

SUBCHAPTER C. ADMINISTRATIVE ENFORCEMENT

Sec. 644.101. CERTIFICATION OF CERTAIN PEACE OFFICERS.

(a) The department shall establish procedures, including training, for the certification of municipal police officers, sheriffs, and deputy sheriffs to enforce this chapter.

(b) A police officer of any of the following municipalities is eligible to apply for certification under this section:

(1) a municipality with a population of 50,000 or more;

(2) a municipality with a population of 25,000 or more any part of which is located in a county with a population of 500,000 or more;

(3) a municipality with a population of less than 25,000:

(A) any part of which is located in a county with a population of 3.3 million; and

(B) that contains or is adjacent to an international port;

(4) a municipality with a population of at least 34,000 that is located in a county that borders two or more states;

(5) a municipality any part of which is located in a county bordering the United Mexican States;

(6) a municipality with a population of less than 5,000 that is located:

(A) adjacent to a bay connected to the Gulf of Mexico; and

(B) in a county adjacent to a county with a population greater than 3.3 million;

(7) a municipality that is located:

(A) within 25 miles of an international port;
and

(B) in a county that does not contain a highway that is part of the national system of interstate and defense highways and is adjacent to a county with a population greater than 3.3 million;

(8) a municipality with a population of less than 8,500 that:

(A) is the county seat; and

(B) contains a highway that is part of the national system of interstate and defense highways;

(9) a municipality located in a county with a population between 60,000 and 69,000 adjacent to a bay connected to the Gulf of Mexico;

(10) a municipality with a population of more than 40,000 and less than 50,000 that is located in a county with a population of more than 285,000 and less than 300,000 that borders the Gulf of Mexico;

(11) a municipality with a population between 32,000 and 50,000 that is located entirely in a county that:

(A) has a population of less than 250,000;

(B) is adjacent to two counties that each have a population of more than 1.2 million; and

(C) contains two highways that are part of the national system of interstate and defense highways;

(12) a municipality with a population of more than 4,500 and less than 10,000 that:

(A) contains a highway that is part of the national system of interstate and defense highways; and

(B) is located in a county with a population between 175,000 and 190,000;

(13) a municipality with a population of less than 75,000 that is located in three counties, at least one of which has a population greater than 3.3 million;

(14) a municipality with a population between 13,900 and 17,000 that:

(A) contains three or more numbered United States highways; and

(B) is located in a county that is adjacent to a county with a population of more than 200,000;

(15) a municipality with a population of less than 50,000 that is located in:

(A) a county that generated \$20 million or more in tax revenue collected under Chapters 201 and 202, Tax Code, from oil and gas production during the preceding state fiscal year; or

(B) a county that is adjacent to two or more counties described by Paragraph (A);

(16) a municipality with a population of more than 2,000 that is located in a county:

(A) with a population of less than 200,000;
and

(B) that borders:

(i) another state; and

(ii) the Gulf Intracoastal Waterway; or

(17) a municipality that is located:

(A) within 20 miles of an international airport; and

(B) in a county that:

(i) contains an active quarry;

(ii) has a population of more than 150,000 but less than 170,000; and

(iii) is adjacent to a county with a population of more than two million.

(c) A sheriff or a deputy sheriff of any of the following counties is eligible to apply for certification under this section:

(1) a county bordering the United Mexican States;

(2) a county with a population of less than 1,000, part of which is located within 75 miles of an international border;

(3) a county with a population of 700,000 or more;

(4) a county with a population of 400,000 or more that borders the county in which the State Capitol is located;

(5) a county with a population of less than 250,000 that:

(A) is adjacent to two counties that each have a population of more than 1.2 million; and

(B) contains two highways that are part of the national system of interstate and defense highways;

(6) a county:

(A) any part of which is within 30 miles of New Mexico; and

(B) that is adjacent to two or more counties that generated \$100 million or more in tax revenue collected under Chapters 201 and 202, Tax Code, from oil and gas production during the preceding state fiscal year;

(7) a county with a population of more than 40,000 and less than 300,000 that is adjacent to a county described by Subdivision (4); or

(8) a county with a population of more than 50,000 and less than 90,000 that is adjacent to a county with a population of more than 4,000,000.

(d) A sheriff, a deputy sheriff, or any peace officer that does not attend continuing education courses on the enforcement of traffic and highway laws and on the use of radar equipment as prescribed by Subchapter F, Chapter 1701, Occupations Code, shall not enforce traffic and highway laws.

(e) The department by rule shall establish reasonable fees sufficient to recover from a municipality or a county the cost of certifying its peace officers under this section.