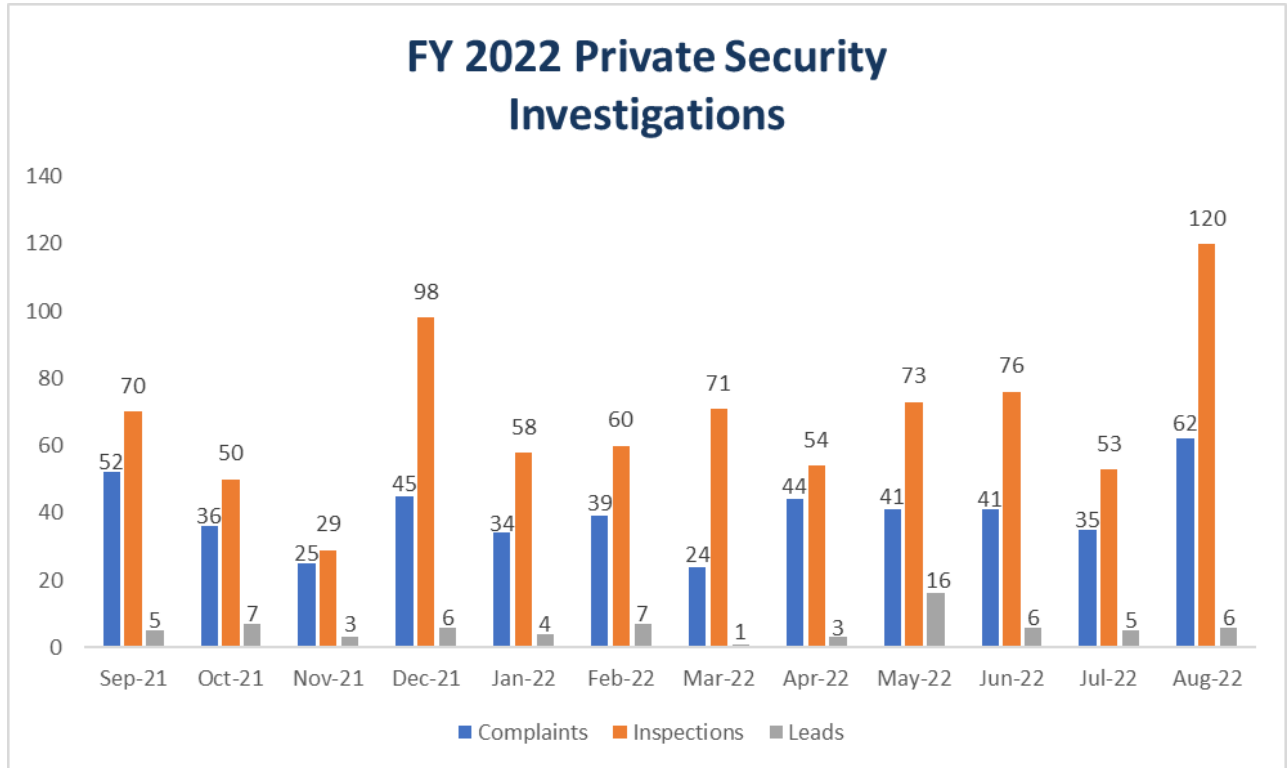
I Violation Designation

Advertisement Violation	6
Application Issue	2
Arrest Notification	4
Assault	10
Bounty Hunters	2
Brandish Firearm	4
Continuing Education	4
Contract Violation	27
Criminal Trespass	1
Deceptive Business Practices	45
Eligibility	7

Employing An Unqualified Person	43
Equipment	7
Firearms Discharge	1
Fraud	17
Handling Of Firearm	1
Harassment	29
Impersonating A Public Servant	13
Impersonating A Security Officer	8
Medical Advisory Board	1
Non-Compliance	5
Non-Regulated Program	6
Non-Statutory Authority	73
Not Affiliated	11
Operating With Expired License	35
Operating With Suspended Insurance	4
Operating With Suspended License	4
Operating Without A License	194
Operating Without Company Representative	2
Pocket Card	2
Records Issue	4
Safety Issue	5
Standards Of Conduct	34
Tampering With A Government Document	4
Theft	10
Threat	11
Uniform	8

