

TEXAS DEPARTMENT OF PUBLIC SAFETY
REGULATORY SERVICES DIVISION

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LEAD INVESTIGATOR:	[REDACTED]	INVEST#:	[REDACTED]
SUPERVISOR:	[REDACTED]	OPENED:	[REDACTED]
TITLE:	[REDACTED]	FILE STATUS:	CLOSED
TYPE:	NON-CRIMINAL	DIVISION:	REGULATORY SERVICES DIVISION
SERVICE:	CES - HQ	REGION:	6
DISTRICT:	HQ	AREA:	HEADQUARTERS
SUBTYPE:	ADMINISTRATIVE INVESTIGATION	SPURS URN:	[REDACTED]
CATEGORY:		REVIEW DATE:	[REDACTED]
SPECIAL APPROVAL:		LEGACY REF:	
PROGRAM:	VEHICLE INSPECTION	SUBPROGRAM:	STATION NON EMISSION
CASE#:			

INVESTIGATION SYNOPSIS

On [REDACTED] the Texas Department of Public Safety TXDPS Regulatory Services Division RSD received a complaint alleging that [REDACTED] refused to inspect a motor vehicle when presented for inspection during business hours. Refer to Complaints Results tab for additional information.

SUPPLEMENTAL SYNOPSES

S1 04/04/2023 Report Writer: Kevin Thomas

04/10/2023 Approved by: Derrick Guy

On 3/23/2023, Program Inspector (PI) Kevin Thomas was issued SPURS complaint [REDACTED]. PI Thomas attempted to contact the complainant [REDACTED] via Email. PI Thomas contacted Inspector Alexandria WHESNANT from [REDACTED] phone, and was advised that [REDACTED] requested a state inspection, [REDACTED] was informed that WHESNANT was the only person working in the front of [REDACTED] and would not be able to leave the counter to perform the State Inspection, [REDACTED] became very belligerent and started yelling at WHESNANT, causing WHESNANT to request [REDACTED] to leave the business. PI Thomas found that WHESNANT of [REDACTED] Center to be in violation of VII-91304 (c) (1)(D) Refusing to inspect a vehicle without an objective justifiable cause related to safety.

S2 01/25/2024 Report Writer: Kasey Farr

01/25/2024 Approved by: IDA WILLIAMS

No action. Station expired

SUPPLEMENTAL DETAILS

- S1 1) On 3/23/2023, PI Thomas contacted Inspector Alexandria WHESNANT, with [REDACTED] at approximately 10:00 am, to discuss the events that happened with [REDACTED]. PI Thomas was informed that the complainant [REDACTED] requested a state inspection from Inspector WHESNANT. PI Thomas was informed that when WHESNANT advised [REDACTED] that WHESNANT was the only person working in the front of the business and would not be able to leave the counter to perform the state inspection [REDACTED] started to raise his voice and became very argumentative towards WHESNANT. PI Thomas was informed that WHESNANT advised [REDACTED] that it may take several hours for the other inspector to perform the state inspection due to the technician being deeply involved in the repair of another customer's vehicle. [REDACTED] started yelling at WHESNANT. PI Thomas was informed that WHESNANT then requested [REDACTED] to leave and come back tomorrow or suggested other inspection stations that would be able to meet [REDACTED]'s need for a quicker inspection. WHESNANT informed PI Thomas that [REDACTED] continued to yell at WHESNANT, making Inspector WHESNANT very uncomfortable. PI Thomas was informed that Inspector WHESNANT instructed [REDACTED] to leave the property due to how he was treating Inspector WHESNANT, and after several more minutes of [REDACTED] yelling, he finally left.

PI Thomas was informed that [REDACTED] returned to [REDACTED] a short while later, and began videoing as he walked into the store, yelling at Inspector WHESNANT. PI Thomas was informed that once again, Inspector WHESNANT requested [REDACTED] to leave the property due to his belligerent behavior. PI Thomas was informed that when [REDACTED] refused to leave, Inspector WHESNANT advised [REDACTED] that she would be calling the police if [REDACTED] refused to leave. PI Thomas was informed that Inspector WHESNANT advised the [REDACTED] would not be welcomed back to [REDACTED] in the future and if [REDACTED] returned, Inspector WHESNANT would call the police to have [REDACTED] trespass from the property. PI Thomas was informed that [REDACTED] left the property a short time later.

- 2) On 3/30/2023, PI Thomas emailed [REDACTED] and was responded to on the same day. [REDACTED] informed PI Thomas that WHESNANT instructed [REDACTED] that "she's not going to take time from a mechanic who makes \$30 an hour to stop what they're doing to do a 5-minute inspection on a car" and that he "could come back another day or find somewhere else to have the vehicle inspected." PI Thomas informed [REDACTED] that this was not appropriate behavior and would be instructing WHESNANT that [REDACTED] is required to perform state inspections during the posted hours of operations.

FINDINGS

PI Thomas found Inspector WHESNANT to be in violation of VII-91304 (c)(1)(D) Refusing to inspect a vehicle without an objective justifiable cause related to safety. PI Thomas has spoken with WHESNANT about the standards for state inspections and to ensure that the correct procedures are being followed. PI Thomas suggested several options to Inspector WHESNANT to ensure that there is a state inspector available during the posted hours of inspection. PI Thomas also advised Inspector WHESNANT of several different techniques to be able to assist customers requesting a state inspection in the future.

S2 No action. Station is expired

DEFENDANTS

S1 Whesnant, Alexandria - [REDACTED]
DL#: [REDACTED] DL State: [REDACTED]

COMPLAINANTS

S1 [REDACTED]
DL#: [REDACTED] DL State: TX

INVOLVED LOCATIONS

S1 [REDACTED]

INVOLVED BUSINESSES

S1 [REDACTED]

OFFENSES

CHARGES

PERSONNEL

S1 Kevin Thomas, Regulatory Services Division "2"
Texas Dept of Public Safety

S2 Kevin Thomas, Regulatory Services Division "2"
Texas Dept of Public Safety

EVIDENCE

ATTACHMENT NAME(S)

Disposition of Complaint [REDACTED] df, Disposition of Complaint
[REDACTED]

END OF REPORT