

NEWSLETTER



September 2009

www.sw-asse.org

Protecting North Texas and the Dallas Metroplex since 1937

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September 15 th , Tuesday, 8 AM-4:30 PM	Ruthe Jackson Center, Grand Prairie
October 12 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving
November 9 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving
December 14 th , Saturday, Evening Reception	Past Presidents / Chapter Social
January 11 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving
February 8 th , Monday	Scottish Rite Hospital
March 8 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving
April 12 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving
May 10 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving
June 14 th , Monday, 11:30-1 PM	Boy Scouts of America, Irving

New location this year! More centrally located! Meetings will be located at the Boy Scouts of America, 1325 W Walnut Hill Ln, Irving, TX 75038, except when stated otherwise.

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**Fall is just around
the corner!**

Check out the website! <http://www.sw-asse.org/>

If you have something that needs to be mailed to the chapter, please send to:

SW-ASSE
6505 W. Park Blvd., Ste. 306 #115
Plano, TX 75093

PRESIDENT'S CORNER

September 2009

Happy New "Chapter" Year!!! I hope everyone had an enjoyable summer. The Chapter Executive Committee met and planned an exciting 2009-2010 year.

I completed the Chapter Operations & Strategic Planning and Performance Report (STARS) for ASSE in August, and our Chapter looks great. We are including copies of the Executive Committee roster, the 2009-2010 Operations and Strategic Plans and a calendar of tentative dates and events. Luke Chisenhall, Past President, has some great plans for the Professional Development Conference in February 2010 ---- be sure to make plans to attend. Lori Siegelman, Vice President, has scheduled some good speakers for the monthly meetings.

Due to developments in the economy and related financial issues, the Executive Committee decided to change location for most Chapter monthly meetings. This will allow the Chapter to save money and better yet, enable **YOU** to save money. We have arrangements to meet at Boy Scouts of America Headquarters, 1325 West Walnut Hill Lane, Irving 75038 (Las Colinas area). We should be able to have lunch selections for about \$12.00 a person. Our thanks to Richard Bourlon for his assistance in this.

The **Annual North Texas OSHA MSHA Regulatory Update Seminar, September 15, 2009**, from 8:00 AM – 4:30 PM at Ruthe Jackson Center, 3113 S. Carrier Parkway, Grand Prairie, Texas, in conjunction with North Texas Section AIHA and the ASSE Fort Worth Chapter, will be held in lieu of the September Southwest Chapter monthly meeting.

Michael Pierce and Jachin Howard are making plans to attend the ASSE Leadership Conference on October 1 – 3, 2009 in Lombard, Illinois. The conference is to improve leadership skills and knowledge and enhance the leadership success of volunteer leaders.

Dr. Wayne D. Jones, Chair – Department of Occupational Safety & Health, Southeastern Oklahoma State University in Durant, OK, (Southwest Chapter Student Section) advised me that they broke the 1,000 enrollment barrier for the first time and they have enrolled their 50th graduate student. CONGRATULATIONS Dr. Jones and your staff!!!

Remember, the benefits and services of being a member of American Society of Safety Engineers:

- Enhances the Safety, Health & Environment profession,
- Provides updates on developments in government regulations and standards,
- Helps meet members' personal needs,
- Provides a network of 30,000 professionals willing to share their expertise and experience, and
- Offers career development and support!

This is "Our Chapter" – support it and receive the benefits and services!

Phil Bunker, President



[2009 International](#)
[Telecommunications Safety](#)
[Conference](#)
September 15 – 17, 2009

No one had an answer for the picture below?! Maybe we should give a party favor for the answer at our October meeting!



Annual North Texas OSHA MSHA Regulatory Update Seminar

Join us and hear from the Fort Worth and Dallas OSHA staff on what is going on within OSHA and what their latest initiatives are. Great opportunity to network with your fellow occupational health and safety professionals and to have your questions answered by the regulatory representatives that will be present.

Date: Tuesday, **September 15, 2009**

Time: 8:00 a.m. – 4:30 p.m. (Doors open at 7:30).