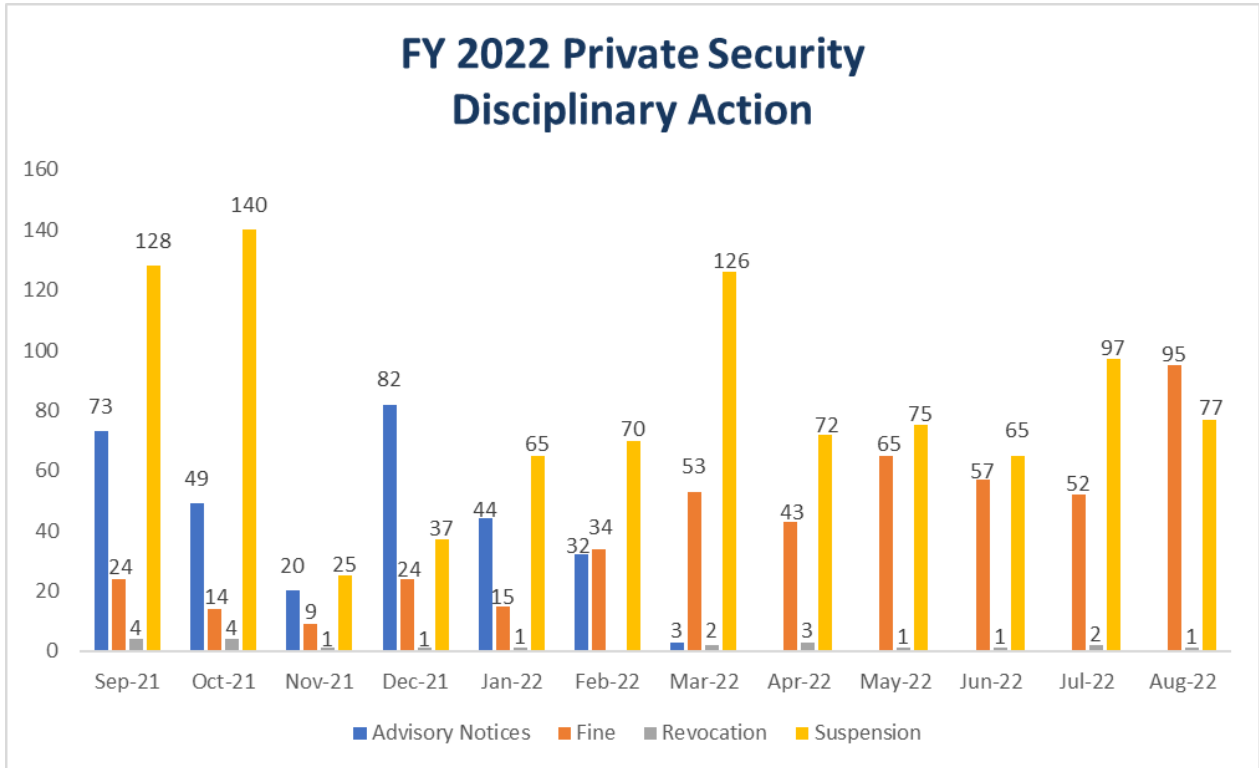
6.4 Investigations Conducted

In 2022, the Regulatory Services Division conducted 1,359 investigations: 478 from complaints, 812 from inspections, and 69 from Leads submitted by Law Enforcement or another State Agency.



6.5 Disciplinary Actions

In 2022, the Regulatory Services Division issued 1,786 formal disciplinary actions: 303 advisory notices, 485 fines, 21 revocations, and 977 suspensions.



