



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

Texas Government Code 2175.308

Texas Facilities Commission

State Surplus Property Program

**INSTRUCTIONS:** Completed forms 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. Submittal 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 at least two of the three 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. A municipality is considered economically disadvantaged if the majority of the municipality is located in an economically disadvantaged county. If a municipality is located in a county that TFC has determined is *not* economically disadvantaged per the criteria above, then, using a supplemental form, a municipality may request an exception that includes sufficient data for TFC to confirm that it meets at least two of the three criteria for economically disadvantaged when compared to state averages. TFC may consider alternative data provided by an applicant on a case-by-case basis.

### **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 and person gear (e.g., holsters, pouches, belts), are not available for request under this program. Each LEA is limited to three (3) vehicles and four (4) other pieces of equipment in a two fiscal year-period (Sept-Aug).

- Of the four pieces of other equipment, an LEA is limited to only one (1) light bar.

### **Fees:**

Vehicles (SUVs) = \$1,000/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 in a timely manner.

### **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 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)*

Total # compensated officers w/ power to apprehend and arrest

Number of vehicles in fleet  
*(only if requesting vehicle)*

Current annual budget for police or sheriff's department

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

*(Attach additional sheet if necessary)*



**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!**

By submitting a request, your county/municipality is agreeing to the following:

- (1) Property must be used by the approved law enforcement agency (LEA).
- (2) LEAs are required to use the property for a minimum of two (2) years from the date of receipt. During the 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 the State for the Fair Market Value of the property and/or denial of future property requests.** For vehicles, Fair Market Value (FMV) is defined as the average of the KBB, Edmunds and NADA-recommended price. For other items, FMV is defined as the price that item would be assigned for sale at a TFC Surplus Warehouse.
- (3) At its discretion, TFC may authorize an LEA to dispose of an item before the end of the compliance period. The LEA must receive written approval from TFC prior to taking action to dispose of that item.
- (4) If an LEA receives funds from a claim on the item during the compliance period, then the full proceeds from the claim must be remitted to TFC.
- (5) Vehicles are tracked by Vehicle Identification Number (VIN). Other equipment, which may not have a serial number, will be tracked by visual identification.
- (6) TFC staff may perform scheduled or unscheduled on-site compliance visits to ensure the property is being used as represented. LEAs receiving property are required to complete follow-up reports (as needed) as a condition of participating in the program.
- (7) 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.
- (8) Property is not intended for personal use; it must be readily accessible to appropriate LEA staff.
- (9) If a LEA violates any of these conditions, then the LEA will be required, at its expense, to return the property 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.
- (10) LEAs are responsible for reporting any suspected or actual violations in writing to TFC.
- (11) LEAs are required to paint vehicles another color other than the standard black and white color scheme used for 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.”

Signature of Sheriff or  
Police Chief

Date

Signature of County  
Judge or Mayor

Date