Location: Ruthe Jackson Center, 3113 S. Carrier Parkway, Grand Prairie, Texas

Preregistration: \$50 (members) or \$65 (non-members) **before August 30th. AFTER AUGUST 30th REGISTRATION INCREASES TO \$60 (members) and \$75 (non-members).**

The NTS AIHA Federal Tax ID# is 31-1254249

5 Easy Ways to Register:

Via the Web Site: www.uta.edu/ced and click "Conferences" or

By Phone: (817) 272-2581

By FAX: (817) 272-2556

By Mail: UT Arlington, Box 19197, Arlington, TX 76019

Registration sponsored by

The University of Texas at Arlington

Cost (After August 30th): \$60 (members) and \$75 (non-members). The price includes a box lunch and refreshments all day.

Certification Points: 1 CM; 0.5 COC

Contact: For more information, contact Gary Ticker at 214-662-6005 or mail to: occusafe@sbcglobal.net

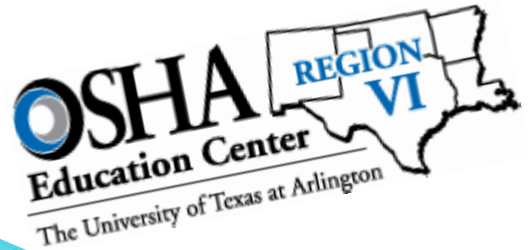
Sponsored By:

**North Texas Section – AIHA,
Fort Worth Chapter – ASSE, and
Southwest Chapter - ASSE**



American Society of

Southwest Chapter



Local Information!

By: **Tim Hayden**, Chair – Governmental Affairs

Who Coordinates Disaster Response for the DFW Area?

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of local governments (counties, cities, school districts, and hospital districts) established to assist the DFW region in planning for common needs and development. The association includes over 230 member governments, 6+ million residents, and is operated from its Arlington, TX offices.

In 2002 following severe spring weather and tornado damage in downtown Ft. Worth, the NCTCOG created an Emergency Preparedness Department (EPD) tasked with creating a more organized, equipped, and prepared region. Interoperable communication among emergency response agencies was identified as an immediate issue and the group was tasked to coordinate improvement.

Today the Emergency Preparedness Department plays a major role in preparing and responding to disaster incidents within our region. Recent projects include shelter hub planning; catastrophic event planning; public health preparedness; hospital preparedness/medical surge planning; public education; and Critical

Infrastructure/Key Resource identification and protection.

The EPD's successful planning was witnessed in recent years as refugees from the gulf coast have been temporarily housed in local facilities over the past few hurricane seasons.

As flu season approaches and HINI is on everyone's mind, know that the EPD is working diligently to connect hospitals and medical resources and to respond if a pandemic emerges.

Keep this group in mind as you consider the public response portion of your disaster recovery plan. Their website contains information on current DFW initiatives and projects including a calendar of local and state disaster recovery exercises and activities.

NCTCOG's Emergency Preparedness Department's website: <http://www.nctcog.org/ep/>
Public Education Resource example: <http://www.knowwhat2do.com/>
Regional emergency preparedness activity calendar: <http://www.nctcog.org/ep/calendar.asp>

Tim Hayden, CSP, CPCU, ARM

Associate Director

John L. Wortham & Son, L.P.

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Chapter Information

ASSE Southwest Chapter, 2009-2010 Chapter Operations and Strategic Plan

- Feasibility study of including Fort Worth Chapter as a Section of Southwest Chapter
- Conduct at least one combined meeting/PDC with another local organization
 - AIHA, RIMS, NTAEP (North Texas Associations of Environmental Professions), etc
- Plan and develop professional development opportunities for chapter members ("Webinar" brown bag / lunch meetings and other options)
- Send at least 2 Officers to 2008 Leadership Conference
- Participate in Region III Student Leadership Conference
- Honor chapter members for their service

Jim Johnstone, *Treasurer*, thought we might find some of the new TDPS regs of interest. There are some significant changes. Check them out! ↓