7 Texas Metals Program

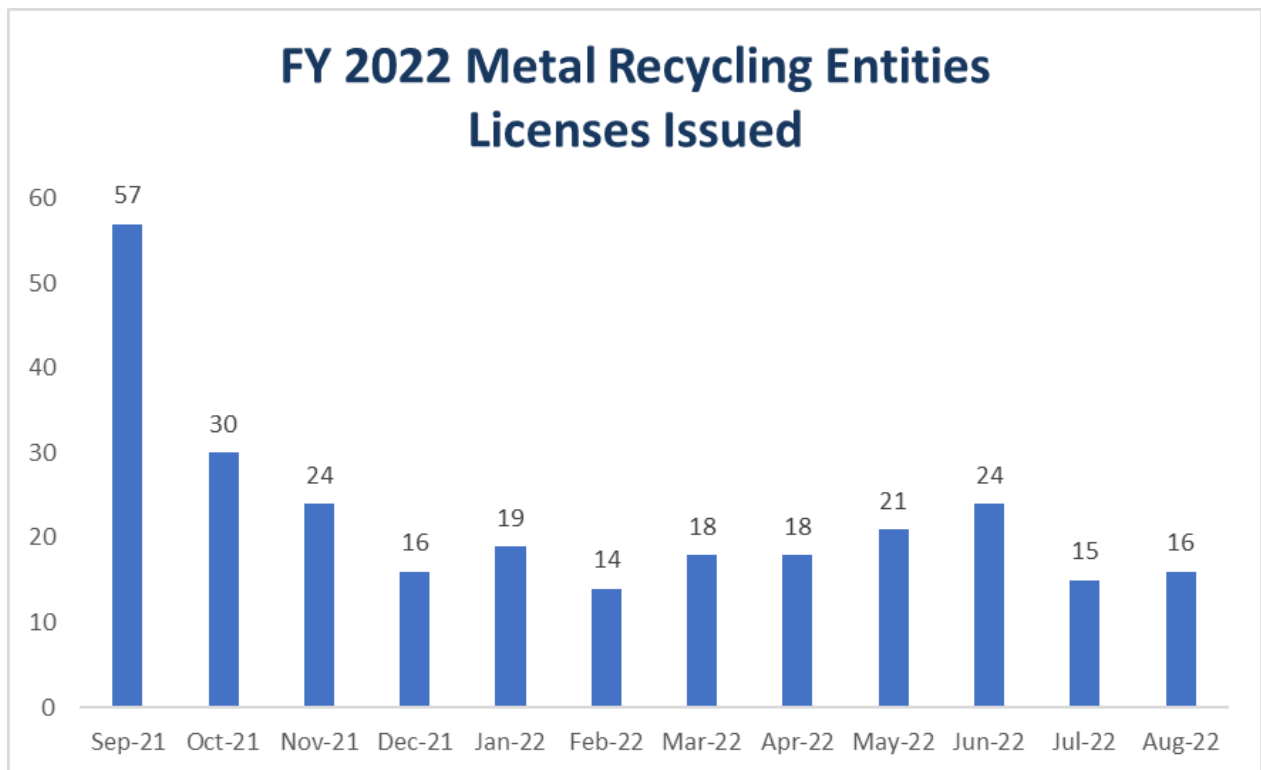
7.1 Overview

The Regulatory Services Division (RSD) 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 ([37 TAC, Part 1, Chapter 36](#)).

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

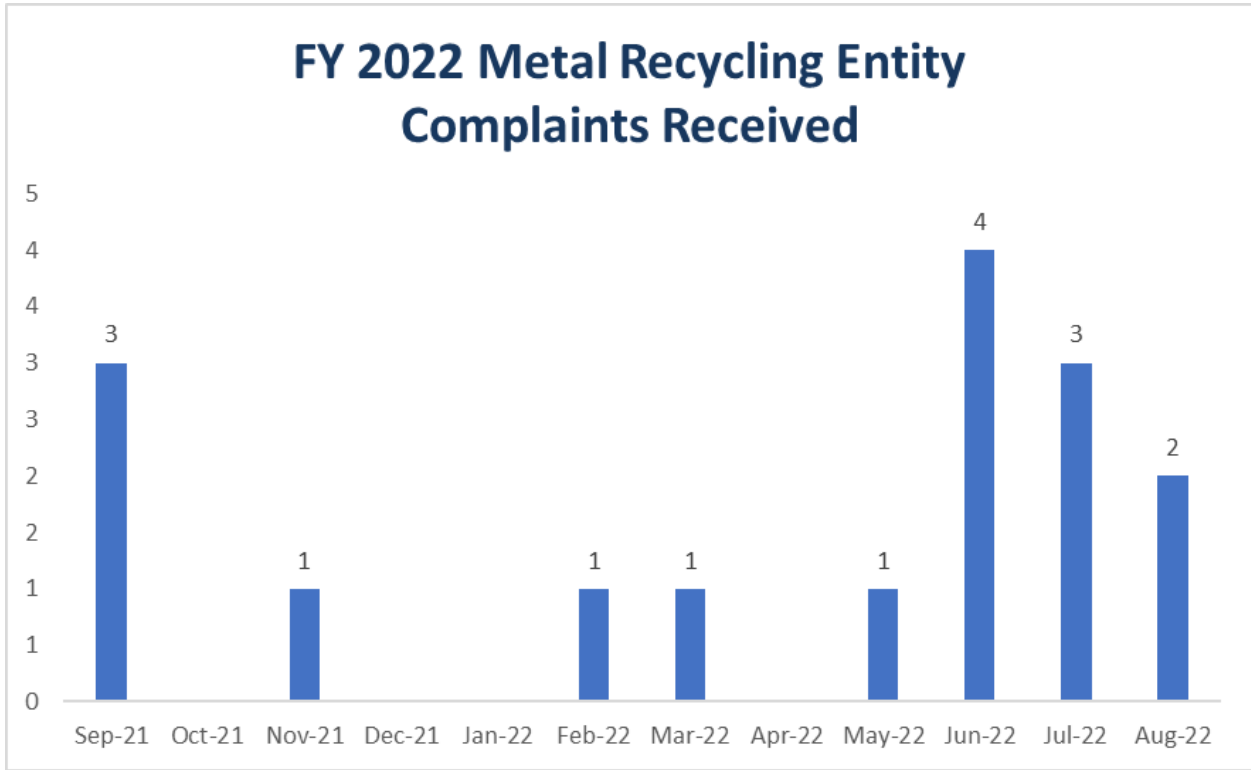
7.2 Licenses Issued

In 2022, the Regulatory Services Division issued 272 licenses.



