



Watch Your Car

TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY

Motor Vehicle Crime Prevention Authority

Board Meeting

Austin, Texas

February 5, 2020



4000 Jackson Avenue
Austin Texas, 78731
www.txwatchyourcar.com

MOTOR VEHICLE CRIME PREVENTION AUTHORITY
February 5, 2020 9:00 AM
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AGENDA
Motor Vehicle CRIME PREVENTION AUTHORITY MEETING
HOLIDAY INN AUSTIN MIDTOWN
6000 MIDDLE FISKVILLE ROAD
AUSTIN, TEXAS 78752
WEDNESDAY, FEBRUARY 5, 2020
9:00 A.M.

All agenda items are subject to possible discussion, questions, consideration and action by the Motor Vehicle Crime Prevention Authority (Authority). Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Authority. Presentations may be made by the identified staff or Authority member or other staff as needed. The Authority reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

1. CALL TO ORDER

- A. Roll Call and Establishment of Quorum
- B. Introduce New Authority Member
- C. Approval of Transcript as Minutes
 - Transcript from July 11, 2019
- D. Comments from Chairman and Authority Members
 - i. Recognition of Former Authority Members
 - ii. Commendations and Congratulations

BRIEFING AND ACTION ITEMS - Bryan Wilson (including Committee Chairs and designated staff)

2. Discuss and Consider Adoption of Memorandum of Understanding between MVCPA and TxDMV

- Delegation Order to MVCPA Director

3. Consider for Adoption Texas Administration Code Title 43, Part 3, Chapter 57 Rules

4. Discuss and consider insurance refund request

- A. Electronic Insurance
- B. Bitco General Insurance
- C. Bitco National Insurance
- D. Security National Insurance
- E. AmTrust Insurance Company of Texas

5. Consider for adoption MVCPA Strategic Vision

- A. Mission Statement
- B. Strategic Goals
 - i. Law enforcement funding and networking initiatives
 - ii. Statewide communication and education initiatives
 - iii. Insurance collections and refund
- C. MVCPA logo

6. **Consider for adoption the FY 2022-2023 Strategic Plan**
 - A. Legislative Appropriations Request
 - B. Plan of Operation Elements
 - C. Exceptional item requests, which may include:
 - i. Statewide taskforce on fraud related motor vehicle crime
 - ii. Additional FTEs for assessment collections and refund processing
 - D. Consider legislative change requests
 - i. Dedicated account in the TxDMV funds for MVCPA appropriation or 20% of collection
 - ii. Motor vehicle crime prosecutor authority
 - iii. Statewide motor vehicle crime taskforce authority
 - iv. Changes to insurance fee collections or refund process
 - v. Other items from February 4, 2020 Grant, Budget and Reports Committee strategic planning session
7. **Report on status and consider no cost extension with Texas A&M University for MVCPA Bait Car Research Project**
8. **Consider Authority Committee Appointments**
9. **Discuss prior Authority requests made to the Texas Department of Insurance regarding insurer collections and refund requests, and to provide authorization to the MVCPA Director and Insurance Committee to contact the Texas Department of Insurance regarding past inquiries**
10. **Consider authorizing MVCPA Director to assemble advisory committee or working group until February 1, 2021 to consider recommendations to update and revise to Title 43, Part 3, Chapter 57 rules related to collections, refunds, auditing and reporting of fee assessment**
11. **Report on FY 2019 Grant Closeout**
12. **Consider authorizing MVCPA Director to publish the FY 2020-2021 Grant Administrative Manual**

MVCPA DIRECTOR'S REPORTS - Bryan Wilson (including designated staff)

13. **Reports on MVCPA-related activities identified by the Director as noteworthy, which may include reports on:**
 - A. Budget
 - B. Grant Activities and Analysis
 - C. Grant Adjustments Status
 - D. Public Education and Public Awareness Program and Activities
 - E. MVCPA Law Enforcement Training
 - F. Assessment Collection Activities
 - American Modern Home Insurance Company – Misapplied Payment
 - G. Agency Operations
 - i. Trademark updates
 - ii. Internet Domain MVCPA texas.gov and TXMVCPA.gov
 - H. Personnel Updates
 - I. Grantee Monitoring

14. Public Comment

15. EXECUTIVE SESSION

The Authority may enter into closed session under one or more of the following provisions of the Texas Open Meetings Act, Government Code, Chapter 551:

- A. Section 551.071** - Consultation with and advice from legal counsel regarding:
 - pending or contemplated litigation, or a settlement offer;
 - a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code, Chapter 551; or
 - any item on this agenda.

- B. Section 551.074** - Personnel matters.
 - Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline and dismissal of personnel.

- C. Section 551.076** - Deliberation Regarding Security Devices or Security Audits; Closed Meeting.
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

- D. Section 551.089** - Security devices or security audits:
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

16. Action Items from Executive Session

17. Adjournment

The Authority will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Authority. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Authority members may respond in accordance with Government Code, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

Agenda items may be presented by the named presenter or other staff.

Pursuant to Sections 30.06 and 30.07, Penal Code (trespass by license holder with a concealed or openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun or a handgun that is carried openly.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days

in advance, so that appropriate arrangements can be made. Contact the Motor Vehicle Crime Prevention Authority by telephone at (512) 465-1485.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: David Richards, General Counsel, (512) 465-1423.



**Board Agenda Item
Section 1. Call to Order**

Part A. Roll Call

NOTES:

	Lt. Tommy Hansen, Board Chairman Law Enforcement Representative – Hitchcock, TX
	Ms. Ashley Hunter – Board Member Insurance Representative – Austin, TX
	Mr. Armin Mizani – Board Member Consumer Representative –Roanoke, TX
	Deputy Chief Mike Rodriguez – Board Member Law Enforcement Representative – Laredo, TX
	Mr. Shay Gause – Board Member Insurance Representative – Helotes, TX
	Major Justin Owen – Designee, Ex Officio Member Law Enforcement Representative – Texas Department of Public Safety
	Ms. Kit Whitehill – Board Member Consumer Representative – Coppell, TX



Board Agenda Item
Section 1. Call to Order

Part B. Introduce New Authority Member

Motor Vehicle Crime Prevention Authority

February 5, 2020

Office of the Texas Governor | Greg Abbott

<https://gov.texas.gov/news/post/governor-abbott-appoints-hunter-and-whitehill-to-motor-vehicle-crime-prevention-authority>

Governor Abbott Appoints Hunter And Whitehill To Motor Vehicle Crime Prevention Authority

October 15, 2019 | Austin, Texas | [Appointment](#)

Governor Greg Abbott has reappointed Ashley Hunter and appointed Katherine “Kit” Whitehill to the Motor Vehicle Crime Prevention Authority for terms set to expire on February 1, 2025. The authority assesses the scope of motor vehicle crime in Texas and supports a statewide law enforcement network through grants, auto theft reduction initiatives, education, and public awareness.

Ashley Hunter of Austin is managing director for HM Risk Group. She is a member of Texas Wall Street Women, Professional Liability Underwriting Society, Reinsurance under 40, and The Waters Street Club. Additionally, she is a Trustee on the Zach Theater Board. Hunter received a Bachelor of Music in music theory and composition from Centenary College of Louisiana and a Master of Business Administration from Texas A&M University.

Katherine “Kit” Whitehill of Coppell is an in school suspension aide for Coppell ISD. Previously, she served on the Coppell Education Foundation Board of Directors and as a Family Legacy volunteer in Zambia. Additionally, she is the founder of the Coppell John D. Williams Cotillion and a founding member of the Coppell Assistance League. Whitehill received a Bachelor of Business Administration in finance and real estate from The University of Texas at Austin.



GOVERNOR GREG ABBOTT

October 15, 2019

The Honorable Ruth Ruggero Hughs
Secretary of State
Capitol Station
Austin, Texas 78711

Dear Madam Secretary:

Please be advised that I am making the following appointments to the **Motor Vehicle Crime Prevention Authority** for terms to expire February 1, 2025:

Ashley M. Hunter
Austin, Texas
(Ms. Hunter is being reappointed)

Katherine B. "Kit" Whitehill
Coppell, Texas
(replacing Linda W. Kinney of Comfort whose term expired)

Please issue a commission to these appointees as soon as they qualify.

Sincerely,

A handwritten signature in black ink that reads "Greg Abbott".

Greg Abbott
Governor

GA:pv



Board Agenda Item
Section 1. Call to Order

Part C. Approval of Transcript as Minutes

MVCPA staff emailed the July 11, 2019 Board Meeting Transcript to all Board Members on January 10, 2020 for review.



Board Agenda Item
Section 1. Call to Order

Part D. Comments from Chairman and Authority Members

Motor Vehicle Crime Prevention Authority

February 5, 2020

Recognition of former MVCPA board members

MVCPA wishes to give our appreciation to Linda Kinney whose term on our board ended October 15, 2019.

Linda Kinney served on the MVCPA Board for 11 years. Governor Rick Perry appointed Linda Kinney to the then ABTPA Board in January 2008 and reappointed her in April 2013. Ms. Kinney is from Dripping Springs, Texas. A retired State of Texas employee, Linda was employed with the Texas Employment Commission which is now the Texas Workforce Commission. Linda is a former Chair of the Hays County Republican Party and has been involved in county and state politics for many years. Linda is married to Wally Kinney and they have two grown daughters, Emily an attorney in San Antonio and Sara who is attending graduate school at Fordham University in New York.

Motor Vehicle Crime Prevention Authority

February 5, 2020

Recognition of Detective Carl Olavesen

During the IAATI conference held in Scotland this year, Detective Carl Olavesen, Travis County Sheriff's assigned to Sheriff's Combined Auto Theft Task Force was named the recipient of the IAATI Award of Merit. He was not able to attend the conference to receive the award, but we would like to recognize all his hard work he does for the citizens of Texas. The IAATI Award of Merit was created to honor a person, group, department or company for outstanding contribution in the area of vehicle theft investigation or prevention.

Detective Olavesen was assigned to the Sheriff's Combined Auto Theft Task Force in November 2016 after 6 years in the patrol division and following assignments with the VICE Unit, the US DEA Task Force, and Underwater Recovery Team. As an active member of National Association of Technical Investigators (NATIA), Carl was quick to assist with the technical challenges faced by the Task Force. He was instrumental in the installation of two video tracking systems in our bait vehicles. Carl is also a Certified Instructor and has trained numerous auto theft investigators and patrol deputies in the operation and technology involved in the deployment of the bait vehicles and associated bait property. Carl has written the curriculum for a search warrant class that will become part of the TAVTI curriculum. Over the past year, he also served as a Director for the Central Texas region of TAVTI. Detective Olavesen has also been very active with the State of Texas Legislature by meeting with State Senators and Representatives at the State Capital as a resource and an advocate for the prevention of auto theft and burglary in Texas.

Since being assigned to Auto Theft, Detective Olavesen has personally been responsible for clearing 539 Motor Vehicle Theft Cases, 176 have been recoveries with a total recovery value of \$2,340,016. Additionally, Detective Olavesen has recovered parts and property valued at \$321,600. As a direct result of his outstanding work, dedication and commitment he has arrested over 42 suspects for Auto Theft or Burglary of a Motor Vehicle, 27 of which were prolific auto theft offenders. Detective Olavesen has participated in 229 bait operations, conducted 13 salvage yard inspections and conducted over 480 vehicle inspections.

Beginning in August of 2018 he conducted an investigation into a ring of auto theft suspects and discovered the individuals involved were stealing vehicles and utilizing them to commit human trafficking violations at the Texas border with Mexico. Investigative information led Detective Olavesen to believe there were other suspects involved in a larger conspiracy case. After applying for investigative

funds from the National Insurance Crime Bureau, the Task Force, he was able to initiate “Operation DeJaVu”. This investigation is still ongoing, but through investigative leads Detective Olavesen has been able to arrange for the purchase of or recovery of 22 stolen vehicles and parts valued in excess of \$750,000.00. Once this investigation is complete we anticipate multiple arrests and additional recoveries. As part of Carl’s past collaborative efforts with the Drug Enforcement Administration there is a strong possibility this case will be adopted federally.

The above information was provided by Sgt. Richard A. Hale, Sheriff’s Combined Auto Theft Task Force, Travis County Sheriff’s Office.



Motor Vehicle Crime Prevention Authority

February 5, 2020

Recognition of Investigator Jim Woods

Investigator Jim Woods passed away in November 2019 after a 9 year battle with cancer. Jim graduated from the police academy in September 1984. He was retired from Houston Police Department, where he served for nearly 30 years, with over 20 years spent in the Auto Theft Division. He was an active member of TAVTI/SCRC for more than 25 years and served in every executive position of the organization, including President. Association training and membership initiatives excelled under the guidance of Investigator Woods, and he also served as a media spokesperson regarding vehicle crime problems throughout the United States and the prevention of such crimes. In addition to his work on the TAVTI/SCRC Executive Board, Investigator Woods acted as the chairperson for many committees and was instrumental as a mentor to numerous vehicle crimes detectives throughout the United States.





Board Agenda Item

Briefings and Action Items

Section 2. Discuss and Consider Adoption of Memorandum of Understanding between MVCPA and TXDMV

Staff Recommendation

Adopt the Memorandum of Understanding between MVCPA and TxDMV.

Adopt the Delegation Order to MVCPA Director.

Motor Vehicle Crime Prevention Authority

February 5, 2020

MEMORANDUM OF UNDERSTANDING

BETWEEN THE TEXAS DEPARTMENT OF MOTOR VEHICLES AND

THE TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY

This Memorandum of Understanding (MOU) is entered into by the Texas Department of Motor Vehicles (TxDMV) and the Texas Motor Vehicle Crime Prevention Authority (MVCPA) pursuant to Texas Transportation Code Chapter 1006. Specifically, Transportation Code §1006.060 requires that the MVCPA, in coordination with TxDMV, develop and implement policies that clearly separate the policymaking responsibilities of the MVCPA and the management responsibilities of the TxDMV.

NOW, THEREFORE, the MVCPA and TxDMV enter into this MOU to set out their understanding and agreement of each agency's responsibilities under Transportation Code Chapter 1006.

IT IS AGREED THAT:

I. AUTHORITY AND DUTIES

A. TxDMV and the MVCPA shall exercise and fulfill all the powers and duties granted to them under Transportation Code Chapter 1006;

B. The MVCPA will promulgate and maintain its own rules as authorized in Transportation Code Chapter 1006;

C. The MVCPA shall establish written policies for issues relating to MVCPA programs, including:

- 1.** performing financial support to authorized entities, education programs, and providing equipment;
- 2.** collecting the required fee on any form of motor vehicle insurance;
- 3.** notifying the Texas Department of Insurance of insurers that fail to file or pay the required fee; and

4. determining the validity of a request for refund of fees paid by insurers.

D. TxDMV through its Executive Director (ED) with advice and consent from the Authority, shall appoint a TxDMV employee to serve as MVCPA Director to perform all the actions required by the statute and represent the MVCPA and the Authority on MVCPA matters before the legislature and stakeholders, as appropriate;

E. The ED will designate the MVCPA Director to provide members of the MVCPA information regarding the members' qualifications for office and their responsibilities relating to standards of conduct.

F. All TxDMV management policies apply to MVCPA unless explicitly exempted, any exempted policies will be clearly outlined and specify their applicability to the MVCPA. The TxDMV will provide MVCPA services by or through the department as needed to carry out the authority's purposes, powers, and duties. These services include legal services not provided by the attorney general, fiscal services, administrative services, and personnel services;

G. The MVCPA Director appointed by the ED under Transportation Code §1001.041 shall manage MVCPA staff operations including, managing money appropriated to the department for authority purposes, administering the MVCPA fee collection program, administering the process to determine refunds, implementing the grant program, and all other staff duties relating to the MVCPA, as appropriate.

II. EFFECTIVE DATE AND TERMINATION

This MOU is effective upon the date of the last signatory to this MOU.

This MOU may be terminated upon thirty (30) days written notice by either party.

TEXAS DEPARTMENT OF MOTOR VEHICLES

**TEXAS MOTOR VEHICLE CRIME PREVENTION
AUTHORITY**

Whitney Brewster, TxDMV Executive Director

Tommy Hansen, MVCPA Chairman

DATE: _____

DATE: _____

THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY DELEGATION OF
AUTHORITY

General remarks and official action taken:

The Motor Vehicle Crime Prevention Authority (Authority) may delegate duties or responsibilities to Texas Department of Motor Vehicles staff as needed under Transportation Code §1006.101. Under this authority, the Authority delegates the authority listed below to Bryan Wilson, MVCPA Director.