New traffic, criminal laws set to go into effect Sept. 1

HB 2730 is the DPS's Sunset Legislation, and many of the DPS-related bills this session were included in HB 2730. Notable traffic and criminal laws that go into effect on Sept. 1 (unless otherwise indicated) include*:

Seatbelts:

HB 537 requires all occupants of a vehicle, no matter their age, to be secured by a safety belt, no matter where they are seated in the vehicle; changes the definition of a passenger vehicle to include a passenger van designed to transport 15 or fewer passengers including the driver; removes the current exemption for third-party Medicaid transportation provisions regarding the use of child passenger safety seats; and prohibits a motorcycle operator from carrying a passenger under the age of 5 unless the child is seated in a sidecar attached to the motorcycle.

SB 61 amends the existing statute regarding child passenger safety seats. The bill requires that any child younger than 8 years of age be restrained in an approved child passenger safety seat unless the child is at least 4 feet, 9 inches in height. The fine is no more than \$25 for a first offense and \$250 for a second offense. The law also creates a new court cost for conviction of an offense under this section to be collected and used by TxDOT to buy safety seats for low income families. The law becomes effective on Sept. 1, 2009, but tickets for this offense cannot be issued until June 1, 2010. Police officers are allowed to issue a warning before that date.

Driving:

HB 55 makes it illegal to use a wireless communication device in a school zone unless the vehicle is stopped or a hands-free device is used. Cities or counties wanting to enforce this law must post a sign at the beginning of each school zone to inform drivers that using a wireless communications device is prohibited and the operator is subject to a fine. It is a defense to prosecution if the operator was making an emergency call.

HB 2730 increases the penalties for driving while intoxicated with a child passenger by adding an automatic driver license suspension period for first-time offenders and an increased suspension period for repeat offenders. The driver license reinstatement fee for completing an education program will rise from \$50 to \$100. Closes a loophole so a person who commits an offense as a minor cannot circumvent the driver license penalty if the person turns 21 before their court date.

HB 2730 allows a new Texas resident to operate a vehicle without a Texas license for 90 days instead of the current 30. (This provision went into effect on June 19, 2009.)

HB 2012 creates two new punishment enhancements: a Class B misdemeanor if a person drives with a suspended license and without insurance; and a class A misdemeanor if the person driving without insurance or a valid driver license has an

accident and someone is seriously injured or dies as a result of that accident.

SB 129 authorizes neighborhood electric vehicles (NEVs) to be operated on roads with a posted speed limit of 45 miles per hour or less. The bill authorizes driver license holders to operate NEVs without having a motorcycle endorsement, clarifies that drivers and passengers in such vehicles are not required to wear helmets and specifies that enclosed three-wheeled vehicles as described in the bill are authorized to operate in preferential lanes.

Concealed handgun:

HB 2730 amends numerous provisions regarding concealed handgun licenses (CHLs), including eliminating student loan defaults as a disqualifier, to clarify that DPS must suspend or revoke a license when the licensee becomes ineligible and mandating that a magistrate suspend a CHL held by the subject of an emergency protective order.

HB 2664 provides a defense to prosecution if a concealed handgun license holder carries a concealed handgun into an establishment that gets 51 percent or more of its income from the sale of alcoholic beverages, but has failed to post the statutorily required notice that it derives 51 percent or more of its income from the sale of alcoholic beverages. (Under current law, a concealed handgun licensee can be charged with a Class A misdemeanor for doing this.)

HB 2730 removes DPS authority to suspend a concealed handgun license (CHL) for the holder's failure to display the CHL to a peace officer on demand. It removes associated penalties and suspensions for the failure to display.

Driver license:

Driver's license:

HB 2730 requires that all applicants under the age of 18 take the driving skills exam to receive a driver license. The law also requires that a provisional driver license (under 18) or instruction permit expire on an individual's 18th birthday, removes the requirement that a provisional driver license or instruction permit be renewed annually and increases the fee for those licenses from \$5 to \$15. It also extends the current phase-two restrictions for holders of a graduated driver license from 6 months to 1 year. These restrictions include limited night driving, prohibited use of wireless communication devices and a limited number of passengers.