7.3 Complaints

In 2022, the Regulatory Services Division received 16 complaints: two were referred for disciplinary action, and the remainder resulted in no action due to insufficient evidence or no violation found.

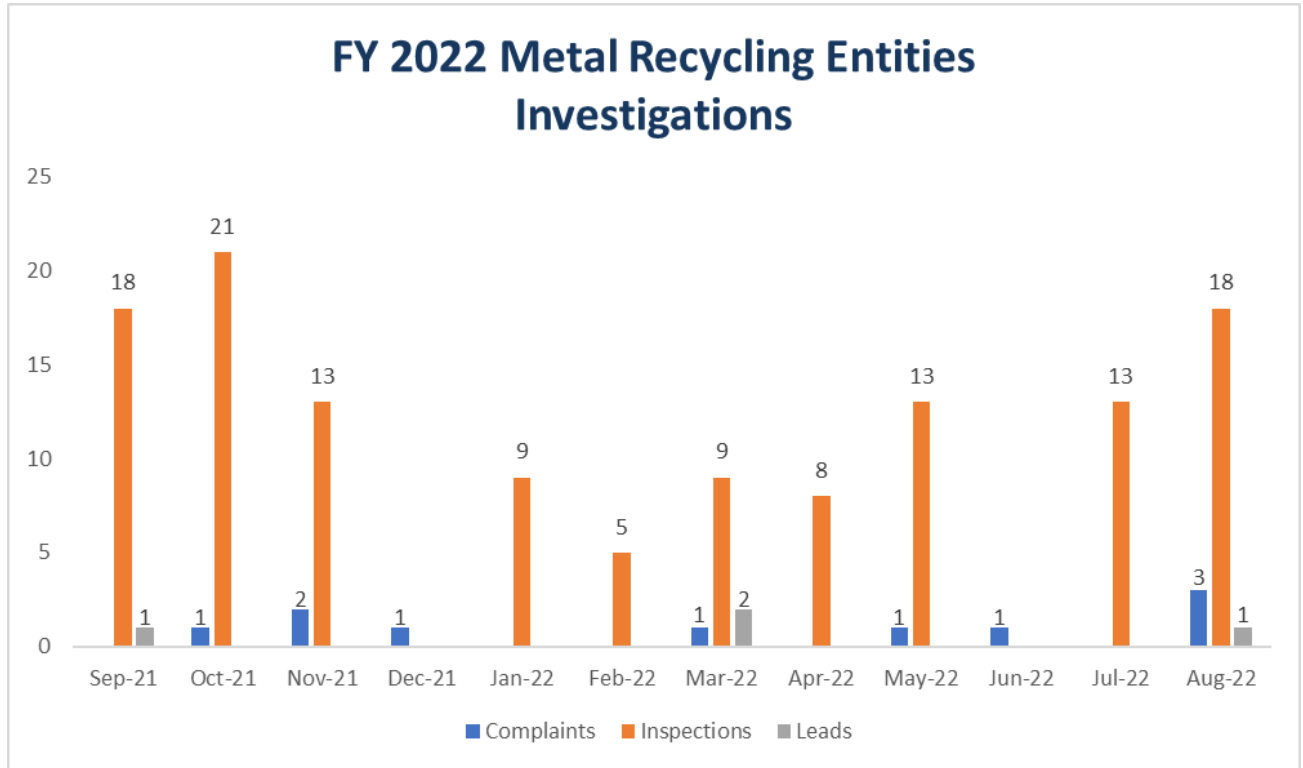


I Violation Designation

Advertisement Violation	1
Deceptive Business Practices	2
Failure To Report Transactions	1
Fraud	1
Non-Regulated Program	1
Non-Statutory Authority	3
Operating Without A License	4
Regulated Materials Transaction - Metals Purchased Without Required Documents	1
Standards Of Conduct	1
Theft	1