Delegated Authority:

Actions:

1. The authority to carry out and maintain policies adopted by the Authority under Transportation Code §1006.101 and §1006.151
2. The authority to notify the Texas Department of Insurance when insurers fail to pay assessment or fail to file required assessment forms under Transportation Code §1006.153(d).
3. The authority to prepare a Plan of Operation under Transportation Code §1006.102 subject to the approval of the Authority;
4. The authority to prepare an Annual Financial Report under Transportation Code §1006.155 subject to the approval of the Authority.

This delegation is expressly limited to the delegated authority listed above. This delegation shall not affect the legal authority or power of the Authority which retains authority to act in all things and at all times with respect to the statutory charge of the Authority.

Tommy Hansen, Chair
MVCPA

Date



Board Agenda Item
Section 3. Consider for Adoption Texas Administrative Code Title
43, Part 3, Chapter 57 Rules

Staff Recommendation

Adopt the rule updates of Chapter 57 to implement Transportation Code Chapter 1006 as amended by Senate Bill 604 and House Bill 2048.

Motor Vehicle Crime Prevention Authority

February 5, 2020

43 TAC §§57.3-57.58

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INTRODUCTION. The Motor Vehicle Crime Prevention Authority adopts amendments to 43 TAC Chapter 57, Motor Vehicle Crime Prevention Authority, §§57.3 – 57.58, concerning the Motor Vehicle Crime Prevention Authority. The Authority adopts the amendments to §§57.3 – 57.58 and the titles of Transportation Code, Part 3, and Chapter 57 without changes to the proposed text as published in the August 30, 2019 issue of the *Texas Register* (44 TexReg 4663). The rules will not be republished.

REASONED JUSTIFICATION. The amended sections are necessary to implement Transportation Code Chapter 1006 as amended by Senate Bill (SB) 604 and House Bill (HB) 2048, 86th Legislature, Regular Session (2019). Chapter 1006 was amended to change the name of the "Automobile Burglary and Theft Prevention Authority" (ABTPA) to the "Motor Vehicle Crime Prevention Authority" (MVCPA) and delete the authority to implement a vehicle registration program. An amendment to Transportation Code §1006.153 increased the fee that insurers pay to the Authority.

The titles to Part 3 and Chapter 57 and sections throughout Chapter 57 were amended replacing references to ABPTA with MVCPA to implement the name change in SB 604.

Section 57.14(b)(3) deletes "Automobile Registration" from the list of MVCPA program categories eligible for consideration for funding. This deletion implements SB 604 which removed the Authority's authority to establish and fund a motor vehicle registration program.

Section 57.48(a) updates the referenced citation from Texas Civil Statutes, Article 4413(37), §10 to Transportation Code, §1006.153 to reflect the current statute after recodification.

Section 57.48(a)(1) increases the statutory fee from \$2 payable on each motor vehicle for which the insurer provides insurance coverage during the calendar year regardless of the number of policy

1 renewals to \$4 payable on each motor vehicle for which the insurer provides insurance coverage during
2 the calendar year regardless of the number of policy renewals to implement the increase in HB 2048.

3 Section 57.48(a)(3) clarifies the type of insurance policy that is subject to the statutory fee by
4 adding “insurance” after “motor vehicle;” adding “or automobile insurance” after motor vehicle; and
5 updating the referenced citation from Texas Civil Statutes, Article 4413(37), §1(5) to Transportation Code
6 Chapter 1006 to reflect the current statute after recodification.

7 Section 57.48(a)(4) increases the amount of the referenced statutory fee from \$2 to \$4 to
8 implement the increase in HB 2048.

9 Section 57.49(a) and (b) update the referenced citation from Texas Civil Statutes, Article 4413(37),
10 §10 to Transportation Code, §1006.153 to reflect the current statute after recodification.

11 Section 57.50 updates the referenced citation from Texas Civil Statutes, Article 4413(37), §10 to
12 Transportation Code, §1006.153 to reflect the current statute after recodification.

13 **SUMMARY OF COMMENTS.**

14 The Authority received one written comment on the proposal.

16 **Comment**

17 The commenter is concerned that insurance rates are already too expensive and suggests that
18 the Authority focus on making insurance more effective and less profitable instead of raising fees.

19
20 **Response.** The Authority appreciates the comment; however, it is beyond the scope of the rule project
21 and the jurisdiction of the Authority. The Authority does not regulate the business of insurance. The \$2
22 increase in the fee in §57.48 only implements a required statutory change.

23

1 **STATUTORY AUTHORITY.** The Authority adopts amended §§57.3 – 57.58 under SB 604, Section 5; House
2 Bill 2048; and Transportation Code Chapter 1006.

3 Senate Bill 604, Section 5, 86th Legislature, Regular Session (2019), changed the name of the
4 "Automobile Burglary and Theft Prevention Authority" to the "Motor Vehicle Crime Prevention Authority"
5 and deleted the authority to implement a vehicle registration program.

6 House Bill 2048, Section 9, 86th Legislature, Regular Session (2019), increased the fee
7 paid to the Authority from insurers from \$2 multiplied by the total number of motor vehicle years of
8 insurance for insurance policies delivered, issued for delivery, or renewed by the insurer to \$4 multiplied
9 by the total number of motor vehicle years of insurance for insurance policies delivered, issued for
10 delivery, or renewed by the insurer.

11 Transportation Code, §1006.101(a), authorizes the Authority to adopt rules to implement the
12 Authority's powers and duties.

13 **CROSS REFERENCE TO STATUTE.** Transportation Code Chapter 1006; and Transportation Code,
14 §1006.101(a).

15
16 **43 TAC §§57.9-57.58**

17 **TEXT.**

18 PART 3. MOTOR VEHICLE CRIME [~~AUTOMOBILE BURGLARY AND THEFT~~] PREVENTION

19 AUTHORITY

20 CHAPTER 57. MOTOR VEHICLE CRIME [~~AUTOMOBILE BURGLARY AND THEFT~~] PREVENTION

21 AUTHORITY

22 §57.9. Nonsupplanting Requirement.

23 (a) State funds provided by this Act shall not be used to supplant state or local funds.

1 (b) Supplanting means the replacement of other funds with Motor Vehicle Crime Prevention
2 Authority (MVCPA) [ABTPA] grant funds. It shall also include using existing resources already available to
3 a program activity as cash match.

4 (c) Positions which existed prior to new grant award approval and were funded from any source
5 other than MVCPA [ABTPA] grant funds are not eligible for grant funding or to be used as cash match.

6 (d) If a grant program is reduced by 20% or more from the previous year, and as a result, grant
7 funded or match positions are transferred to other duties for the grant year, they may be returned to
8 grant funding in the subsequent grant year. This exception is not available for any positions that have not
9 been grant funded or used as match for more than one grant year.

10 (e) Each grantee shall certify that MVCPA [ABTPA] funds have not been used to replace state or
11 local funds that would have been available in the absence of MVCPA [ABTPA] funds. The certification shall
12 be incorporated in each grantee's expenditure report.

13
14 §57.10. Nonlobbying Certification.

15 (a) Each grantee shall certify that none of the grant funds, regardless of their source or character,
16 including local cash contribution, shall be used in any manner to influence the outcome of any election or
17 the passage or defeat of any legislative measure.

18 (b) A finding that a grantee has violated this certification shall result in the immediate termination
19 of funding of the project and the grantee shall not be eligible for future funding from the Motor Vehicle
20 Crime [Automobile Burglary and Theft] Prevention Authority (MVCPA) [(ABTPA)].

21
22 §57.11. Bonding and Insurance.

23 Each private nonprofit organization directly receiving grant funds from the MVCPA [ABTPA] must secure

1 and maintain a commercial bond against the loss or theft of MVCPA [~~ABTPA~~] grant funds.

2

3 §57.14. Approval of Grant Projects.

4 (a) The MVCPA [~~ABTPA~~] board will approve funding for projects on an annual basis, subject to
5 continuation of funding through state appropriations and availability of funds.

6 (b) To be eligible for consideration for funding, a project must be designed to support one of the
7 following MVCPA [~~ABTPA~~] program categories:

8 (1) Law Enforcement, Detection and Apprehension;

9 (2) Prosecution, Adjudication and Conviction;

10 (3) Prevention, Anti-Theft Devices [~~and Automobile Registration~~];

11 (4) Reduction of the Sale of Stolen Vehicles or Parts; and

12 (5) Educational Programs and Marketing.

13 (c) Grant award decisions by the MVCPA [~~ABTPA~~] are final and not subject to judicial review.

14

15 §57.15. Implementation of Grant.

16 (a) Each grantee shall implement the grant within 45 days of the designated start date indicated
17 on the grant award statement.

18 (b) Failure by the grantee to implement a grant within 45 days will be construed by the MVCPA
19 [~~ABTPA~~] as the grantee's relinquishment of the grant award.

20 (c) Any exception to this section [~~rule~~] will require the review and written approval of the MVCPA
21 [~~ABTPA~~] director and MVCPA board designee.

22

23

1 §57.18. Grant Adjustments.

2 (a) The grantee must secure prior written approval from the MVCPA [~~ABTPA~~] director for any of
3 the following:

4 (1) changes in the need, objectives, approach, or geographical location of the grant;

5 (2) changes in the number of positions or job descriptions of personnel specified in the
6 grant agreement;

7 (3) transfers of funds among direct cost categories exceeding 5.0% of the total grant
8 budget;

9 (4) changes in equipment or other controlled assets amounts, types, or methods of
10 acquisition;

11 (5) use of confidential funds not specified in the grant agreement;

12 (6) use of program income for reasonable and necessary expenses of over \$1000 or more;

13 (7) changes in overtime or out-of-state travel of \$1000 or more; or

14 (8) other changes for which the grant agreement or uniform grant and contract
15 management standards require prior approval.

16 (b) The grantee must provide updates in the on-line system or written notification to the MVCPA
17 [~~ABTPA~~] director within five days from the date of any change in the program director, financial officer,
18 or authorized official.

19
20 §57.22. Third Party Participation.

21 (a) The grantee will retain ultimate control of and responsibility for the grant project and any
22 contractor shall be bound by grant agreements, grant conditions, and any other requirements applicable
23 to the grantee.

1 (b) Contracts, including any amendments, must be reviewed and approved as to form and content
2 by the MVCPA [~~ABTPA~~] director or MVCPA board designee prior to the release of any funds under the
3 contract when the amount is \$15,000 or more.

4
5 §57.23. Financial, Progress, and Inventory Reports.

6 (a) Each grantee shall submit all required reports in accordance with the instructions provided in
7 the MVCPA [~~ABTPA~~] Grant Administrative Manual.

8 (b) Reporting is based on the Texas government fiscal year calendar, beginning September 1
9 through August 31.

10
11 §57.24. Deobligation of Grant Funds.

12 Any unobligated funds remaining with the grantee shall be returned immediately to the MVCPA [~~ABTPA~~]
13 with the final financial report on or before November 30.

14
15 §57.25. Cancellation of Project.

16 The grantee shall notify the MVCPA [~~ABTPA~~], in writing, of the cancellation of any approved project
17 immediately upon the determination to cancel the project.

18
19 §57.26. Misappropriation of Funds.

20 The grantee must, immediately upon discovery, report to the MVCPA [~~ABTPA~~] director and the MVCPA
21 [~~ABTPA~~] general counsel any evidence of misappropriation of funds.

1 §57.27. Withholding Funds from Grantees.

2 (a) The MVCPA [~~ABTPA~~] may withhold funds from a grantee or projects operated by the grantee
3 when:

4 (1) determination is made that the grantee has failed to:

5 (A) comply with applicable federal or state laws, rules, regulations, policies, or the
6 grant agreements on which the award of the grant is predicated;

7 (B) submit required reports on time;

8 (C) provide a response to audit or monitoring findings on time;

9 (D) return any unused grant funds remaining on the expired grant within the
10 required timeframe;

11 (E) use funds appropriately; or

12 (F) commence project operations within 45 days of the project start date; or

13 (2) determination is made that the grantee has submitted reports or records with
14 deficiencies, irregularities, or are delinquent.

15 (b) The MVCPA [~~ABTPA~~] may reduce or withhold grant funds when MVCPA [~~ABTPA~~] allocations
16 are depleted or insufficient funds are allocated.

17 (c) The MVCPA [~~ABTPA~~] will notify grantees of deficient conditions for withholding funds and the
18 period of time within which to cure any deficiency.

19 (d) Grantees have 15 days after receiving deficient notification to request an appeal.

20 (e) The MVCPA [~~ABTPA~~] director or MVCPA board designee will determine the outcome of the
21 grant appeal.

22 (f) Funds will be released when the MVCPA [~~ABTPA~~] director or MVCPA board designee is provided
23 with satisfactory evidence that the deficient conditions are corrected.

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§57.29. Termination for Cause.

(a) The MVCPA [~~ABTPA~~] may terminate any grant for failure to comply with any of the following:

- (1) applicable federal or state laws, rules, regulations, policies, or guidelines;
- (2) terms, conditions, standards, or stipulations of grant agreements; or
- (3) terms, conditions, standards, or stipulations of any other grant awarded to the

grantee.

(b) Termination of grants for cause shall be based on finding that:

- (1) deficient conditions make it unlikely that the objectives of the grant will be accomplished;
- (2) deficient conditions cannot be corrected within a period of time adjudged acceptable by the MVCPA [~~ABTPA~~]; or
- (3) a grantee has acted in bad faith.

(c) The MVCPA [~~ABTPA~~] shall notify grantees of the conditions and findings constituting grounds for termination.

(d) Unexpended or unobligated funds awarded to a grantee shall, upon termination of a grant, revert to the MVCPA [~~ABTPA~~].

(e) A grantee may be adjudged ineligible for future grant award if a grant awarded to the grantee is terminated for cause.

§57.30. Appeal of Termination of Grant.

(a) A grantee may appeal the termination of a grant by writing to the MVCPA director and MVCPA board designee [~~of the ABTPA~~] within 10 days from the date of the suspension or termination notification.

1 (b) The grantee may submit written documentation in support of the appeal.

2 (c) The MVCPA director and MVCPA board designee [~~of the ABTPA~~] shall consider any
3 documentation submitted by a grantee in support of an appeal and make a recommendation to the
4 MVCPA [~~ABTPA~~] board on a grantee's appeal.

5 (d) The decision of the MVCPA [~~ABTPA~~] is final and not subject to judicial review.

6
7 §57.33. Uniform Crime Reporting.

8 Each criminal and juvenile justice agency receiving funds from the MVCPA [~~ABTPA~~] or that benefits from
9 funds awarded by the MVCPA [~~ABTPA~~] to another agency must, as a condition precedent to any grant
10 award, comply fully with reporting requirements of the Texas Uniform Crime Reporting Program,
11 Department of Public Safety.

12
13 §57.34. Funding for Project Promotion.

14 (a) Funds may be used by the MVCPA [~~ABTPA~~] and grantees for promotional items to enhance
15 auto theft crime prevention efforts.

16 (b) Funds may be provided for project promotion through paid advertisement, such as billboards,
17 television, newspaper, or radio announcement. Production costs for public service announcements are
18 an allowable expense.

19
20 §57.36. Level of Funding for Grant Projects.

21 A grantee must contribute a cash match of 20% of the total MVCPA [~~ABTPA~~] award, for each year of
22 funding, in order to be eligible for MVCPA funds [~~ABTPA Funds~~].

1 §57.41. Violation of Law.

2 (a) If the grantee has a reasonable belief that a criminal violation may have occurred in connection
3 with MVCPA [~~ABTPA~~] funds, including the misappropriation of funds, fraud, theft, embezzlement, forgery,
4 or any other serious irregularities indicating noncompliance with the requirements of a grant, the grantee
5 must immediately notify the MVCPA [~~ABTPA~~] director and the MVCPA [~~ABTPA~~] general counsel in writing
6 of the suspected violation or irregularity.

7 (b) The grantee may also notify the local prosecutor's office of any possible criminal violations.

8 (c) Grantees whose programs or personnel become involved in any litigation arising from the
9 grant, whether civil or criminal, must immediately notify and forward a copy of any demand notices,
10 lawsuits, or indictments to the MVCPA [~~ABTPA~~] director and the MVCPA [~~ABTPA~~] general counsel.

11

12 §57.48. Motor Vehicle Years of Insurance Calculations.

13 (a) Each insurer, in calculating the fees established by Transportation Code, §1006.153 [~~Texas Civil~~
14 ~~Statutes, Article 4413(37), §10~~], shall comply with the following guidelines:

15 (1) The single statutory fee of \$4 [~~\$2~~] is payable on each motor vehicle for which the
16 insurer provides insurance coverage during the calendar year regardless of the number of policy renewals;
17 and

18 (2) When more than one insurer provides coverage for a motor vehicle during the
19 calendar year, each insurer shall pay the statutory fee for that vehicle.