HB 339 increases the total hours of behind-the-wheel driving instruction a teen receives from 14 to 34 after TEA develops criteria for curriculum. (Goes into effect May 1, 2010)

SB 1317 creates a six-hour driver education course required for driver license applicants 18 years of age or older. It also mandates that applicants 25 or under must submit to an approved driver education course. (Goes into effect March 1, 2010.)

SB 328 gives DPS the power to suspend a minor's driver license if they fail a breath or blood alcohol test while operating a watercraft. Chapter 524 of the Transportation Code also clearly defines the suspension period for an individual who was under the age of 21 at the time when the offense of boating under the influence or driving under the influence of alcohol occurred. The law also increases the reinstatement fee for a license suspended under sections 49.04-49.08, Penal Code from \$50 to \$100.

HB 2730 increases the driver license sanction from a one-year CDL license disqualification to a lifetime disqualification if a person uses a motor vehicle to transport, conceal or harbor an alien. If a child is engaged in conduct involving a severe form of trafficking persons, a judge at a juvenile hearing is required to order the juvenile's driver license or permit to be suspended.

HB 2730 prohibits DPS from issuing a driver license or identification card to a person who has not established a domicile in Texas. The law specifies that an applicant may receive a driver license at a post office box only if the applicant's residence address has also been provided, with some exceptions.

Crime:

HB 558 allows minors to be charged with public intoxication.

HB 2386 allows courts to immediately seal juvenile criminal records if the juvenile successfully completes a drug court program, or another special program ordered by the court.

HB 1282 makes it a Class B misdemeanor to steal a driver license, commercial driver license or personal identification.

SB 554 makes it illegal to own or possess dog-fighting equipment and establishes that such equipment and property where dogs are found to be engaged in dog fighting is contraband and is subject to forfeiture. The law also makes dog-fighting subject to the elevated penalties authorized in the Texas Penal Code, Section 71.02(a), in an effort to deter organized criminal activity.

HB 1813 makes it a third-degree felony to tamper with forensic, medical, chemical, toxicological and ballistic reports, as well as

reports of certification, inspection or maintenance of instruments used to examine or test physical evidence. (Currently, someone who does this can only be charged with a state jail felony.)

HB 358 allows law enforcement authorities to store only a small part of gambling machines that have been seized, instead of storing the whole machine. They would be able to remove and store just the computer chips in gambling machines, which are the core of the machines and contain the information necessary for prosecutions to go forward.

Registered sex offenders:

SB 689 restricts Internet usage by certain registered sex offenders, and requires registered sex offenders to provide information about their e-mail addresses when they register.

Motorcycles etc.:

Senate Bill 1967 requires that applicants for an original class M license or class A, B or C driver license (including commercial driver licenses and permits) with authorization to operate a motorcycle, provide evidence of completion of an approved motorcycle operator training course. It also repeals the helmet exemption sticker program. Current law requires a person be covered with a minimum of \$10,000 in health insurance for injuries incurred in a motorcycle accident to be eligible for an exception for the offense of operating or riding a motorcycle without a helmet. As of Sept. 1, the minimum amount is removed. The bill requires the Texas Department of Insurance to prescribe a standard proof of health insurance for issuance to persons who are at least 21 years of age and covered by an applicable health insurance plan. The law also increases the penalty for failure to yield the right-of-way if there is a crash that results in injury to a person other than the motorcycle operator.

Miscellaneous:

HB 2730 increases the fine for a parking violation at the state Capitol from \$10 to \$25, and increases the late fee from \$2 to \$5.

SB 1188 authorizes a Texas resident to buy firearms, ammunition or firearms accessories in any other state, not just those contiguous to Texas, to reflect updated federal statutes.

SB 589 requires that window installers place a vehicle equipment safety compliance label on a windshield, side or rear window stating that the window tinting complies with the appropriate provisions of the Transportation Code. Failing to place the required label on the vehicle could now lead to a \$1,000 fine for the window installer.

* This is not a complete list of all laws passed in the past legislative session. Read about DPS online at www.txdps.state.tx.us

As always, contributions to the newsletter are encouraged and welcome. Shannon