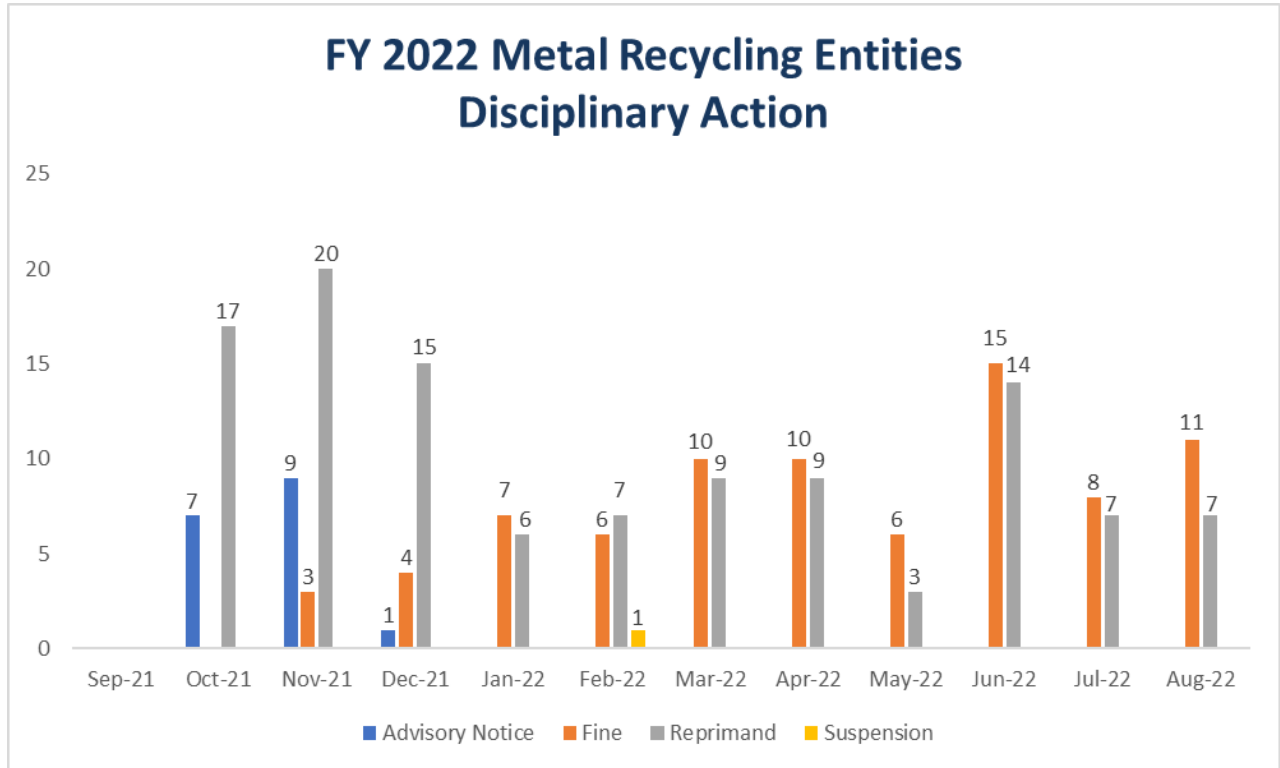
7.4 Investigations Conducted

In 2022, the Regulatory Services Division conducted 141 investigations: 10 from complaints, 127 from Inspections, and four were Leads submitted by Law Enforcement or another State Agency.



7.5 Disciplinary Actions

In 2022, the Regulatory Services Division issued 212 formal disciplinary actions: 17 advisory notices, 80 fines, 114 reprimands and one suspension.



8 Vehicle Inspection

8.1 Overview

The Regulatory Services Division (RSD) 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 ([37 TAC, Part 1, Chapter 23](#)).

