



County/Municipal Law Enforcement Agency Request for Transfer of DPS Equipment

Texas Government Code 2175.308

Texas Facilities Commission

State Surplus Property Program

INSTRUCTIONS: After the application has been filled out, it must be signed by both the County Judge and Sheriff (for counties) or Mayor and Police Chief (for municipalities) in order to be considered. Incomplete applications will be rejected. Completed forms should be emailed to state.surplus@tfc.texas.gov or faxed to (512) 236-6173. Submission of request does NOT guarantee approval. The request must be evaluated by the Texas Facilities Commission (TFC) to determine if the transfer is in the best interest of the state. Agencies may not submit requests for an item until its surplus advertisement period has ended, and the item has been accepted into the TFC inventory. Eligibility to receive property is primarily based on three criteria: (1) evidence of the agency's efforts to combat transnational crime and secure the international border, (2) how the requested property would support those efforts, and (3) location in an economically disadvantaged area of the state.

"Economically disadvantaged area" is defined as a county that meets the following criteria: (1) below average per capita taxable property value; (2) below average per capita income; and (3) above average unemployment, in comparison to other counties in the State; and as defined by the TxDOT [Economically Disadvantaged County program](#). A municipality is considered economically disadvantaged if the majority of the municipality is located in an economically disadvantaged county.

SECTION I: AGENCY INFORMATION

Name of Agency

County(s) included
in your jurisdiction
(municipalities only)

Street Address
(no P.O. Boxes)

City

State: TX

Zip Code

Mailing Address
(if different)

City

State: TX

Zip Code

Name of Sheriff or
Police Chief

E-Mail

Phone #

Contact Person (if different)

Title

E-Mail

Phone #

SECTION II: PROPERTY REQUESTS

Qty	Description

Items Available for Request:

Vehicles (SUVs), light bars, radios, and rear deck lights.

*Radars, camera systems, speakers, spotlights, vehicle consoles, weapon racks, holsters, pouches, and belts are **not** available for request under this program.*

Limitations:

Each LEA is limited to three (3) vehicles and four (4) other pieces of equipment in a two fiscal-year period. (The state's fiscal year is September 1-August 31). Of the four pieces of other equipment (light bars, radios and rear deck lights), an LEA is limited to only one (1) light bar.

Fees:

Vehicles (SUVs) = \$1,500/each. Other equipment (supply is extremely limited) = \$100 total (up to 4 items).

Payment Methods:

Organization checks, cash, wire transfer, or cashier's check. No personal checks or credit cards.

Pick Up Deadline:

The LEA will have *thirty (30) days* from the notification of an approved request to pick up the requested item(s). TFC reserves the right to cancel the transfer or offer the item to another eligible LEA if pick up is not completed *by the deadline specified in this agreement*.

Titles:

All titles are issued in the name of the requesting entity and will not be issued to an individual.

**SUBMISSION OF A REQUEST DOES NOT GUARANTEE APPROVAL.
REQUESTS ARE SUBJECT TO A DETERMINATION OF ELIGIBILITY AND ITEM
AVAILABILITY.**

SECTION III: JUSTIFICATION FOR REQUEST

Has your agency received property under 2175.308 in the past 2 years? Yes ☐ No ☐

If yes, then list property with date received, how it is being used, and current location.

(Attach additional sheet if necessary)

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Total # compensated officers w/ power to apprehend and arrest

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Number of vehicles in fleet
(only if requesting vehicle)

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Current annual budget for police or sheriff's department

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Please explain why the requested item(s) cannot be purchased using other means.

(Attach additional sheet if necessary)

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SECTION III: JUSTIFICATION FOR REQUEST *(continued)*

Is your agency actively involved in combatting the following transnational crimes? If you select “Yes”, then please provide details on those efforts (e.g., arrest statistics, resources assigned to these areas, participation in programs targeted at these crimes). Attach an additional sheet if necessary.