20 (3) "Motor vehicle insurance" as referred to in Transportation Code, Chapter 1006 [~~Texas~~
21 ~~Civil Statutes, Article 4413(37), §1(5)~~], means motor vehicle or automobile insurance as defined by the
22 Insurance Code, Article 5.01(e). This definition shall be used when calculating the fees under this section.

23 (4) All motor vehicle or automobile insurance policies as defined by Insurance Code,

1 Article 5.01(e), covering a motor vehicle shall be assessed the \$4 [~~\$2~~] fee except mechanical breakdown
2 policies, garage liability policies, nonresident policies and policies providing only non-ownership or hired
3 auto coverages.

4 (b) The Insurance Motor Vehicle Crime Prevention Authority Fee [~~Texas Automobile Burglary and~~
5 ~~Theft Prevention Authority Assessment~~] Report form and Instructions for the Computation of the Motor
6 Vehicle Crime Prevention Authority Fee [~~Automobile Burglary and Theft Prevention Authority~~
7 ~~Assessment~~] of the Comptroller of Public Accounts are adopted by reference. The form and instructions
8 are available from the Comptroller of Public Accounts, Tax Administration, P.O. Box 149356, Austin, Texas
9 78714-9356. Each insurer shall use this form and follow these instructions when reporting assessment
10 information to the Comptroller.

11
12 §57.49. Audit.

13 (a) The MVCPA [~~ABTPA~~] may employ or retain the services of auditors for the purpose of assisting
14 the MVCPA [~~ABTPA~~] to determine an insurer's compliance with the requirements of Transportation Code,
15 §1006.153 [~~Texas Civil Statutes, Article 4413(37), §10~~].

16 (b) All insurers subject to Transportation Code, §1006.153 [~~Texas Civil Statutes, Article 4413(37),~~
17 ~~§10~~], shall make their books and records reflecting motor vehicle years of insurance available to the
18 auditors upon request during normal business hours.

19 (c) The MVCPA [~~ABTPA~~] may assess charges for audit to insurance companies in cases where the
20 companies' assertion of Refund Due was determined to be unfounded.

21

22 §57.50. Report to Department of Insurance.

23 If the MVCPA [~~ABTPA~~] determines that an insurer failed to pay or intentionally underpaid the fee required

1 by Transportation Code, §1006.153 [~~Texas Civil Statutes, Article 4413(37), §10~~], the MVCPA [ABTPA] shall
2 notify the Texas Department of Insurance with the request that the department revoke the insurer's
3 certificate of authority.

4
5 §57.51. Refund Determinations.

6 (a) An insurer that seeks a determination of the sufficiency or a refund of a semi-annual payment
7 must file an amended report for each period and submit a written claim to the MVCPA director or the
8 MVCPA [ABTPA] board for a determination or a refund not later than four years after the date the semi-
9 annual payment was made to the state comptroller.

10 (b) The director or the MVCPA [ABTPA] board designee shall review the claim and obtain from the
11 insurer any additional information, if any, that may be necessary or helpful to assist in the MVCPA [ABTPA]
12 determination. If an insurer refuses to provide the requested information, the refund shall be denied in
13 whole or in part.

14 (c) The director or the MVCPA [ABTPA] board designee is authorized to employ or retain the
15 services of a third party, such as the state comptroller, to assist in the determination. The director or the
16 designee shall prepare a written report to the MVCPA [ABTPA] based on the director's or the designee's
17 review and shall contain findings, conclusions, and a recommendation.

18 (d) The MVCPA [ABTPA] shall base its determination on the documentary evidence considered by
19 the director or the MVCPA board designee. The MVCPA [ABTPA] decision shall be based on a majority
20 vote of the MVCPA board. The MVCPA [ABTPA] decision is final and is not subject to judicial review.

21 (e) Upon determining that an insurer is entitled to a refund, the MVCPA [ABTPA] shall notify the
22 comptroller and request the comptroller to draw warrants for the purpose of refunding overpayments.

23

1 §57.58. Licensure of Intellectual Property.

2 (a) MVCPA [~~ABTPA~~] may authorize the licensure of MVCPA [~~ABTPA~~] owned intellectual property.

3 (b) MVCPA [~~ABTPA~~] will determine the monetary value of MVCPA [~~ABTPA~~] intellectual property
4 and will set license fees.

5 (1) In determining an appropriate fee for licensure of MVCPA [~~ABTPA~~] intellectual
6 property, MVCPA [~~ABTPA~~] will consider the:

7 (A) commercial rates for comparable property;

8 (B) development cost;

9 (C) intended use of the property;

10 (D) private or public status of the requestor; and

11 (E) primary beneficiary of the license.

12 (2) MVCPA [~~ABTPA~~] may waive or reduce the amount of fees, royalties, or other monetary
13 value to be assessed if the MVCPA [~~ABTPA~~] determines that such waiver or reduction will further the goals
14 and missions of the MVCPA [~~ABTPA~~] and result in a net benefit to the state. In making this determination,
15 MVCPA [~~ABTPA~~] will consider whether:

16 (A) the licensee is a governmental entity;

17 (B) the intellectual property will be used for a commercial purpose;

18 (C) MVCPA [~~ABTPA~~] is the primary beneficiary of the licensee's use of the
19 intellectual property; and

20 (D) MVCPA [~~ABTPA~~] has an interest in maximizing the distribution and use of the
21 intellectual property.

1 **CERTIFICATION.** The agency certifies that legal counsel has reviewed the adoption and found it to be
2 within the state agency's legal authority to adopt.

3 Issued at Austin, Texas, on _____.

4
5

David Richards, General Counsel

DRAFT

From: [Tax Office - Tiffany Brown-Fagan](#)
To: [Zz - Resource - GCO Rules](#)
Subject: MVCPA proposes rules related to Title 43 Texas Administrative Code, Chapter 57
Date: Tuesday, September 10, 2019 8:42:14 AM

We already pay too much for insurance. It is a rip off. You pay out tons of money to them, and they don't want to cover anything when something happens. Also when there are claims filed the rates go up as if they weren't collecting enough. We all know that there is a ton of money made in insurance. Instead of raising the fees we should focus on making insurance more effective, and less of a way to profit from.

Thank you,

Tiffany Fagan
*Motor Vehicle Manager
Potter County Tax Office
900 S Polk St Suite 106
Amarillo, TX 79101
(806) 342-2630*





Board Agenda Item

Section 4. Discuss and Consider insurance refund request

- A. Electric Insurance**
- B. Bitco General Insurance**
- C. Bitco National Insurance**
- D. Security National Insurance**
- E. AmTrust Insurance Company of Texas**

Motor Vehicle Crime Prevention Authority (MVCPA)

February 5, 2020

Discuss and consider insurance refund request Electric Insurance

Staff Recommendation

The MVCPA Staff recommends that refund request be approved in the amount of \$3,328.

Electric Insurance Company

MVCPA received the original request for refund on April 8th. It was reviewed and rejected as incomplete and it also had accuracy concerns. Correspondence was received on May 14th, indicating the refund was being requested for a company which had not had an active license in the last 7 or more years and had been reported as out of business. On September 6th, 2019 a revised request for refund was submitted. It was reviewed on 11/26/2019 and found to be consistent and complete with a valid TDI license number. Documentation was provided to show that payment to the Texas Comptroller of Public Accounts was made on 8/1/2018 in the amount of \$12,628.

The reason for refund explanation provided:

Electric Insurance Company's original filing, for the reporting period ending 6/30/18, contained an incorrect vehicle count of 6,314 vehicles. The correct amount is 4,650 vehicles.

During the period 1/1/18 thru 6/30/18 Electric Insurance Company insured 2,986 personal vehicles and 1,664 commercial vehicles, totaling 4,650 vehicles. During the calculation process we inadvertently used the amount due \$3,328 for the commercial line vehicles count (1,664 x \$2 = \$3,328) instead of the total number of vehicles (1,664). This error caused our reported vehicle number to be incorrectly reported at 6,314.

Our original filing of 6,314 vehicles resulted in a payment of \$12,628. The correct vehicle count of 4,650 results in a payment of \$9,300; therefore we are requesting the over payment of \$3,328 be refunded.

The amount of refund requested is \$3,328.



**Texas Automobile Burglary & Theft Prevention Authority
Assessment Fees Refund Claim**

Company Name: ELECTRIC INSURANCE COMPANY Date: 9/6/19
 Address: 75 Sam Fonzo Drive TDI License number: 24840
 City & State: Beverly, MA Zip: 01915
 Company Contact Person: Jordan Richards Contact Phone Number: 978-524-5154
 Contact Email address: Elecins_tax@electricinsurance.com
 Requesting refund for reporting period(s): 6-30-19
 Please circle: 1st Semi-Annual Payment 2nd Semi-Annual Payment
 Amount of refund requested: \$3,328.0

In compliance with ABTPA rule, Title 43 Administrative Texas Code §57.51, the authority will utilize the information submitted below to assist in making a determination and recommendation for refunding assessment fees.

Please complete required data for determination of correct amount of refund from the Automobile Burglary & Theft Prevention Authority (ABTPA) Assessment fees. Once completed, please forward to the ABTPA.

Summary Information for Issued Policies					
Policy Term	Number of Policies Written	Number of Actual Vehicles on Policies	Original Amount	Amended Amount	Refund Amount Requested
1 Year	<u>2,612</u>	<u>4,650</u>	<u>12,628</u>	<u>9,300</u>	<u>3,328</u>
6 Months	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
30 Day	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Amount of Assessment Fees			<u>12,628</u>	<u>9,300</u>	<u>3,328</u>

Along with this form attach:

- 1) Written explanation for the submission request of funds being refunded.
- 2) A copy of the original filing(s).
- 3) Documentation of payment (s).
- 4) A signed copy of the amended return filed with the Texas Comptroller of Public Accounts.

By submitting this application I certify that I have been designated by my corporation as the authorized official to apply for refunds of the ABTPA fee, from The State of Texas. The statements herein are true, complete, and accurate to the best of my knowledge. I am aware that under the Texas Penal Code § 37.10 any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties.

 9/6/19
 Company official's signature Date



April 4, 2019

Texas Automobile Burglary and Theft Prevention Authority
C/O TX Dept of Motor Vehicles
4000 Jackson Avenue
Austin, TX 78731-6007

RE: 2018 Semi-Annual Payment for Electric Insurance Company (04-2422119)

To whom it may concern,

Electric Insurance Company's original filing, for the reporting period ending 6/30/18, contained an incorrect vehicle count of 6,314 vehicles. The correct amount is 4,650 vehicles.

During the period 1/1/18 thru 6/30/18 Electric Insurance Company insured 2,986 personal vehicles and 1,664 commercial vehicles, totaling 4,650 vehicles. During the calculation process we inadvertently used the amount due \$3,328 for the commercial line vehicles count (1,664 x \$2 = \$3,328) instead of the total number of vehicles (1,664). This error caused our reported vehicle number to be incorrectly reported at 6,314.

Our original filing of 6,314 vehicles resulted in a payment of \$12,628. The correct vehicle count of 4,650 results in a payment of \$9,300; therefore we are requesting the over payment of \$3,328 be refunded.

Thank you for your assistance with this matter. Please contact me if you have any questions or require additional information.

Sincerely,

Jordan Richards
P: 978.524.5154
F: 978.236.5154
Elecins_tax@electricinsurance.com

Always On.®

Texas Automobile Burglary and Theft Prevention Authority Assessment Semi-Annual Payment Worksheet

(Licensed Companies and Miscellaneous Organizations)

a. Taxpayer number 04-2422119	b. Filing period Period Ending 06/30/2018	c.	d. Due date 08/01/2018
----------------------------------	----------------------------------------------	----	---------------------------

e. Taxpayer name and tax report mailing address

Electric Insurance Company
75 Sam Fonzo Drive
Beverly, MA 01915

Taxpayers with no payments due or taxpayers making payments by electronic fund transfers are **NOT** required to file this form.

For information about Insurance Tax, call 1-800-252-1387. Details are also available online at www.comptroller.texas.gov.

NOTE: Insurers may recoup this assessment from policyholders as authorized by 28 TAC, Section 5.205.

Who Must File

All licensed property and casualty insurance companies, including risk retention groups, interinsurance or reciprocal exchanges, mutual associations, Mexican Casualty Companies or Lloyd's plans that have written any form of motor vehicle insurance in this state as defined in Article 5.01(e), Insurance Code, during the first six months of the year are required to compute and pay the assessment.

For Specific Information for Questions Regarding the Assessment

All requests for information, other than form completion, should be referred to the Automobile Burglary and Theft Prevention Authority (ABTPA) at AskABTPA@txdmv.gov or call 512-465-1485.



Electronic reporting and payment options are available 24 hours a day, 7 days a week. Have this form available when you log on.

www.comptroller.texas.gov/file-pay

(Instructions continued on back.)

DO NOT FILE	
1. Total number of motor vehicle years for policies effective Jan. 1 - June 30, current year	1. 4,650
2. Assessment rate	2. 2.00
3. TOTAL AMOUNT DUE AND PAYABLE (Multiply Item 1 by Item 2)	3. 9,300.00

DETACH BELOW AND KEEP THE UPPER PART FOR YOUR RECORDS

RETURN ONLY THIS PART WITH YOUR PAYMENT

Form 25-107 (Rev. 12-16/21)



Texas Automobile Burglary and Theft Prevention Authority Assessment Semi-Annual Payment

4. TOTAL AMOUNT DUE AND PAYABLE (See Item 3.) 4. 9,300.00

Taxpayer name Electric Insurance Company	e.	f.
---------------------------------------------	----	----

T Code Taxpayer number Period

76020 04-2422119 Period Ending 06/30/2018

I declare the information in this document and all attachments is true and correct to the best of my knowledge and belief.

Authorized agent
sign here *Jordan Richards*

Preparer's name (Type or print.)
Jordan Richards

Daytime phone (Area code & number) (978) 524-5154 Date

Make the amount in Item 4 payable to STATE COMPTROLLER
Mail to COMPTROLLER OF PUBLIC ACCOUNTS
P.O. Box 149356
Austin, TX 78714-9356

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this form.

111 A

b.



Insurance Automobile Burglary and Theft Prevention Authority Semi-Annual Assessment Report - January thru June

(Licensed Companies and Miscellaneous Organizations)

A report must be filed even if no fee is due.

a. T Code ■ 76100

c. Taxpayer number
 ■ 04-2422119

d. Filing period
 PERIOD ENDING 06-30-2018

e. ■ 182

f. Due date
 08-01-2018

g. Taxpayer name and tax report mailing address

For information about Insurance Tax, call 1-800-252-1387. Details are also available online at www.comptroller.texas.gov.

h. IMPORTANT
 Blacken this box if your mailing address has changed. Show changes beside the preprinted information. 1.

NOTE: Insurers may recoup this assessment from policyholders as authorized by 28 TAC, Section 5.205.

Who Must File

All licensed property and casualty insurance companies, including risk retention groups, interinsurance or reciprocal exchanges, mutual associations, Mexican Casualty Companies or Lloyd's plans that are licensed to write any form of motor vehicle insurance in this state as defined in Article 5.01(e), Insurance Code, during the first six months of the year are required to compute and pay the assessment.

For Specific Information for Questions Regarding the Assessment

All requests for information, other than form completion, should be referred to the Automobile Burglary and Theft Prevention Authority (ABTPA) at AskABTPA@txdmv.gov or call 512-465-1485.



Electronic reporting and payment options are available 24 hours a day, 7 days a week. Have this form available when you log on.

www.comptroller.texas.gov/taxes/file-pay/

(Instructions continued on back.)

CALCULATION

1. Total number of motor vehicle years for policies effective Jan. 1 - June 30	1. ■	6,314
2. Assessment rate	2. ■	2.00
3. TOTAL AMOUNT DUE AND PAYABLE (Multiply Item 1 by Item 2)	3. ■	12,628.00

*** DO NOT DETACH ***



Insurance Automobile Burglary and Theft Prevention Authority Semi-Annual Assessment Report - January thru June

4. TOTAL AMOUNT DUE AND PAYABLE (See Item 3.) 4. ■

Taxpayer name
 ELECTRIC INSURANCE COMPANY

k. ■

l. ■

■ T Code ■ Taxpayer number ■ Period

76020 04-2422119

I declare the information in this document and all attachments is true and correct to the best of my knowledge and belief.

sign here Authorized agent

Preparer's name (Type or print.)
 Jordan Richards

Daytime phone (Area code & number) 978-524-5154

Date

Make the amount in Item 4 payable to STATE COMPTROLLER
 Mail to COMPTROLLER OF PUBLIC ACCOUNTS
 P.O. Box 149356
 Austin, TX 78714-9356

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this form.