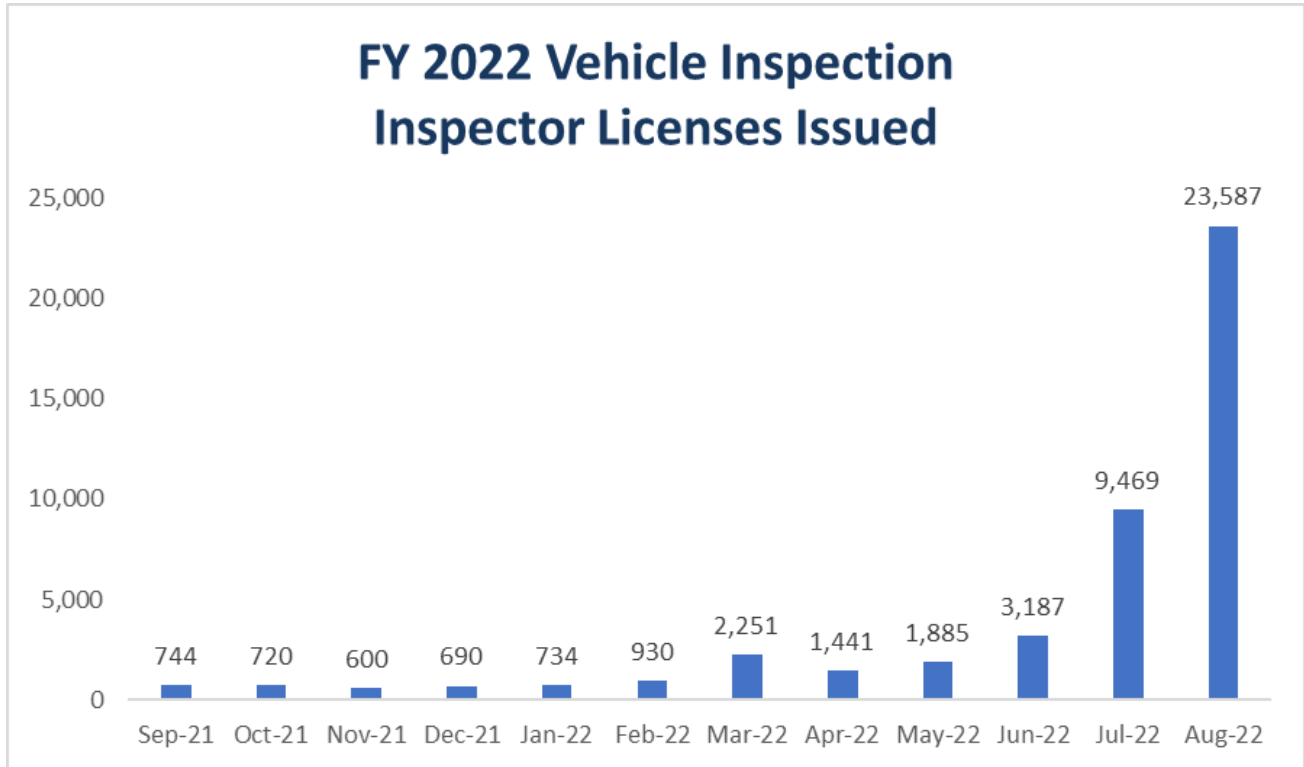
Vehicles registered in the State of Texas are required to receive and pass an annual safety inspection performed at an Official Vehicle Inspection Station licensed by the Department of Public Safety. In [17 counties](#), Texas is federally mandated to also conduct emissions testing under the Clean Air Act to reduce and control pollution. Vehicles in these counties must also pass an emissions test as part of their annual safety inspection.

Division staff license vehicle inspection stations and inspectors throughout the state as part of the mission to keep Texas roadways safe and reduce air pollution. Employees perform station inspections to ensure compliance with state and/or federal law and may conduct investigations as the result of a public complaint or lead provided by law enforcement or other state agency. RSD is authorized to take disciplinary action or seek criminal prosecution against anyone in violation of Texas laws.

8.2 Licenses Issued

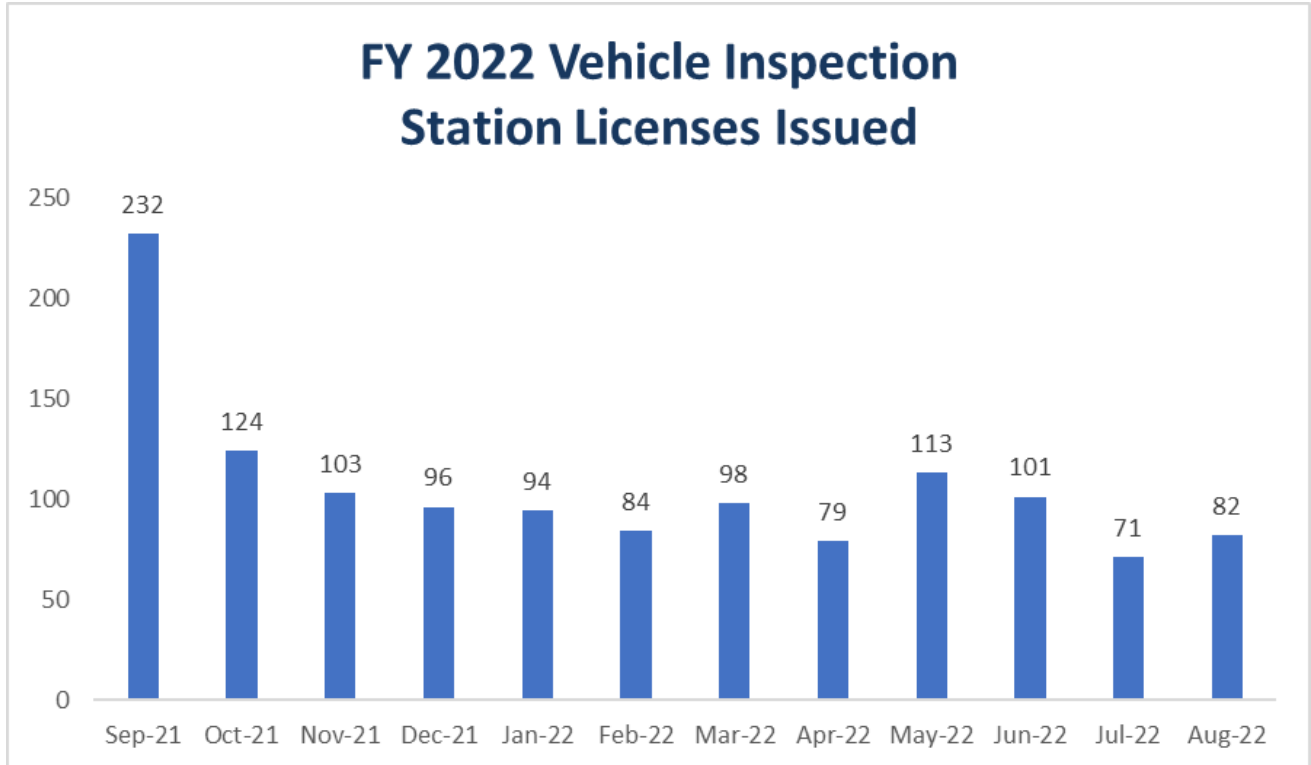
In 2022, the Regulatory Services Division issued 46,238 inspector licenses and 1,277 station licenses.