Drug Trafficking ☐ Yes
 ☐ No

Description:

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Human Trafficking ☐ Yes
 ☐ No

Description:

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Human Smuggling ☐ Yes
☐ No

Description:

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Arms Trafficking ☐ Yes
 ☐ No

Description:

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Trafficking or smuggling of other illegal goods (e.g., plants, animals, hazardous chemicals) ☐ Yes ☐ No

Description:

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Sex Slavery ☐ Yes
 ☐ No

Description:

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Terrorism ☐ Yes
 ☐ No

Description:

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Please describe how the requested item(s) will be used to support your agency's efforts (detailed above) to combat transnational crime.

(Attach additional
sheet if necessary.)

[illegible]

SECTION III: JUSTIFICATION FOR REQUEST *(continued)*

Please describe your agency's current efforts to secure the State's border.

(Attach additional sheet if necessary.)

Please describe how the requested item(s) will be used to support your agency's efforts (detailed above) to secure the State's international border.

(Attach additional sheet if necessary.)

SECTION IV: TERMS & CONDITIONS

IMPORTANT – PLEASE READ CAREFULLY AND SIGN AT THE BOTTOM OF THE PAGE!

By submitting a request, your county/municipality acknowledges and agrees to the following:

- (1) Property must be used by the approved law enforcement agency (LEA).
- (2) Property is not intended for personal use; it must be readily accessible to appropriate LEA staff.
- (3) Property must be used and stored at the street address listed on this request form or at other appropriate LEA-approved satellite locations. Property may not be removed indefinitely from an approved location without prior, written approval from TFC.
- (4) Vehicles are tracked by Vehicle Identification Number (VIN). Other equipment, which may not have a serial number, will be tracked by visual identification.
- (5) _____ TFC staff may perform scheduled or unscheduled on-site compliance visits to ensure the property is being
(Initial) used as represented. LEAs receiving property are required to complete follow-up reports (as needed) as a condition of participating in the program.
- (6) _____ LEAs are required to use the property for a minimum of two (2) years from the date of receipt. During the
(Initial) two-year compliance period, the LEA may not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the State, without the prior approval of TFC. **If property is prematurely disposed of during the two-year compliance period without TFC approval, LEAs may be subject to penalties, including refunding TFC for the Fair Market Value (FMV) of the property and/or denial of future property requests.**
- (7) _____ At its discretion, TFC may authorize an LEA to dispose of an item before the end of the compliance period.
(Initial) The LEA must receive written approval from TFC prior to taking action to dispose of that item.
- (8) _____ If an LEA receives funds from a claim on the item during the compliance period, then the full proceeds from
(Initial) the claim must be remitted to TFC.
- (9) _____ LEAs are required to paint vehicles another color other than the standard black and white color scheme used for
(Initial) DPS State Trooper vehicles prior to putting the vehicle into service. Additionally, LEAs are responsible for complying with Local Government Code Sec. 272.006 Sale or Transfer of Law Enforcement Vehicle, which requires political subdivisions (including counties and municipalities) to remove “any equipment or insignia that could mislead a reasonable person to believe that the vehicle is a law enforcement motor vehicle, including any police light, siren, amber warning light, spotlight, grill light, antenna, emblem, outline of an emblem, or emergency vehicle equipment” before it is sold to the public, and remove “each emblem or insignia that identifies the vehicle as a law enforcement motor vehicle is removed before the sale or transfer” to “a security services contractor who is regulated by the Department of Public Safety and licensed under Chapter 1702, Occupations Code.”
- (10) _____ If a LEA violates any of these conditions, then the LEA will be required, at its expense, to return the property
(Initial) to TFC. Additionally, the LEA will be ineligible to request any additional property under Section 2175.308 for a period of no less than two (2) years from the date TFC confirms a violation has occurred.
- (11) _____ LEAs are responsible for reporting any suspected or actual violations in writing to TFC.
(Initial)

Signature of Sheriff or Police Chief

Date

Signature of County Judge or Mayor

Date