111 A

Electric Insurance Company

Report Date: 08/01/2018
Report Time: 10:26:52 AM

Batch Summary Report by ID Number

Company Name: ELECTRIC INS PE
ACH ID: 1042422119
Application Name: Validator
Batch Status: Released

Effective Date: 08/01/2018
Batch Sequence: 1
Database Name: Validator

<u>Name</u>	<u>ID</u>	<u>Amount</u>	<u>D/C</u>	<u>BankID</u>	<u>Account#</u>	<u>AcctType</u>	<u>Trace#</u>
TEXAS STATE COMPTROLLE	1 - 2795	\$12,628.00	C	111000614	00100000414	C	

Addenda: 705TXP*10424221199*76020*180630*T*1262800\00010000014

Automobile Theft Prevention Assessment

Original Return for period ending 06/30/2018

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

You chose to file this report without payment. To avoid possible assessment of penalties and interest, do not forget to timely submit the appropriate payment.

Print this page for your records.

Reference Number: 21218061771

Date and Time of Filing: 07/31/2018 12:15:04 PM

Taxpayer ID: 10424221199

Taxpayer Name: ELECTRIC INSURANCE COMPANY

Taxpayer Address: 75 SAM FONZO DR BEVERLY, MA 01915 - 1000

Entered by: JORDAN RICHARDS

Email Address: elecins_tax@electricinsurance.com

Telephone Number: (978) 524-5154

IP Address: 104.129.194.119

Calculation	Return Summary	Entries	Assessment Rate	Assessment Due
Total number of motor vehicle years for policies effective January 1 - June 30, current year		6,314	x 2.0000	12,628.00
Summary				
Total Assessment Due				12,628.00

Total Assessment Due 12,628.00

Balance Due = 12,628.00

Pending Payments - 0.00

Total Amount Due and Payable = 12,628.00

[Print](#) | [Return to Menu](#) | [File for Another Taxpayer](#)

texas.gov | [Texas Records and Information Locator \(TRAIL\)](#) | [State Link Policy](#) | [Texas Homeland Security](#) | [Texas Veterans Portal](#)

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Motor Vehicle Crime Prevention Authority

February 5, 2020

Discuss and consider insurance refund request Bitco General Insurance and Bitco National Insurance

Staff Recommendation

The MVCPA Staff recommends that refund requests be denied in the amount of \$3,308 for Bitco National and \$15,818 for Bitco General.

Bitco General Insurance and Bitco National Insurance

MVCPA received the original requests for refund on July 22, 2019 from Bitco Insurance Services.

On July 24, 2019 the request for Bitco National was reviewed and it was determined that they had not paid the full amount due. On July 25, 2019 a demand for payment in the amount of \$440 was sent to Bitco Financial Services regarding Bitco National Insurance.

On July 27th a review of Bitco General's request for refund determined the request for refund was incomplete and was rejected by e-mail.

On October 7th both company's requests were resubmitted and reviewed. They were both determined to be incomplete and were rejected by e-mail. The rejection e-mail stated since the number of vehicles had changed several times in their submissions and correspondence a listing of policies in force was required.

On October 22, 2019 the policy listings were received. Along with the statement by Bitco that "Since the assessment rate is \$2.00, the total number of cars for each month is divided by 2."

On November 26, 2019 a sample of 5 policies was requested to determine the number of vehicles per policy and the amounts remitted for the MVCPA fee on those policies. The amount of fee remitted is understated based on the sample policies reviewed (See following page).

Based on the amount of fees provided vs. the amounts MVCPA Calculates as owed, it appears that Bitco has substantially underpaid the amount of MVCPA fee owed.

Motor Vehicle Crime Prevention Authority

February 5, 2020

Bitco Financial Services Policy Sample

Policy Number	Effective Date	Insured	# of Vehicles	Expected Value	Amount Reported
3665239	2/25/2018	Ready Drill			
		Number of Vehicles on Policy	157		
		Endorsements - Vehicles Added	<u>30</u>		
		Total Vehicles	187	\$ 374.00	\$ 4.75
3671538	3/1/2018	Paramount Plumbing			
		Number of Vehicles on Policy	9		
		Endorsements - Vehicles Added	<u>3</u>		
		Total Vehicles	12	\$ 24.00	\$ 19.55
3658538	9/1/2017	G & G Logging			
		Number of Vehicles on Policy	29		
		Endorsements - Vehicles Added	<u>6</u>		
		Total Vehicles	35	\$ 70.00	1.33
3658213	8/26/2017	West Fork Ent.			
		Number of Vehicles on Policy	42		
		Endorsements - Vehicles Added	<u>4</u>		
		Total Vehicles	46	\$ 92.00	1.72
3659515	9/30/2017	Hatchett Roustabouts			
		Number of Vehicles on Policy	18		
		Endorsements - Vehicles Added	<u>1</u>		
		Total Vehicles	19	\$ 38.00	1.56
				<u>\$ 598.00</u>	<u>\$ 28.91</u>

Motor Vehicle Crime Prevention Authority

February 5, 2020

Discuss and consider insurance refund request Amtrust Insurance of Kansas and Security National Insurance

Staff Recommendation

The MVCPA Staff recommends that refund requests be denied in the amount of \$7,996 for Security National and \$19,342 for Amtrust Insurance of Kansas.

Amtrust Insurance of Kansas and Security National Insurance

MVCPA received the original requests for refund on October 14th, 2019 from Amtrust Financial Services. On October 18th, 2019 the requests were reviewed by MVCPA and rejected as incomplete.

Correspondence was received on October 18th, indicating that they we unable to find or provide a TDI license number for either company.

In the course of correspondence over a 4-week period we were asked to review the filing status of 14 related companies, and MVCPA staff found over 25 different issues. It was also noted that the physical return address on the correspondence was suspicious.

The issues were deemed enough of a concern that on November 1st the concerns were sent to TDI for review and advice on November 1st. That request is still pending.

To validate the refund request was bona fide, a "Request for Verification of Authority and Incumbency" was sent to the Legal Department of Amtrust Financial Services, at the address provided, by certified mail. It was returned by the US Postal Service to MVCPA as undeliverable.



Board Agenda Item
Section 5. Consider for adoption MVCPA Strategic Vision

- A. Mission Statement**
- B. Strategic Goals**
 - i. Law enforcement funding and networking initiatives**
 - ii. Statewide communication and education initiatives**
 - iii. Insurance collection and refund**
- C. MVCPA logo**

Motor Vehicle Crime Prevention Authority

February 5, 2020

Vision, Mission and Goals

Staff Recommendation

The MVCPA Director recommends that the Authority consider for adoption the MVCPA Vision, Mission and Goals.

Vision Statement

The Texas Motor Vehicle Crime Prevention Authority exists to empower local law enforcement agencies and communities to combat and prevent statewide motor vehicle crime.

Mission Statement

All Texans free from harm and loss caused by motor vehicle crime.

Philosophy

The Texas Motor Vehicle Crime Prevention Authority is an evidence based, strategy driven and community-centric network to support regional taskforces, improve coordination, deploy equipment and provide clear messaging to end motor vehicle crime. The Authority seeks to support regional and global law enforcement responses to obtain best outcomes for Texas.

Strategic Goals

Goal 1: Performance Driven Law Enforcement. Evidenced by providing services which are:

- Effective at reducing harm and loss
- Regionally focused
- Successful at stopping stolen vehicles from leaving Texas across the border and from ports
- Involving many law enforcement agencies
- Engaging to the public
- Supported by communities and the Legislature

Goal 2: Reduce crime through optimized services and innovation. Evidenced by actions which foster:

- Continuous business process improvement and realignment
- Authority, law enforcement agency and community ownership and accountability for results
- Educated and informed citizens and highly trained law enforcement officers

Goal 3: Community centric. Evidenced by actions which foster:

- Communities coordinating efforts to fight regional and statewide motor vehicle crime
- Coordination with Fusion Centers, Joint Operation Intelligence Centers, state agencies, Tax Assessor-Collectors and others to the fullest potential
- Improved taskforce and law enforcement communication, intelligence, shared equipment and joint activities

Goal 4: Effective Fee Generation. Evidenced by considerate and supportive actions that:

- Ensure that insurers are treated respectfully and equitably in collections and refunds
- Ensure that the statewide law enforcement taskforces, trauma centers and criminal justice general fund portion are adequately funded.

Motor Vehicle Crime Prevention Authority
February 5, 2020
Law Enforcement Funding and Networking Initiatives

Staff Recommendation

The MVCPA Director recommends that the Authority approve a law enforcement networking initiative that directs staff and resources to support the MVCPA Vision and Mission by implementing improved networking and enhanced communication. The initiative will include coordination with taskforces, NICB and other state and federal groups to meet the vision and mission of MVCPA.

Purpose

The purpose of this initiative is to improve and magnify the MVCPA communication, training and networking statewide.

Activities

- Promote and develop secure communication and document sharing methods sharing of intelligence by secure and documented means (example: create Motor Vehicle Crime Virtual Command Center)
- Work to maintain MVCPA at least one staff member to possess Texas Commission on Law Enforcement (TCOLE) certification to promote involvement
- Increase TCOLE training opportunities with Internal/external agencies
- Collaborate with grantee to disseminate grant progress report data and trends to other taskforces
- Coordinate motor vehicle crime related research and information
- Promote the exchange of information with other law enforcement structures such as JOIC, DPS, Fusion Centers, etc.
- Promote law enforcement training based on real-time incidents

Motor Vehicle Crime Prevention Authority
February 5, 2020
Statewide Communication and Education Initiative

Staff Recommendation

The MVCPA Director recommends that the Authority approve a Statewide Communication and Education Initiative.

Purpose

The purpose of this initiative is to improve and magnify the MVCPA communication, training and messaging statewide. This initiative directs staff and resources to support the MVCPA Vision and Mission by developing and disseminating new motor vehicle crime prevention content through television, radio, social media, and other internet streaming services. The initiative will include coordination with taskforces, NICB and other state and community groups to meet the vision and mission of MVCPA.

Activities

- MVCPA staff certification for Austin public access
- Subscription to use public access stations for media outreach including airing information programs on a regular basis
- Using created and produced video for on-line streaming and advertising
- Coordinate with taskforces to promote MVCPA content in other cities
- Coordinate production and dissemination of taskforce and insurer content
- Develop law enforcement information and training content
- Manage opportunities to fund grants that produce and distribute content
- Manage contract opportunities that the MVCPA approves that produce and disseminate content
- Record, edit and produce real grant success stories

Motor Vehicle Crime Prevention Authority

February 5, 2020

Insurance Collection and Refund

Staff Recommendation

The MVCPA Director recommends that the Authority approve an Statewide Insurance Collection and Refund initiative that directs staff and resources to support the MVCPA statutory obligation to improve the MVCPA collection and refund processes.

This will be done by improving interagency cooperation and internal capabilities to be able to identify and take actions to effect compliance with the fee statute.

Purpose

The purpose of this initiative is to improve and ensure compliance with the MVCPA fee payment statute statewide. To improve provision of timely and accurate response to refund requests.

Activities

- Identify collection participants and improve communication strategies
- Identify fee stakeholders and develop regular communication line
- Examine forms and written instructions for collection and refund efforts and improve quality of information
- Develop an advisory committee comprised of state agencies, insurers and consumers to recommend potential rule changes and improved processes

Motor Vehicle Crime Prevention Authority

February 5, 2020

New MVCPA Logos

Staff recommendation

MVCPA staff recommends adopt one of the four logos below along with any recommended changes.

1



2



3



4



Motor Vehicle Crime Prevention Authority

February 5, 2020

Current logos



YOU HOLD THE KEY
MOTOR VEHICLE CRIME PREVENTION AUTHORITY



**MOTOR VEHICLE CRIME
PREVENTION AUTHORITY**



Board Agenda Item

Section 6. Consider for adoption the FY 2022-2023 Strategic Plan

- A. Legislative Appropriations Request**
- B. Plan of Operation Elements**
- C. Exceptional item requests, which may include:**
 - i. Statewide taskforce on fraud related motor vehicle crime**
 - ii. Additional FTEs for assessment collections and refund processing**
- D. Consider legislative change requests**
 - i. Dedicated account in the TxDMV funds for MVCPA appropriation or 20% of collection**
 - ii. Motor vehicle crime prosecutor authority**
 - iii. Statewide motor vehicle crime taskforce authority**
 - iv. Changes to insurance fee collections or refund process**
 - v. Other items from February 4, 2020 Grant, Budget and Reports Committee strategic planning session**

Motor Vehicle Crime Prevention Authority
 February 5, 2020
FY22-23 Legislative Appropriations Request

Recommendation

MVCPA adopt the following Legislative appropriations request for FY 2022 and FY2023

	FY22	FY23
Base Funding Request (Based on Texas Transportation Code Chapter 1006.153 (e)1	\$20,614,937	\$21,027,236
Total ABTPA Appropriation Request FY22-23	\$20,614,937	\$21,027,236

MVCPA 20%	\$20,614,937	\$21,027,236
Trauma Facility and Emergency Medical Services Account 60% (TTC1006.153 e (3)	\$61,844,812	\$63,081,708
GR Fund, used only for criminal justice purposes 20%	\$20,614,937	\$21,027,236
Estimated Revenue Collected	\$103,074,686	\$105,136,180
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Estimated Revenue Collected	\$103,074,686	\$105,136,180
	\$103,074,686	\$105,136,180

Motor Vehicle Crime Prevention Authority

February 5, 2020

FY 2020 Strategic Planning Survey Results

Sheriffs and Chiefs Law Enforcement Priorities

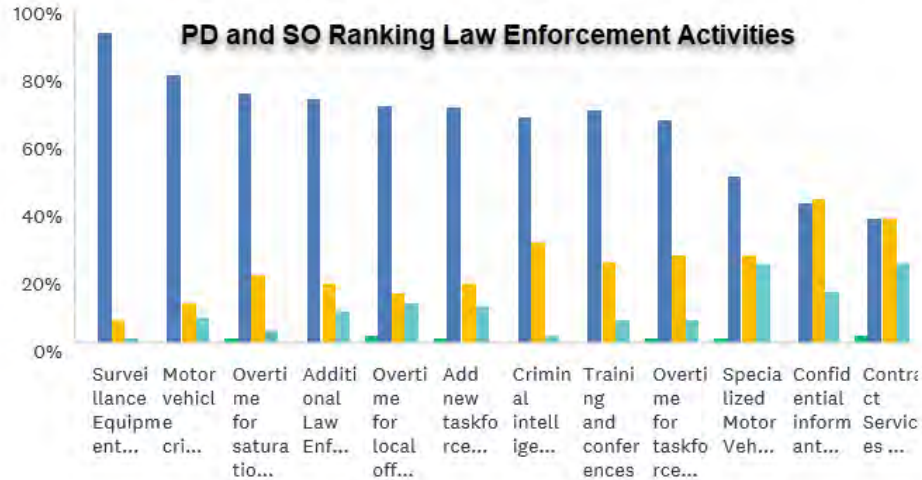
Highest Overall 1st and 2nd combined

Most Important

Surveillance Equipment
Motor vehicle crime technology equipment

Other Priorities

Overtime for saturation patrols
Additional MV Investigators
Additional Taskforce Investigators
New Taskforces



Taskforce Commanders Law Enforcement Priorities

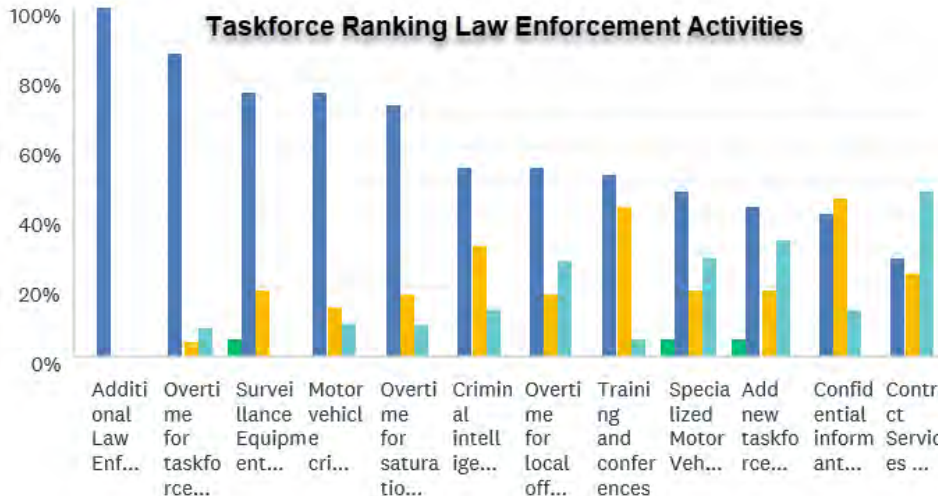
Highest Overall 1st and 2nd priorities combined

Most Important

Additional Taskforce Investigators in existing programs
Overtime for investigators

Other Priorities

Surveillance Equipment
Motor vehicle crime technology equipment
Overtime for saturation patrols