I Inspector Licenses



Note: Inspector licenses expire August 31st in even numbered years. The bulk of renewal applications are submitted in August.

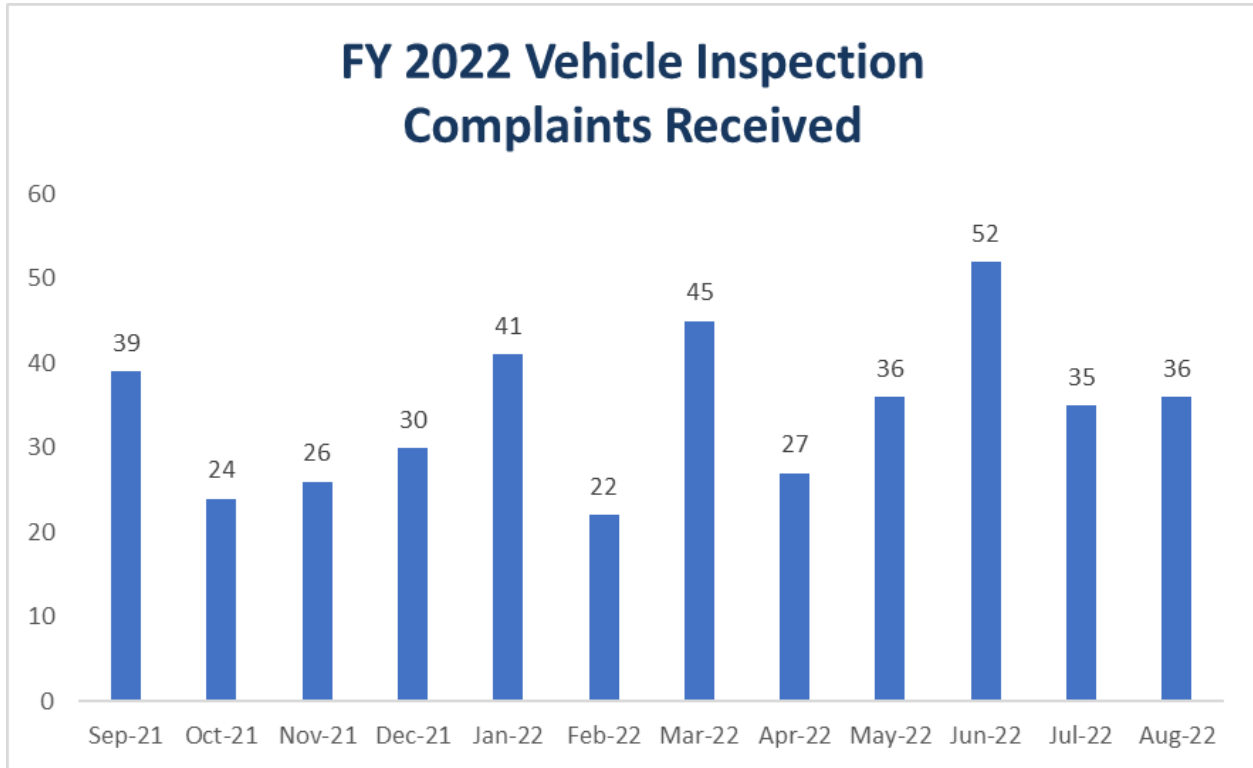
II Station Licenses



Note: Station licenses expire August 31st in odd numbered years. The bulk of renewal applications are submitted in August.