Sheriffs and Chiefs Community Education Priorities

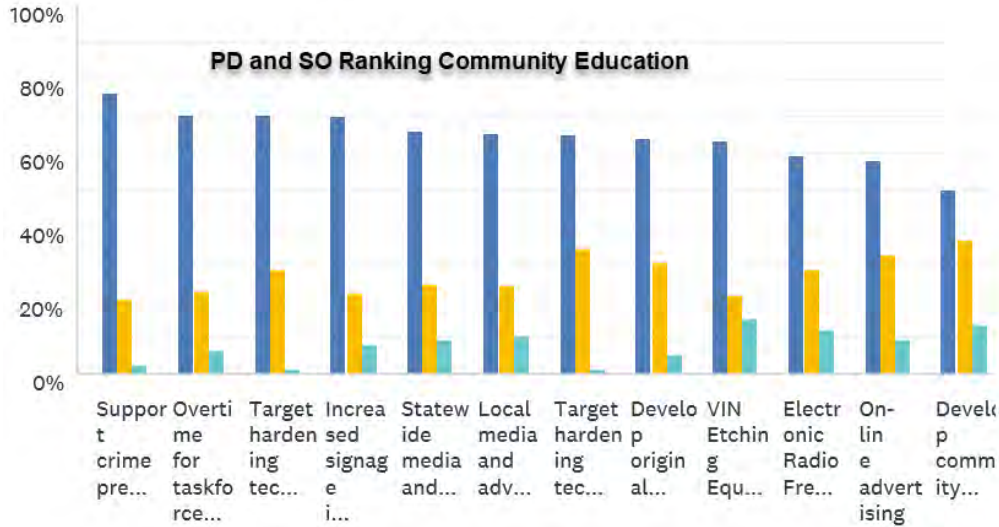
Highest Overall 1st and 2nd combined

Most Important

- Crime Prevention Training and Conferences
- Overtime for taskforce employees - outreach
- Target hardening techniques
- Increased signage

Other Priorities

- Statewide media/advertising campaigns
- Local Media Campaigns



Taskforce Commanders Community Education Priorities

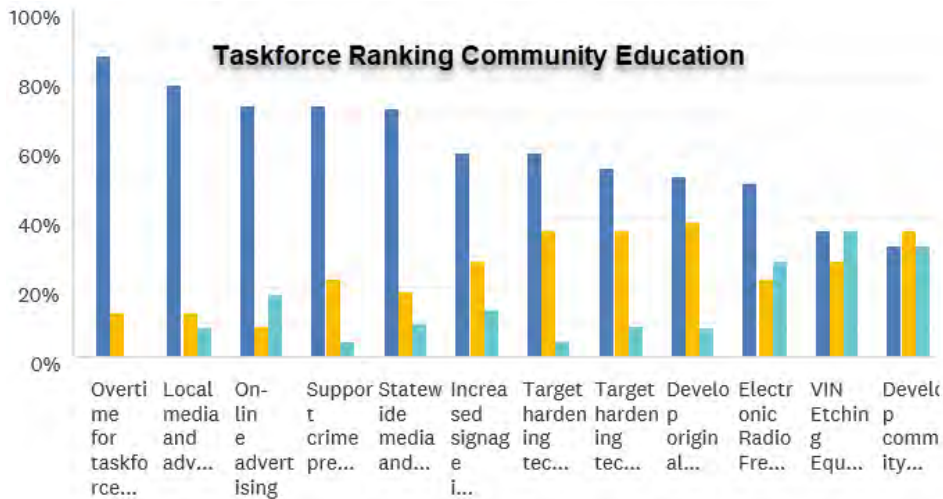
Highest Overall 1st and 2nd priorities combined

Most Important

- Overtime for taskforce employees - outreach
- Local Media/Advertising Campaigns

Other Priorities

- Online advertising
- Crime Prevention Training and Conferences
- Statewide media/advertising campaigns



Taskforce Commander Responses to Questions Posed by Survey

Question 1 – Critical need that is not met by current funding:

- Shortage of personnel – Not able to conduct enough bait car operations, intelligence processing, fraud investigations and training.
- Equipment – LPR's for highway interdiction, outdated surveillance equipment
- Bait Vehicle – Dedicated to task force for bait operations
- Specialized Prosecutor for BMV/Theft of Motor Vehicle
- Overtime – investigations
- Training – 68A Inspections and Bridge Checks

Question 2 – Things you have not done but would if you received more funding:

- Expand Jurisdiction Collaboration – to assist others with education, arrests, investigations, resources
- Updated Software – to assist with investigations
- Video Recording Bait Vehicle
- Updated Equipment – LPR's
- Dedicated Investigators for 68A Inspections and Specific Cases
- Bait Car Team – dedicated staff (auto technician and investigator)
- Port Inspection Team – 3 more personnel for outbound port
- Travel – more funding to conduct partnership border interdiction with other task forces

PD and Sheriff Survey Participants

Panhandle Police Dept.	Azle Police Department	Bulverde Police Dept
Granbury Police Department	Katy Police Department	La Porte Police Department
Murphy Police Department	Reeves County Sheriff Office	Big Spring Police Department
Tyler Police Department	Lorena Police Department	Shenandoah Police Dept.
Hudson Oaks Police Department	Pecos Police Department	Wolfforth Police Department
Lubbock Police Department	Copperas Cove Police Department	Lakeside PD Tarrant County
Harris County Sheriff's Office	Nacogdoches PD, TX	Longview Police Department
Denison Police Department	Venus Police Department	La Porte Police Department
Missouri City Police Department	Knox City Police Department	Morgan's Point Resort PD
Grapevine Police Department	San Marcos Police Department	Heath DPS
Burleson Police Department	Jourdanton Police Department	Ovilla Police Department
Town Of Fairview Police Department	Bee Cave Police Department	Kosse Police Department
Cuero Police Department	Kilgore Police Department	Little Elm Police
Irving Police Department	Robinson Police Department	White Settlement Police Department
Bulverde Police Dept	Hutto Police Department	Pasadena Police Department
Lake Worth Police Department	DFW Airport DPS	Victoria Police Department
Dayton Police Department	Killeen Police Department	Belton PD
Texas A&M University - Central Texas Police Department	Webster Police Department	Sweetwater Police Department
Shenandoah Police Department	Lancaster ISD Police Department	Amarillo Police Dept
Pflugerville Police Department	Buda Police Department	Paris Police Department
Kennedale Police Department	Anna ISD Police Department	Euless PD
		Tarrant County Sheriffs Office

Ideas on Match

Provide 100% Funding

Provide more regional training

Use forfeiture funds for cash match

Allow in-kind match as the source of the 20% minimum contribution

Small agencies cannot make match

Other Ideas

A real need to obtain equipment

LPRs to all agencies

Better integration with fusion centers

Taskforces meet with LEO across Texas Department of Motor Vehicles

More education in communities

Small agencies cannot benefit from the grant there are no resources to apply or manage reporting

Motor Vehicle Crime Prevention Authority

February 5, 2020

FY22-23 Plan of Operation Elements

Recommendation

Delegate to the MVCPA Director to work with MVCPA Grants Budget and Report Committee and stakeholders to develop the FY22-23 Plan of Operation from the information below.

Plan of Operation Outline

- Use funds for cost-effective reduction of harm empower local law enforcement agencies and communities to combat and prevent statewide motor vehicle crime.
- Expand regionally focused taskforces (number of officers, equipment and geographic coverage area) to ensure the entire state has access to highly specialized and trained motor vehicle crime investigators.
- Significantly reduce harm from motor vehicle crime
- Stop the loss of stolen vehicles through the ports and border
- Reduce profits to criminal enterprises
- Improve responses to crime victims
- Develop funding programs that meet the needs of taskforces and local law enforcement
- Improve the motor vehicle crime network through secure intelligence sharing, improved investigation and more prosecution of motor vehicle crimes
- Meet the MVCPA goals by improving communication with local communities, MVCPA taskforces, Texas Department of Motor Vehicles (TxDMV)-Compliance and Investigation Division, County Tax Assessor/Collectors, Comptroller of Public Accounts and Texas Department of Insurance.
- Engage the public to act to prevent motor vehicle crime

FY2022-23 Plan of Operation Elements

Topic 1 –Law Enforcement Support

Add more trained and specialized motor vehicle crime investigators to cover Texas

Provide funds for new technology and specialized technologists

Provide motor vehicle crime equipment, technology, and overtime

Develop funding methods that promote law enforcement stakeholders to engage in combating motor vehicle crime.

Provide secure web based command and communication systems to improve collaboration, intelligence gathering, and data sharing among auto theft units and with state agencies

Provide full-time specialized Strategic Motor Vehicle Crime Analysts for all regions / programs

Provide more training for investigators and crime prevention specialist

Provide for increased availability of VIN inspections to TxDMV and local TACs

Develop and fund a statewide taskforce

Topic 2 – Prosecution

Provide funding for specialized motor vehicle crime prosecutors

Provide motor vehicle crime specific training to local prosecutors

Topic 3 – Engaging the Public to Prevent Motor Vehicle Crime

Conduct coordinated effective education campaigns

Improve education programs and content for the public

Provide clear messaging to end motor vehicle crime

Topic 4- Provide Experimental Equipment to Assist Motor Vehicle Owners Prevent Motor Vehicle Burglary or Theft.

Purchase and distribute new technology such as immobilizer systems, tracking devices, and drone surveillance

Develop databases and technology to connect readings at inspection stations and toll systems to law enforcement stolen lists

Topic 5 - Prevent Stolen Motor Vehicles from Entering Mexico

Support local law enforcement efforts to host voluntary self-registration tracking or title management technology to prevent exit of vehicles from the US

Provide funds to expand law enforcement agencies intelligence sharing along US / Mexico border

Topic 6 – Improve Fee Collections and Refund Process

Develop a dedicated unit to collect refund and promote equity across the industry

Improve and streamline the process for insurers that overpaid to obtain a refund

Motor Vehicle Crime Prevention Authority

February 5, 2020

FY22-23 Exceptional Item Requests

Recommendation

Delegate the MVCPA Director to work with TxDMV to pursue exceptional items requests of Statewide Motor Vehicle Crime Taskforce and Fee Collections and Refund Processing Unit.

Statewide Motor Vehicle Crime Taskforce

Purpose

Create a TxDMV statewide taskforce is to reduce: 1) economic motor vehicle crime; and 2) the loss of state revenue from fraud related motor crime.

Description

Create a statewide motor vehicle crime taskforce housed in Austin with Texas Department of Motor Vehicles – Compliance and Investigations Division (TxDMV- CID). With TxDMV-CID at the core of this unit and MVCPA funded law enforcement investigator partners the group will closely provide coordination and support to MVCPA taskforces, fusion centers and any law enforcement group needing help with elements of statewide motor vehicle crime and organized motor vehicle crime. This group will focus on economic motor vehicle theft, illegal exportation of stolen motor vehicles from ports and across the border with Mexico, organized and regional burglary of a motor vehicle, all fraud related motor vehicle crime. The taskforce would have TCOLE licensed law enforcement agent as commander from an agency related to motor vehicle crime (DPS, CPA, TDI) through an Memorandum of Understanding (MOU). Alternatively, a large police or sheriff department may support the commander positions with 100% state funding. The TxDMV employees embedded in the law enforcement taskforce may manage law enforcement related highly confidential tasks required of the department to combat motor vehicle crime and agency record fraud.

Possible Statute Changes: Provide modification to Texas Transportation Code that TxDMV employees embedded with law enforcement taskforces shall provide unique access to TxDMV records needed for the taskforce to perform criminal investigations.

3 - 5 grant-funded local investigators will work in the taskforce, 7 specialized motor vehicle criminal intelligence analysts and 2 motor vehicle crime technologists will work at TxDMV or regional fusion centers. All positions will be funded through MOU or grants at 100%. Including fringe, equipment, and supplies.

Estimated costs for program: \$2 million per year

Request Fee Collections and Refund Processing Unit

Purpose

Add 3 MVCPA employees to maintain that insurers that sell any form of motor vehicle insurance are aware and comply with the MVCPA Fee requirements. These new positions will provide analysis, audit, outreach and education to insurers.

Description

Hire 3 employees (Tax Audit Manager, Tax Auditor, and Program Specialist) to create the Motor Vehicle Crime Prevention Insurance fee collections unit. Texas Department of Motor Vehicles–MVCPA employees will closely coordinate with the Comptroller of Public Accounts, the Texas Department of Insurance and the Office of Attorney General to improve the collection of the fee paid by insurers. The employees will ensure equitable collection practices to provide fair market conditions for all insurers. The Program Specialist will assist insurers with the MVCPA fee compliance. The other employees' focus accurate and timely collections and refunds of fees. All positions will be funded through MVCPA appropriations. Estimated cost include fringe, travel equipment, and supplies.

Possible Statute Changes:

A rider to the GAA or modification to TTC 1006.154 (b) excluding the costs related to collections from the 8% overhead expenses.

Modification to TTC 1006.153 authorizing penalties for insurers that fail to file or that submit reports late.

Modification to TTC 1006.153 authorizing interest on amount when insurers make late payments.

Modification to TTC 1006.153 authorizing MVCPA to perform audits for insurers that are required to pay the MVCPA fee.

Modification to TTC 1006.152 authorizing recoupment of audit costs if required for insurers that improperly request a refund.

Estimated costs for program: \$280,000 per year

Motor Vehicle Crime Prevention Authority

February 5, 2020

Dedicated account in the TxDMV funds for MVCPA appropriation or 20% of collection

By: Clardy

H.B. No. 652

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the deposit and appropriation of revenue received or
3 collected by the Automobile Burglary and Theft Prevention
4 Authority.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 10(e), Article 4413(37), Revised
7 Statutes, is amended to read as follows:

8 (e) The [Fifty percent of each] fee collected under
9 Subsection (b) of this section shall be deposited to the credit of
10 the subaccount described by Section 13 of this article and may be
11 appropriated only to the department [authority] for [the] purposes
12 of the authority under this article.

13 SECTION 2. Article 4413(37), Revised Statutes, is amended
14 by adding Section 13 to read as follows:

15 Sec. 13. DEPOSIT AND APPROPRIATION OF REVENUE. All gifts,
16 grants, and other revenue collected or received by the authority
17 shall be deposited to the credit of a subaccount in the Texas
18 Department of Motor Vehicles fund and may be appropriated only to
19 the department for purposes of the authority under this article.

20 SECTION 3. Section 1001.152, Transportation Code, is
21 amended to read as follows:

22 Sec. 1001.152. USE OF MONEY IN FUND. Money that is required
23 to be deposited in the state treasury to the credit of the Texas
24 Department of Motor Vehicles fund may be used by the department

1 only:

2 (1) to support the department's operations and the
3 administration and enforcement of the department's functions; [~~or~~]

4 (2) to pay the accounting costs and related
5 liabilities for the fund, including fringe benefits, workers'
6 compensation, and unemployment compensation; or

7 (3) for purposes of the Automobile Burglary and Theft
8 Prevention Authority under Section 13, Article 4413(37), Revised
9 Statutes.

10 SECTION 4. Section 1001.151(c), Transportation Code, is
11 repealed.

12 SECTION 5. This Act takes effect September 1, 2017.

Motor Vehicle Crime Prevention Authority

February 5, 2020

Proposal to Fund Specialized Motor Vehicle Crime Prosecutors

Funds to support Specialized Motor Vehicle Crime Prosecutors – MVCPA will prioritize funding from its legislative appropriation to award grants for local prosecutors to hire fulltime prosecutors dedicated to the prosecution of motor vehicle burglary, motor vehicle theft and fraud-related motor vehicle crime (these referred to collectively as **motor vehicle crime**). The Request for Application for grants would be issued to allow county and/or district attorneys to apply as part of an MVCPA taskforce application or separate from any taskforce. The MVCPA board may give priority to taskforce affiliated applications. The prosecutors would focus on prosecuting motor vehicle crime. Funded prosecutors will provide oversight of local law enforcement on methods to improve evidence collection, investigations, and case outcomes. Grant funded prosecutors may also train and consult with other prosecutors across the state. Multi-jurisdictional and transnational organized crime prosecution will be a priority. Grant conditions would provide that grant-funded prosecutor programs work to improve the MVCPA's statutory performance measures (i.e., arrests, recoveries, and cleared cases).

If the 86th Legislature follows the Sunset Advisory Commission staff recommendation to expand the statutory authority of the use of MVCPA grant funds (SB604), then prosecutors would be authorized to pursue a broad array of motor vehicle crimes. This expansion could include title and registration fraud, odometer rollback, odometer fraud, insurance fraud, motor vehicle sales tax evasion, vehicle theft by fictitious identity, motor vehicle cybersecurity crime, and other related motor vehicle crime. The state providing funds to support local prosecutors may promote increased focus on complex cross-jurisdictional prosecution of motor vehicle crimes. State funding of prosecutors may lead to better representation for the criminal methods that undermine title/registration processes, use organized methods to commit fraud and manipulate licensed processes to cheat the public. Better and more frequent prosecution strengthens local communities, improves the confidence of people in their government, and acts as a deterrent against these crimes.