8.3 Complaints

In 2022, the Regulatory Services Division received 413 complaints: 65 were referred for disciplinary action, and the remainder resulted in no action due to insufficient evidence or no violation found.



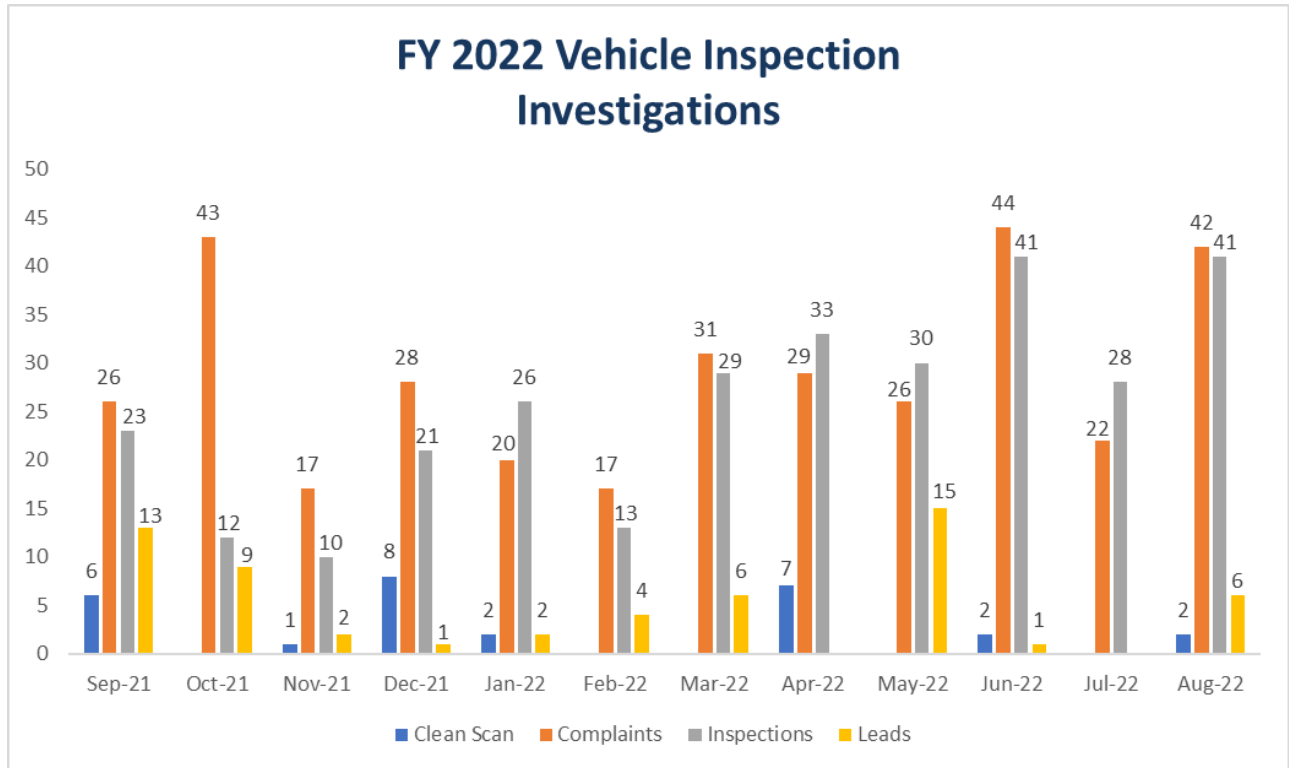
I Violation Designation

Building Requirements	1
Clean Scan	3
Contract Violation	2
Deceptive Business Practices	56
Emissions Violations	2
Employing An Unqualified Person	1
Equipment	2
Failure To Inspect	45
Failure To Report Transactions	1
Fraud	6
Fraudulent Inspection	163

Fraudulent Vehicle Inspection Report	5
Inspection	8
Non-Compliance	1
Non-Regulated Program	2
Non-Statutory Authority	10
Operating With Suspended License	1
Operating Without A License	2
Parking and Vehicles	1
Personal Information Number (PIN) Violation	1
Records Issue	3
Refused To Inspect	20
Requiring Repairs For Passing Inspection	17
Safety Issue	10
Standards Of Conduct	6
Tampering With A Government Document	2
Theft	1
Vehicle Inspection Fee Overcharge	41

8.4 Investigations Conducted

In 2022, the Regulatory Services Division conducted 739 investigations: 28 from Clean Scan analysis, 345 from complaints, 307 from inspections, and 59 were Leads submitted by Law Enforcement or another State Agency.



8.5 Disciplinary Actions

In 2022, the Regulatory Services Division issued 2,036 formal disciplinary actions: 1,195 fines, 46 revocations and 795 suspensions.