These positions are proposed to be employed in local prosecutor's offices. The MVCPA will establish any local match conditions. The appropriation request would be for up to 7 prosecutors at an estimated average salary of \$100,000 plus fringe of 35%. MVCPA currently requires a twenty percent (20%) minimum cash match for all grant programs so the total state funds requested for these positions is \$756,000 per year of the biennium.

Current Resource at TxDMV

The 85th Legislature authorized the Texas Department of Motor Vehicles (TxDMV) to create the Compliance and Investigations Division (CID). The division was created to ensure compliance in tax assessor collectors' offices with state vehicle title and registration statutes and regulations, by conducting audits and providing education on best practices; and to investigate and seek prosecution of fraud, waste, and abuse related to titles and registrations. The division also provides direct assistance and technical support to prosecutors when requested. If MVCPA-funded prosecutors may serve as regional coordinators for prosecutors to identify best practices, develop a forms and pleading bank,

identify and communicate statewide priorities and strategies for and between TxDMV and local prosecutors.

The basis of MVCPA's plan for funding prosecutors is that the law enforcement teams consistently reported the need for prosecutorial support. MVCPA taskforce members that served with prosecutors in previous years stated the prosecutors made the entire team more effective. Many states that have Automobile Theft Prevention Authorities have prosecution as a central focus to program operations (Colorado and New Mexico). One of the primary measures of effectiveness of a law enforcement task force is the ability to obtain convictions, which serve as punishment and deterrence. Prosecution resources are vital for obtaining convictions, and without them, the number of accepted cases will be significantly reduced, resulting in fewer cases being accepted for prosecution, and therefore, fewer convictions. The request for additional funding for local prosecution districts is especially justified, because many districts lack the resources to aggressively prosecute automobile related cases, since most of their resources are devoted to prosecution of violent crimes and narcotics crimes.

Possible Prosecutor Job Description Elements–

- works cooperatively with Motor Vehicle Crime Prevention Authority (MVCPA) funded taskforces, local law enforcement agencies, TxDMV CID investigators, attorneys and staff, providing guidance and assistance with investigations and referral reports as a liaison between the BLANK County Criminal District Attorney's Office and state and local agencies;
- may evaluate motor vehicle crime referrals in order to decide whether or not to accept or reject the case for prosecution, to determine the appropriate charge to be filed, and preparing the required documentation for indictment;
- explains legal process to potential witnesses and prepares witnesses for court testimony;
- ensures law enforcement, state agency employees and victims are kept informed on status of cases;
- prepares subpoenas, search warrants, affidavits and arrest warrants;
- drafts, files, and responds to necessary motions, briefs, or other legal documents for trial and/or a hearing;
- gathers, prepares, and presents evidence and related material for trial or a hearing;
- represents the state in trial and hearings by conducting jury selection, presenting opening statements, conducting direct and cross-examinations of witnesses, and presenting closing arguments;
- may negotiate plea-bargains;
- prepares necessary legal documents if plea-bargain agreement is reached and ensures proper signatures are secured and documents filed as required;
- reviews drafts of laws, rules, and regulations affecting motor vehicle crime and prosecutor operations;
- may assist in formulating, coordinating, and establishing policies and procedures for MVCPA funded taskforces; and
- may provide motor vehicle crime training to law enforcement, investigators or the general public
- participate in statewide collaboration meetings and trainings.
- knowledge of statutes and case law relating to prosecution of criminal offenses; and
- knowledge of evidentiary techniques.



Board Agenda Item

Section 7. Report on status and consider no cost extension with Texas A&M University for MVCPA Bait Car Research Project

Motor Vehicle Crime Prevention Authority

February 5, 2020

Request to Extend Bait Car Research Grant to Texas A&M University

Texas A&M Bait Car Research Project

Staff Recommendation

Approve request to extend grant to Texas A&M to June 30, 2020.

The Public Policy Research Institute at Texas A&M is conducting a research project with MVCPA task forces. They have created and distributed a web-based, open-ended survey to each MVCPA program commander. They will explore what methodologies each agency uses to design an experiment to determine if the methodologies employed by the different agencies are related to their success and, if so, to what extent these factors help explain variation in luring car thieves. Then they will incorporate the feedback from the commander survey to create a close-ended (multiple-choice) survey to all LEOs in the state provided to the research team. Each LEO will be asked about their experiences with bait cars and the methods they feel are more/less fruitful in ensuring operations are successful.

Due to the large number of deployments, they have identified the Tarrant Regional Auto Crimes Task Force and the Travis County Sheriff's Combined Auto Theft Task Force as agencies to conduct the experiments in. Each Task Force will be asked to vary certain elements of their operations randomly. They will provide training to each Task Force to ensure they understand how the randomization process will work and the importance of adhering to the protocol. The project will end on June 30, 2020 (pending Board approval) and the findings of the project will be presented by the Public Policy Research Institute at the 2020 TAVTI Conference.

Deliverables Schedule:

DELIVERABLE	DATE PAID
1. Research Project Summary	Paid 1/8/2020
2. Survey	Pending (Conducting Review of Survey of Commanders to create survey for all Agencies)
3. Conduct Field Research	Pending
4. Written Report	Pending
5. Present Findings	Pending

December 17, 2019

The research team proposes a slight modification to the original work plan. The following represents a brief overview of the current research design:

- 1) We will distribute a web-based survey to each MVCPA program commander. We anticipate to launch the survey by December 27, 2019, pending provision of email addresses from MVCPA. Due to the holiday season, we will leave the survey active for 5 weeks instead of the customary one month. We will send reminders for the survey to those commanders who have not yet participated in the first week of January 6, 2020. This survey will be open-ended (not multiple-choice) to enable commanders to offer responses that are not limited to options that we preselect. The overall goal of the survey is to help create a more focused, closed-ended survey (multiple-choice) to distribute to other law enforcement agencies across the state.
 - a. The survey was developed in cooperation with Commander Sudan of the Tarrant Regional Auto Crimes Task Force during the month of November, 2019 and with MVCPA personnel during November, and December, 2019
 - b. We will pay special attention to the surveys from agencies with higher numbers of arrests per deployment and agencies with lower number of arrests per deployment. We will explore what methodologies each agency uses to design an experiment to determine if the methodologies employed by the different agencies are related to their success and, if so, to what extent these factors help explain variation in luring car thieves.
- 2) We will incorporate the feedback from the commander survey to create a close-ended (multiple-choice) survey to all LEOs in the state provided to the research team. We anticipate this survey being distributed by February 14, 2020. Each LEO will be asked about their experiences with bait cars and the methods they feel are more/less fruitful in ensuring operations are successful.
- 3) Due to the large number of deployments, we have identified the Tarrant Regional Auto Crimes Task Force and the Travis County Sheriff's Combined Auto Theft Task Force as agencies to conduct the experiments in. Each agency has agreed to participate. Each Task Force will be asked to vary certain elements of their operations randomly. We will provide training to each Task Force to ensure they understand how the randomization process will work and the importance of adhering to the protocol. We anticipate that the Task Forces will implement this phase of the project during the months of January, February, and March, 2020.
 - a. Due to the long span of dates, the research team will be unable to supervise the implementation in-person. We will make an in-person visit to the two sites in order to observe how the Task Forces operate and to provide training on the randomization process. This will occur before February 28, 2020.

- 4) Due to the low number of bait events each month, we are requesting a no-cost extension to enable a larger sample size to enable better statistical precision. The request is to move from an original end date of March 31, 2020 to June 30, 2020.

Sincerely,



Miner P. Marchbanks III, PhD
Research Scientist



Board Agenda Item

Section 8. Consider Authority Committee Appointments

Motor Vehicle Crime Prevention Authority

February 5, 2020

Proposed Revisions to Standing Committees Committee Charges and Committee Member Appointments

Grants, Budget, and Reports Committee

- **Mike Rodriguez - Chair**
- **Justin Owen**
- **Ashley Hunter**

MVCPA Staff Coordinator - Bryan Wilson

- Review and recommend to the MVCPA Board grant priorities, processes, and funding methods that meet the requirements of Texas Revised Civil Statutes Article 4413 (37).
- Review grant applications, staff scoring processes, recommend funding to the MVCPA Board, and hold meetings with grantees as needed for grantee presentations.
- Review and recommend to the MVCPA Board budget priorities and allocation schedules in communication with Texas Department of Motor Vehicles (TxDMV) that meet the objectives of the MVCPA and are consistent with the MVCPA/TxDMV Memorandum of Understanding (MOU). Monitor performance and propose recommended improvements to the MVCPA Board if MVCPA/TxDMV MOU changes are needed.
- Provide input to the MVCPA on statutory report requirements. Review information to ensure the quality of data sources and reports are consistent with the needs of the MVCPA Board. Recommend improvements to the MVCPA board.
- **Consider what grant related processes need to be delegated to the MVCPA Director**
- Consider other financial, data or report issues as needed.

Insurance Collections and Refund Committee

- **Armin Mizani - Chair**
- **Ashley Hunter**
- **Shay Gause**

MVCPA Staff Coordinator - Dan Price

- Review collection procedures of the APTPA fee and recommend improvements to the MVCPA.
- Foster positive communication with the insurance industry and other stakeholders in the implementation of the MVCPA statutes.
- Provide guidance to the MVCPA director regarding refunds and ensure procedures are reasonable, transparent, and accountable.
- **Consider what fee collection or refund related processes need to be delegated to the MVCPA Director**
- Consider other insurance issues as needed.

Education and Legislative Committee

- **Shay Gause - Chair**
- **Kit Whitehill**
- **Mike Rodriguez**

MVCPA Staff Coordinator - Tessie Ajala

- Recommend to the MVCPA board the communication strategy to inform the public on how to prevent motor vehicle theft and burglary.
- Review and recommend to the MVCPA Board legislative priorities and issues, including Legislative Appropriation Requests.
- Consider and recommend other communication issues as needed.
- **Consider what education and legislative related processes need to be delegated to the MVCPA Director**



Board Agenda Item

Section 9. Discuss prior Authority requests made to the Texas Department of Insurance regarding insurer collections and refund requests, and to provide authorization to the MVCPA Director and Insurance Committee to contact the Texas Department of Insurance regarding past inquiries



Board Agenda Item

Section 10. Consider authorizing MVCPA Director to assemble advisory committee or working group until February 1, 2021 to consider recommendations to update and revise to Title 43, Part 3, Chapter 57 rules related to collections, refunds, auditing and reporting of fee assessment

Staff Recommendation

Consider authorizing MVCPA Director to assemble advisory committee.

Motor Vehicle Crime Prevention Authority

February 5, 2020

After these rules were proposed it was decided to allow them to expire and convene a workgroup to discuss the rules.

Special instructions: Preamble must have effective date of January 1, 2019 for rule §57.48 (a)(4)

TITLE 43 TRANSPORTATION

PART 3 AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY

CHAPTER 57 AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY

RULE §57.48 Motor Vehicle Years of Insurance Calculations

(a) Each insurer, in calculating the fees established by Texas Civil Statutes, Article 4413(37), §10, shall comply with the following guidelines:

(1) The single statutory fee of \$2 is payable on each motor vehicle for which the insurer provides ~~insurance~~ coverage during the ~~two semi-annual reporting periods calendar year~~ regardless of the number of policy renewals; and

(2) When more than one insurer provides ~~motor vehicle insurance coverage for a motor vehicle~~ during the ~~two semi-annual reporting periods calendar year~~, each insurer shall pay the statutory fee for that vehicle.

(3) "Motor vehicle insurance" ~~as referred to in Texas Civil Statutes, Article 4413(37), §1(5)~~, means motor vehicle insurance as defined by the Insurance Code, Article 5.01(e). This definition shall be used when calculating the fees under this section.

(4) All motor vehicle or automobile insurance policies as defined by Insurance Code, Article 5.01(e), covering a motor vehicle shall be assessed the \$2 fee ~~except mechanical breakdown policies, garage liability policies, nonresident policies and policies providing only non-ownership or hired auto coverages.~~

(b) The Texas Automobile Burglary and Theft Prevention Authority Assessment Report form and Instructions for the Computation of the Automobile Burglary and Theft Prevention Authority Assessment of the Comptroller of Public Accounts are adopted by reference. The form and instructions are available from the Comptroller of Public Accounts, Tax Administration, ~~P.O. Box 149356~~, Austin, ~~Texas Texas~~ 78714-9356. Each insurer shall use this form and follow these instructions when reporting assessment information to the Comptroller.

RULE §57.49 Audit

(a) The ABTPA may employ or retain the services of auditors for the purpose of assisting the ABTPA to determine an insurer's compliance with the requirements of Texas Civil Statutes, Article 4413(37), §10.

(b) All insurers subject to Texas Civil Statutes, Article 4413(37), §10, shall make their books and records reflecting motor vehicle years of insurance available to the auditors or ABTPA staff upon request during normal business hours.

(c) The ABTPA may assess charges for audit to insurance companies in cases where the companies' assertion of Refund Due ~~was is~~ determined to be ~~unfounded inaccurate~~.

(d) The charges for audit shall be deducted from the refund due if the claim for refund is determined to be inaccurate by the ABTPA Board.

RULE §57.50 Report to Department of Insurance

If the ABTPA determines that an insurer failed to pay or ~~intentionally~~ underpaid the fee required by Texas Revised Civil Statutes, Article 4413(37), §10, the ABTPA shall notify the Department of Insurance of the failure to pay, with the request that the department revoke the insurer's certificate of authority.

RULE §57.51 Refund Determinations

(a) An insurer that seeks a determination of the sufficiency or a refund of a semi-annual payment must ~~file submit~~ an amended report ~~for each period~~ and ~~submit~~ a written claim for refund for each reporting period to the ABTPA director or the ABTPA board for a determination or a refund not later than four years after the date the semi-annual payment was made to the state comptroller.

(b) The director or the ABTPA board designee shall review the claim and obtain from the insurer any additional information, ~~if any,~~ that may be necessary or helpful to assist in the ABTPA determination. If an insurer ~~refuses fails~~ to provide the requested information or provides an incomplete response, the refund shall be denied in whole or in part.

(c) The director or the ABTPA board designee is authorized to employ or retain the services of a third party, such as the state comptroller, to assist in the refund determination. The director or the designee shall prepare a written report to the ABTPA board based on the director's or the designee's review and shall contain findings, conclusions, and a recommendation.

(d) The ABTPA shall base its determination on the documentary evidence considered by the director ~~or~~ and the board designee. The ABTPA decision shall be based on a majority vote of the board. The ABTPA decision is final and is not subject to judicial review.

(e) Upon determining that an insurer is entitled to a refund, the ABTPA shall notify the comptroller and request the comptroller to draw warrants for the purpose of refunding overpayments. The ABTPA shall provide an amended report for each semi-annual reporting period considered by the ABTPA Board for refund to the Comptroller of Public Accounts for processing.



Board Agenda Item

Section 11. Report on FY2019 Grant Closeout

Motor Vehicle Crime Prevention Authority

February 5, 2020

FY19 Grant Closeout

Grantee Name	Grant Number	Award Amount	Reimbursement	Close out date
City of Austin	608-19-2270100	430,685.00	430,325.25	1/6/2020
City of Beaumont	608-19-1230100	528,714.00	528,714.00	1/6/2020
City of Brownsville	608-19-0310100	924,350.00	924,350.00	1/29/2020
City of Corpus Christi	608-19-1780200	410,973.00	410,973.00	12/13/2019
City of Dallas	608-19-DPD0000	555,204.00	555,204.00	1/6/2020
City of Eagle Pass	608-19-1620100	151,222.00	151,222.00	1/6/2020
City of El Paso	608-19-0710200	929,465.00	929,465.00	12/4/2019
City of Houston	608-19-HPD0000	809,496.00	809,496.00	11/8/2019
City of Laredo	608-19-2400100	637,768.00	637,768.00	12/4/2019
City of Mansfield	608-19-2202000	360,058.00	357,334.85	1/21/2020
City of Paris	608-19-1390200	106,709.00	106,709.00	1/29/2020
City of Pasadena	608-19-1011500	76,000.00	76,000.00	12/10/2019
City of San Antonio	608-19-SPD0000	792,617.00	730,367.97	1/16/2020
City of Victoria	608-19-2350100	154,719.00	154,719.00	12/10/2019
Burnet County	608-19-0270000	276,734.00	270,260.04	1/6/2020
Dallas County	608-19-0570000	840,697.00	789,585.81	1/24/2020
Galveston County	608-19-0840000	469,183.00	463,790.01	11/14/2019
Harris County	608-19-1010000	1,162,403.00	1,162,403.00	1/7/2020
Lubbock County	608-19-1520000	404,523.00	403,136.83	1/6/2020
Montgomery County	608-19-1700000	337,464.00	319,634.67	1/24/2020
Potter County	608-19-1880000	361,705.00	352,541.09	1/7/2020
Smith County	608-19-2120000	332,792.00	330,944.12	1/6/2020
Tarrant County	608-19-2200000	1,145,500.00	1,115,667.94	1/6/2020
Travis County	608-19-2270000	631,137.00	610,533.00	1/6/2020
		12,830,118.00	12,621,144.58	

Motor Vehicle Crime Prevention Authority

February 5, 2020

Public Education and Public Awareness Grant Closeout to National Insurance Crime Bureau (NICB)

As part of MVCPA's Public Education and Awareness initiative, a \$200,000 grant was awarded to the National Insurance Crime Bureau (NICB) – from April to December, 2019 – to combat and reduce motor vehicle theft and burglary. The NICB is a non-profit organization that collaborates with insurers, law enforcement, government, and more than 1,100 commercial and personal line property/casualty insurers, workers' compensation insurers, self-insured organizations, and car rental companies to prevent, detect and deter fraud and theft. NICB is the nation's premiere organization dedicated exclusively to fighting insurance fraud and vehicle theft – crimes estimated to cost American public \$30 billion annually.

The purpose of this grant is to partner with NICB to educate the public on vehicle theft and vehicle burglary mitigation activities, to reduce the incidence of and costs associated with motor vehicle crimes in Texas.

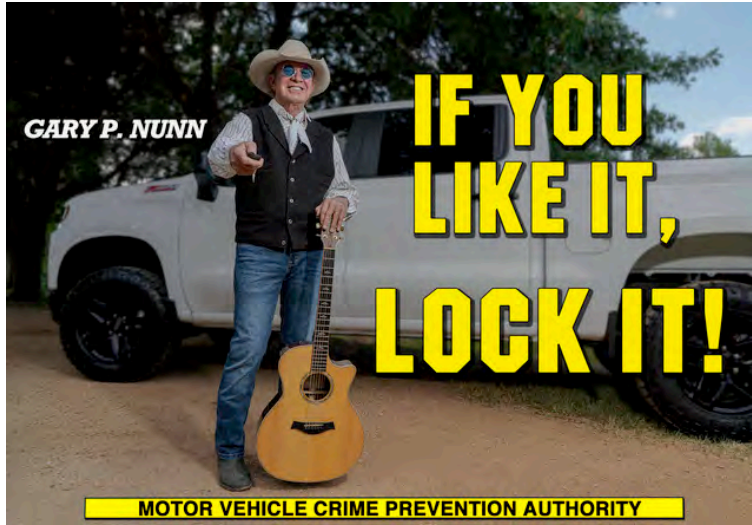
NICB implemented the goals and objectives of the grant by conducting anti-theft public awareness activities in key markets where tailgate thefts are prevalent; partnered with the Insurance Council of Texas (ICT), produced two brochures on Tips to Avoid Becoming a Victim of Auto Crime, and produced a new logo, 'If You Like It. Lock It,' which was launched through radio and tv spots in both English and Spanish. The campaign played on radio and TV stations across Texas running more than 22,000 times, which resulted into getting a value of over \$1.4 million for an initial investment of \$40,000, according to the Texas Association of Broadcasters (TAB).

NICB partnered and shot a commercial with Gary P Nunn and AzTex; placed public awareness billboards around Texas; distributed ProtechDNA labels to be used on tailgates or other trackable items.

NICB also purchased and distributed the following items to grantees and other law enforcement agencies – Trailer Hitch Anti-Theft Locks, tamper proof vehicle license plates screws to prevent theft of license plates; and 3M Tamper Resistant Anti-Theft Labels for use in secretly marking tailgates.

The following items were ordered from NICB and distributed to taskforces across the state:

Items	Quantity
Trailer locks (pending distribution)	500
License plate fasteners	1,000
DNA labels	7,000
Car shaped pens	6,000
Lock Take & Hide (LTH) signs	2,000
Tri fold brochure	30,000
5 tips brochure	30,000

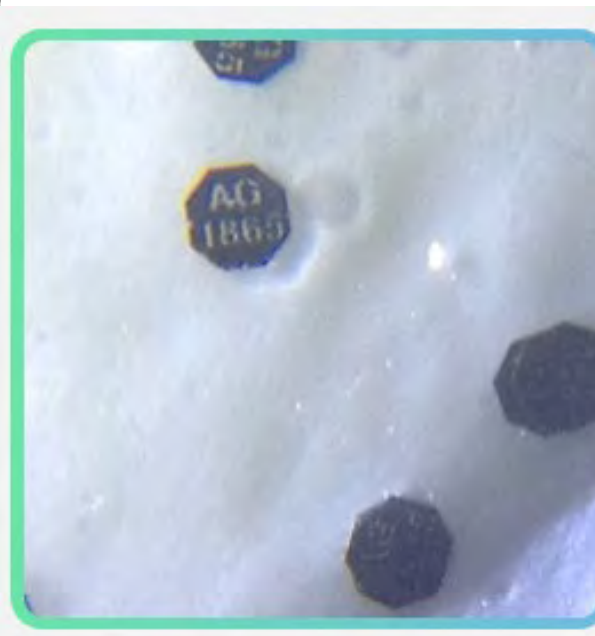


Trailer Locks



License plate fasteners

Protech DNA labels



Tri fold brochure

WHAT'S YOURS

- 10 Engrave your Vehicle Identification Number (VIN) or personal I.D. number on expensive accessories and parts. Stolen vehicles/parts are more easily traced when VINs have been etched on vehicle windows, major parts and expensive accessories.
- 11 Have an ignition or fuel kill switch installed by someone who is qualified. Ignition kill switches can be used to stop the vehicle from starting. A fuel kill switch cuts off the flow of fuel to the vehicle, making it more difficult to steal.
- 12 Use security devices to protect your vehicle. For example, steering wheel locks can be effective deterrents and can prevent your vehicle from being steered into the wrong hands. Gas or brake pedal locks disable the fuel and braking functions. Gearshift locks disable shifting of the transmission by locking it in place. Tire/wheel locks wrap around the wheel and prevent the vehicle from moving. Hood locks prevent access to the security system and battery. An armored collar around the steering column protects the column and ignition.
- 13 Install alarm systems for your vehicle. Alarms emit a loud warning sound when the door, hood or trunk are opened. Optional sensors often include glass breakage, motion tampering and towing. Panic buttons, back-up batteries and automatic engine-disable features are also recommended.
- 14 Install a vehicle tracker, which is usually a silent device that can be hidden in a vehicle to transmit a signal that allows the vehicle's location to be tracked.

For more information about preventing motor vehicle theft and/or burglary, visit TXWATCHYOURCAR.COM.

If you would like to order additional copies of this brochure or related educational material, call **1-800-CAR-WATCH**.

Protect It. It's Yours.
NEVER UNLOCKED. NOTHING IN VIEW.

Watch Your Car
MOTOR VEHICLE CRIME PREVENTION AUTHORITY

NICB
NATIONAL INSURANCE CRIME BUREAU

TIPS TO AVOID BECOMING A VICTIM OF AUTO CRIME

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Board Agenda Item

Briefings and Action Items

Section 12. Consider authorizing MVCPA Director to publish the FY 2020-2021 Grant Administrative Manual

Staff Recommendation

Authorize Director to publish the Grant Administrative Manual for Fiscal Year 2020-2021.

All Sections-name changed from ABTPA to MVCPA and added reference to motor vehicle crime, rather than motor vehicle theft and burglary to account for legislative changes.

Section 1, Introduction-added definition of motor vehicle crime

Section 2, Grant Application Process-substantial changes to align with GMTS updates and change in code

Section 3, Grant Administration-minor or no changes

Section 4, Budget-substantial changes to supplies/DOE section

Section 5, Reporting Guidelines, changes to inventory and equipment section

Section 6, Monitoring-minor or no changes

Appendix-will be added before publication



Motor Vehicle Crime Prevention Authority
Grant Administrative Manual

February 2020



Texas Department *of* Motor Vehicles

1 INTRODUCTION

1.1 MVCPA MISSION

The mission of the Motor Vehicle Crime Prevention Authority (MVCPA) is to foster a statewide collaborative network to combat motor vehicle burglary and theft and to fund education campaigns to inform automobile owners of methods of preventing automobile burglary or theft. MVCPA issues grants to law enforcement agencies (referred to as Taskforces) and educates the public to take action and use prevention techniques to fulfill its mission. The MVCPA uses the available appropriated funds to provide effective coverage of the state through the cooperative network of law enforcement groups, prosecutors, insurance industry representatives, local tax assessor-collectors, and concerned citizens to combat vehicle burglary and theft through enforcement, prevention, public information, and education initiatives.

1.2 PURPOSE OF THIS MVCPA GRANT ADMINISTRATIVE MANUAL

The purpose of this MVCPA Grant Administrative Manual is to provide applicants with requirements and information to apply for an MVCPA Grant. This manual also provides grantees with the administrative and financial requirements to effectively manage MVCPA funded programs during the post award process. Requirements contained in this MVCPA Grant Administrative Manual for applicants and grantees are based on and consistent with: state law (Texas Subtitle M, Title 7, Transportation Code Chapter 1006 , the Texas General Appropriations Act, Texas Government Code Chapters 783 and 791), Texas Administrative Code Title 43 Part 3 Chapter 57; policies set by the MVCPA Board; and other applicable rules, regulations, guidelines, and policy adopted by legal authority (Ex., Department of Motor Vehicles, Comptroller, State Auditor's Office, etc.).

The enabling statute directs MVCPA to develop and implement a plan of operation for providing financial support to combat motor vehicle burglary or motor vehicle theft and fraud-related motor vehicle crime. These three types of crime will be referred together as "motor vehicle crime" throughout this manual, unless specifically called out.

Additionally, grantees must follow and take into consideration local policies, procedures, and regulations adopted by local governing bodies responsible for the grant or Taskforces.

If specific cost or procedural information is not found in the MVCPA Grant Administrative Manual then grantees must follow the Uniform Grant and Contract Management Act (Chapter 783 Texas Government Code) that requires the Uniform Grant Management Standards (UGMS) to be maintained under the authority of the Texas Comptroller of Public Accounts. These grant management standards are used by the MVCPA in the administration of the MVCPA grant program.

The UGMS were established to promote the efficient use of public funds by providing: awarding agencies and grantees a standardized set of financial management procedures and definitions; requiring consistency among grantor agencies in their dealings with grantees; and by ensuring accountability for the expenditure of

public funds. State agencies are required to adhere to these standards when administering grants and other financial assistance agreements with cities, counties, and other political subdivisions of the state.

All program activity must be consistent with the statutory and appropriated purposes of MVCPA. All expenses incurred by the grant program must be reasonable and necessary to operate an MVCPA funded program. All revenue and inventory records must be managed consistent with generally accepted accounting principles (GAAP) and local policies.

2 GRANT APPLICATION PROCESS

MVCPA awards grants to law enforcement agencies and prevention programs to foster a statewide collaborative network to combat motor vehicle burglary and theft and to educate the public about motor vehicle crimes and prevention.

2.1 ELIGIBILITY REQUIREMENTS

All applicants are encouraged to review MVCPA's mission to determine if their entity has the capacity to develop and support a grant program plan that meets MVCPA requirements.

To be eligible for consideration for funding, a program must be designed to support one of the following MVCPA program categories:

1. Law Enforcement, Detection and Apprehension;
2. Prosecution, Adjudication and Conviction;
3. Prevention, Anti-Theft Devices and Motor Vehicle Registration;
4. Reduction of the Sale of Stolen Vehicles or Parts; and
5. Educational Programs and Marketing.

Eligible Applicants are:

Law enforcement agencies, local prosecutors, judicial agencies, neighborhood organizations, community organizations, business organizations, and nonprofit organizations for programs designed to reduce the incidence of economic automobile theft. Nonprofit and other organizations shall provide sufficient documentation with their grant application to inform MVCPA about the level of community support and the potential viability of the organization's existing activities in providing automobile burglary and theft prevention assistance.

2.2 INTENT TO APPLY

The Intent to Apply process is only for agencies not being funded in the current grant cycle that desire to be considered for the next funding cycle. The MVCPA Board will determine whether to activate the intent to apply availability in the on-line system. The purpose of the "Intent to Apply" process is to conduct an initial assessment of potential new grant applicants and send written recommendations to the potential new grant applicants. The Intent to Apply process does not prevent a potential new grant applicant from applying for

MVCPA funding. It offers through strategic questioning, information to potential grant applicants regarding grantee requirements prior to officially applying for MVCPA funding.

The Intent to Apply process is as follows:

- 1) potential new applicants review Intent to Apply information on the MVCPA website;
- 2) potential new applicant completes and submits the Intent to Apply form;
- 3) MVCPA staff conducts an assessment of the submitted Intent to Apply form;
- 4) MVCPA conducts a coverage area analysis of the identified service area (outlined by a potential new grant applicant) and areas currently being serviced by an organization receiving MVCPA funds. (Included in the documentation is information regarding the mandatory applicant workshop); and
- 5) MVCPA provides recommendations to a potential new grant applicant based upon information provided to MVCPA via the Intent to Apply form and the coverage area analysis.

2.3 APPLICATION PROCESS

All applicants (new and continued) shall apply as provided by the MVCPA board for the next grant cycle in the manner prescribed in the Request for Applications issued by the MVCPA. Every grant cycle is in conjunction with the State of Texas's fiscal year, September 1st thru August 31st.

This section of the Grant Administrative Manual is structured to provide applicants information on how to:

- 1) determine if their organization is eligible to apply for an MVCPA grant;
- 2) know the steps in the process;
- 3) complete the application;
- 4) understand and select from MVCPA's Goals, Strategies, and Activities; and
- 5) submit the grant application in a manner designated by the MVCPA Requests For Proposal (RFP).

2.3.1 Request for Application (RFA)

The MVCPA's Grant Application Process begins with the issuance of a Request for Application (RFA) authorized by the MVCPA Board. The RFA provides eligibility, program and funding requirements necessary to qualify and operate a grant funded program. The RFA provides grant workshop information and the application deadline. The RFA is posted on the MVCPA Website and in the Texas Register for a minimum of thirty (30) days before the application deadline.

2.3.2 Create On-line Account

New applicants create an on-line account at <https://MVCPA.tamu.edu>. This on-line system is called the Grant Management and Tracking System (**GMTS**). A user from the applicant agency will create a new user account in GMTS. The user will then create a new Grantee / Organization (applicant) after first login. Obtain official applicant data prior to starting the process to create the grantee/organization. Account creators must know the legal name of applicant, the ORI number assigned by DPS for law enforcement applicants, the department or unit that will manage the grant for the applicant, applicant's state payee number including correct mail code, addresses for the applicant (tied to state payee number and mail code).

The applicant must then create and designate roles for the officials that MVCPA are contacts during the application process. The applicant is responsible for obtaining local authority to start and complete an application. Contact MVCPA for additional instructions to establish new accounts or assistance to access the

system. Once the officials are designated in the application system their e-mail addresses will be used for account access to perform the various steps.

The authorized official account designated by the applicant is the only account that may submit an on-line application.

2.3.3 Resolution

All grant applications must be submitted with a formal Resolution. For grant applications from cities and counties or their departments, the Resolution must be adopted by the governing board of the city or county that applies for a grant. At a minimum Resolutions must provide authority to apply for the grant for the stated statutory purposes, provide that funds shall be returned in the event of loss or misuse and designate the Authorized Official, Financial Officer, and Program Director. The resolutions may designate other positions if preferred, such as program manager. The Resolution may set forth; the governance structure, interlocal cooperation, match methods, or other grant specific features that help explain or communicate the grant.

Agencies of the State of Texas that apply for grants must also have a resolution that meets the same requirements indicated above. The resolution must be signed by the Executive Director/ Commissioner of the state agency that applies for a grant. Not-for-profit corporations must have a resolution approved by the board of directors of the corporation and must certify that the application is consistent with the organization's purpose and by-laws and that the corporation is in good standing with the Texas Secretary of State and Comptroller of Public Accounts.

2.3.3.1 Designation of Grant Officials

The Designated Grant officials are the individuals who are authorized by a formal Resolution adopted by an applicant agency to submit, modify or cancel a grant application and the subsequent grant documents including required administrative reports. The following positions should be indicated by the applicant:

AUTHORIZED OFFICIAL

The person authorized by the governing body to apply for, accept, decline, request modifications (terms, conditions, and amounts), or cancel the grant for an applicant agency (i.e. executive director of an agency, county judge, city mayor, city manager, assistant city manager, or a designee if authorized by governing body, etc.). The name of this designee must be the same as the signature on the grant acceptance if awarded the grant. This account is determined and assigned by the applicant agency representative in the on-line application system and it is the only account that may submit the application.

FINANCIAL OFFICER

The MVCPA requires that the chief financial officer of the organization (i.e. county auditor, city treasurer, comptroller, treasurer of the corporation, etc.) shall hold this position. The financial officer is the office or person responsible for maintaining the accounting system of the jurisdiction or agency. The financial officer must certify that the MVCPA Expenditure Reports are consistent with the jurisdiction's accounting processes and are accurate. The financial officer is also responsible for maintaining documentation supporting the expenditure of funds, and that MVCPA expenditure requirements are met. Financial officers may authorize a designee as Financial Administrative Contact in GMTS to submit the expenditure reports if the designee can certify to the accuracy of the reports and supporting documentation. The financial officer may not serve in any other capacity related to this grant.

PROGRAM DIRECTOR

Designated to be responsible for operation or monitoring of the program and is the primary person responsible for the activity, implementation, and reporting of the grant. In addition to conducting the day-to-day program activities, this person is responsible for record keeping, reviewing financial expenditures, maintaining a program file, approving required reports, evaluating the program, and assisting with monitoring or audits.

Program Manager (Optional)

Designated to be responsible for the day-to-day operation and monitoring of the grant. Acts as the Program Director during Program Directors absence.

Administrative or Financial Contact (Optional)

The GMTS allows two other data entry positions that can be designated by the grantee officials: 1) Administrative Contact; and 2) Financial Contact. These positions can complete on-line forms and save but may not submit any grant transactions. These designees will receive broadcast grant notifications. These position are not required and should not be included in an applicant's Resolution.

2.3.4 Grant Application Workshop

The MVCPA may host a grant training workshop to provide applicants with information on the MVCPA program, the application process, and grant administration. MVCPA highly recommends that all employees that will be associated with the administration of the grant attend the workshop. Grant applicants (new and continued) shall register for workshop via the MVCPA website.

- Continued Applicants

All continued applicants must attend scheduled grant training workshops unless the Request for Applications issued by the MVCPA Board provides additional instructions on who must attend.

- New Applicants

New grant applicants should complete the "Intent to Apply" process to assess their ability to qualify as an applicant and also attend the Grant workshop.

2.3.5 Submission

Applicants shall submit the grant application by the due date specified in the Request for Applications published by the MVCPA. Grant applications shall only be submitted electronically to the MVCPA at <https://MVCPA.tamu.edu>. Only an **authorized official who has been assigned the role by an applicant agency can submit grant applications in the MVCPA online system**. Applications submitted late or that do not meet the stated requirements of the RFA are not eligible for review. Applicants will be notified ten (10) working days after the due date.

All applications will be submitted for the first year. If awarded, subject to availability of funding and grantees' positive program performance the MVCPA may provide a subsequent grant using the same first year application and budget values as originally submitted. Any ongoing program (scope) changes or budget changes will be submitted (or resubmitted) by grantees through the grant adjustment process after the creation of the second-year grants.

The MVCPA Grant Application allows an applicant to describe its proposed program plan. The Application consists of four sections: 1) Applicant Information; 2) Grant Budget; 3) Application Narrative; and 4) Certification.

2.3.6 Applicant Information

Within the “Applicant Information” section, applicants provide information on the applicant and participating agencies, location of headquarters, the coverage area of the program activities (Cities, Counties, etc.) and Program Approval information. An applicants’ Authorized Official shall certify that all data provided within the application is true and correct and that the document has been duly authorized by the governing body of an applicant, and that an applicant shall comply with all applicable laws and requirements if the grant is awarded.

- **Participating/Coverage Agencies:**

When selecting your participating or coverage agencies you can use the control key to select multiple agencies at once rather than adding them one at a time.

Participating Agencies: agencies that will materially participate in the grant application through the use of interlocal agreements. The agencies selected in this list only includes agencies that will receive or provide funding and/or resources. The interlocal agreements do not need to be submitted with the application. Interlocal agreements will need to be executed prior to the first payment being made if selected for a grant. Letters of support with the application from the participating agencies are strongly recommended.

Coverage Agencies: agencies that will be covered by the grant but not materially participating in the grant application. These agencies will not be covered by a grant interlocal agreement but as law enforcement agencies may have jurisdictional coverage agreements unrelated to the grant. The agencies selected in this list only includes agencies that will be covered or where the chief of police or county sheriff indicates that their agency will coordinate or call upon the taskforce. These will not directly receive or provide funding and/or resources. Letters of support with the application from the participating agencies are strongly recommended.

Select Agencies to Add	Participating Agencies	Coverage Agencies
<p>Select Agencies Not associated with any law enforcement entity ^</p> <p>Anderson ANDERSON CO SO (AE) [TX0010000] PALESTINE PD [TX0010100] FRANKSTON PD [TX0010300]</p> <p>Andrews ANDREWS CO SO [TX0020000]</p> <p>Add as Participating Agencies Add as Coverage Agencies</p>	<p>Delete Selected</p>	<p>Delete Selected</p>

2.3.7 Budget

The budget section contains three parts: 1) Costs tables; 2) Narrative section; and 3) Sources of Match Table. Within the budget section an applicant shall list all requested costs and revenue sources in whole dollars required to support their proposed program plan. The cost items in the budget must be supported by text in the narrative that describe what the costs items are and how they are used in or relate to the overall program described in the Program Narrative. The budget in the application is a spending plan based on funding as proposed. The budget must be written so that if an applicant is funded but receives less than the amount requested it may be modified or changed to meet operational needs. Evaluators will review the

proposed budget to determine if the costs are reasonable, allowable, demonstrate a cost-effective use of funds, and are consistent with the Program Narrative.

2.3.7.1 Grant Budget Form

The Budget Form provides applicants the ability to state their proposed cost to operate the program. The budget table includes the categories and columns for the grant request amount, cash match amount, and the In-Kind match amount. Applicants complete the line item costs descriptions within the budget categories and where required use the pull-down menus in the line items to classify the expense. Applicants will then complete the narrative in the box below the line items to adequately describe the line item and how the proposed costs tie to the Application Narrative section.

The budget categories are:

Personnel – Enter the functional or rank title for each position. Select the subcategory from the drop-down menu. Enter the percent of time the position will work on grant activity. **Estimate personnel salaries in whole dollars.** Record the total of the portions of personnel costs that are grant funded, Cash Match or In Kind in the appropriate columns. Provide a brief description of all the types of positions required to perform the proposed program that will be paid directly from the applicant agency in the narrative. This brief description and job functions must be consistent with the program functions section later in the application. The application allows for in-kind positions to be recorded in the budget even though they are not used in the reimbursement calculation. It is important that in-kind positions be listed for the purposes of travel, equipment use, supplies and grant activity reporting if the narrative supports this use. Agencies that have civil service agreements or written policies may provide exempt positions regular compensation above their regular scheduled work hours at their regular pay. The inclusion of these positions and the wages shall be specified in the grant application and/or grant adjustment.

Fringe– For each position listed in the personnel section add a line in the fringe section and select the same subcategory. Enter in the estimated total amount of fringe attributable to the grant program position in whole dollars. In the narrative box below clearly describe the fringe benefits provided by the agency as either grant funded, cash match or in-kind corresponding to the personnel. Fringe may include Federal Insurance Contributions Act (FICA), retirement plan contributions, unemployment insurance, and other benefits provided by law or the agency under its compensation policies. Agencies may budget a percent basis in the lines and explain all that is

Overtime - Overtime is pay for positions meeting the Fair Labor Standards Act non-exempt status and listed as its own category where flexible or variable schedules cannot accommodate the staffing needs.

Overtime is limited to 5% of the grant funded personnel salaries. For example, if total personnel costs are \$100,000 then MVCPA overtime is limited to \$5,000. The amount allowed may only be used for MVCPA funded or Cash Match personnel. For each position listed in the personnel section add a line in the overtime section and select the same subcategory. Enter in the estimated total amount of overtime that may be used for each grant program position. The amounts assigned for each line are estimates for the positions to help

the applicant demonstrate the overtime. Actual overtime for each position may vary. In the narrative box below, explain how overtime shall be used and why flexible or variable schedules cannot accommodate the staffing needs. Law enforcement and civilian staff must be clearly delineated on different lines and have different justification for overtime.

Professional and Contractual Services –Personnel that work under the proposed program application as employees of grant program’s participating agencies (sub-grantees) through intergovernmental agreements or individuals that are paid as independent contractors will be listed in this section. The on-line application will have three possible selections for each individual under this section that must be completed as applicable. Applicants will usually complete three lines for each position: 1) Personnel (salary); 2) Fringe; and 3) Overtime.

Personnel provided by **Department of Public Safety and National Insurance Crime Bureau** are entered into this section. Those positions must be marked as **“in lieu of cash match”** as appropriate and are reflected in this category.

Travel – Provide estimates of travel costs by personnel whose time is devoted to the grant funded activities at or above 50% of their gross annual salary. Separate estimated travel on lines provided for law enforcement related travel, travel to training events, travel to MVCPA Board meetings, and other MVCPA events. Budgeted out-of-state travel must be indicated on a separate line from other travel and have a corresponding narrative to support the request.

Equipment – “Equipment” means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals the lesser of (a) the capitalization level established by the governmental unit for financial statement purposes, or (b) \$5,000.

Additional requirements set by the Comptroller of Public Accounts established as controlled assets with a value of \$500 or more when purchased using state funds are:

Special Items of Cost List	
Class Code	Property Item
129	Sound Systems And Other Audio Equipment
130	Camera – Portable – Digital, SLR (includes LPR)
131	TVs, VIDEO PLAYERS/RECORDERS
204	Computer, Desktop
218	Data Projectors
219	Smartphones, Tablets & Other Hand Held Devices (includes tracking devices)

284	Laptop Computers (includes bait systems)
735	Unmanned Aerial Vehicle (UAV) Drones

Supplies and Direct Operating Expenses (DOE) – Includes office supplies, leases, fuel, training registration, maintenance, rent, and other direct costs not covered in other categories. Applicants must provide the number of vehicle and amount per vehicle on leases

2.3.7.2 Budget Detail and Narrative

Each budget category has a required detail and narrative portion. An applicant shall provide a clear and concise explanation for all line items within a budget category. This should describe how the items requested are beneficial in reaching the program goals. Each of the budget categories are further described within the Grant Administration section.

It is within the budget detail and narrative section that an applicant shows and explains its Cash Match contributions.

2.3.7.2.1 Cash Match

MVCPA requires all applicants to contribute a minimum of 20% cash match. The minimum percent of cash match is calculated by multiplying total grant funds requested times 20%. Cash match is the contribution or outlay of money contributed by the applicant, other public agencies and institutions, and private organizations and individuals.

Cash match is:

1. Funds provided by the applicant and sub-grantees (public agencies and institutions) participating in and to operate the program; and
2. Documented use of Department of Public Safety and National Insurance Crime Bureau personnel may be considered as Cash Match if approved in the application.

Allowable cash match shall only be applied to costs which are allowable with state funds. The reimbursement is based on the overall percent of reimbursement provided in the Statement of Grant Award. Examples of costs that can be recorded as Cash Match:

- Direct Salaries (including DPS and NICB personnel)
- Fringe Benefits
- Overtime
- Purchase of Vehicle
- Leased Vehicles Payments
- Supplies and operating expenses
- Travel
- Fuel & Maintenance

2.3.7.2.2 Source of Cash Match Table

Applicants must identify the sources of cash match provided under the proposed grant application. Sources must be cash and funds paid by applicant and participating agencies toward program costs to be considered. The table provided in the grant application must reflect proposed commitments that the applicant and other grant program participant(s) will contribute toward the budget categories reflected above. Each line must contain a distinct source of revenue or provider of the cash match. For instance, line one may record: "Grantee - City of X" then the amount of cash match; line two may record: "Participating County Y" then the amount of cash match, line three may record NICB - "in lieu of cash match" then the amount in lieu of cash match, and so forth.

Two sources of match recorded in this table that applicants must account for and maintain sufficient records to demonstrate the value listed are:

- 1) Program Income – Any declaration of the intended use of program income in a proposed application is understood to mean that the applicant certifies that the fund balance will be available for the start of the new program period in the proposal. Applicants will provide any shortfall in the source of revenue if the balance is not available by the time of expenditure during the grant period to fully utilize grant funds.
- 2) "In Lieu of Cash Match" – The salaries, fringe benefits and direct cost contributions of NICB agents and Texas DPS Investigators participating in the program activities may be provided as "in lieu of cash match" on the sources of cash match. The budget must clearly reflect the status as "in lieu of cash match". The applicant must account for and maintain records for this exception to cash as if they were cash match or grant funds. This includes obtaining letters of authorization from these agencies and certification of expenses and time spent on the program.

2.3.8 Application Narrative

In the Application Narrative section, applicants shall fully describe the program plan. Grant reviewers review this section to ensure that the program plan is consistent with the stated goals and strategies of MVCPA, and that they are reasonable and achievable. Additionally, these activities must address and mitigate the identified motor vehicle crime problems within the coverage area. The Application Narrative section includes 1) Introduction; 2) Problem Statement 2) Proposed Functions 3) Grant Goals, Strategies and Activities; 4) Evaluation; and 5) Designation of Grant Officials. Proposed Activities shall be described further within the next section.

2.3.8.1 Grant Introduction

The applicant should provide a brief overview of the application.

2.3.8.2 Grant Problem Statement

The problem statement shall clearly identify the motor vehicle burglary, theft and fraud-related motor vehicle crime problem within the proposed jurisdiction(s). which may include:

- Motor vehicle burglary, theft and fraud-related motor vehicle crime trends that are impacting the jurisdiction
- Program coverage area

- Population
- Registered vehicles (if applicable)
- Data on related crimes (sometimes referred to as gateway)
- Impact of programs' geographical setting (rural, urban, border)
- Number of burglaries of a motor vehicle rates
- The motor vehicle crime problem shall be supported by historical data that meets MVCPA requirements as shown below:
 - The problem identified is clearly supported by relevant theft data;
 - The data provided is specific to the coverage area;
 - The source of data used to demonstrate the problem is provided and identified. It may be department records or DPS/UCR data.

The application requires addressing the following:

- Provide an assessment of the motor vehicle crime (including theft of parts) problem in the coverage area of this application.
- Provide an assessment of the motor vehicle theft problem in the coverage area of this application.
- Describe the geographical target area intended for this application. Include information about the taskforce governing and command structure. Include a description of the coverage area(s) and the nature of support and agreements supporting this application.
- Will the program described in the application cover the community(ies) at large or will all or any part of this program be directed to serve a specific target population? If No or Both, please describe the problem supporting the need for a special target population.

2.3.8.3 Functions of Proposed Program

This section requires an applicant to provide straightforward description of the activities performed in the program by area. Applicants must adequately describe what they will do with funds requested in the budget section. For instance, applicants that request funds for bait tracking equipment but fail to mention in the functions section that they will operate bait programs will score low on the grant scoring and have the bait equipment funds deducted from the budget as unallowable for the program requested. This section requires an applicant to provide straightforward description of the activities performed in the program by area. Applicants must adequately describe what they will do with funds requested in the budget section

The sections in the application are:

3.1 Functions of the Proposed Program Related to Burglary of a Motor Vehicle

3.2 Functions of the Proposed Program Related to Theft of a Motor Vehicle

3.3 Functions of the Proposed Program Related to Motor Vehicle Burglary and Theft Crime Prevention

3.4 Collaboration Effort

3.5 Functions of the proposed program for other motor vehicle crimes investigations related to motor vehicle burglary or theft such as motor vehicle fraud related crime, insurance fraud, preventing stolen vehicles from entering Mexico, bridge/port crime, cartel or organized criminal enterprises etc...

The functions section will include information on employees' qualifications, experience, and specializations (if applicable). MVCPA Task Forces are required to collaborate across judicial boundaries and to develop regional strategies to implement funded activities. Describe how the applicant's staff and jurisdiction will

coordinate with other agencies and jurisdictions in the implementation of this program. Additionally, an applicant shall certify if they have systems in place for accountability, transparency, and cross-cultural sensitivity.

2.3.8.4 MVCPA Goals, Strategies, and Activities

MVCPA Goal, Strategies, and Activities ensure that an applicant's activities are specific, measurable, achievable, relevant, and time bound. This structure provides a systematic way for MVCPA to evaluate the application and to report the activities of the applicants.

There are three (3) goals with corresponding strategies. Grant applicants shall choose from a list of pre-determined activities and identify the targets for the appropriate associated measure where required in the application. Additionally, there are reporting features to capture the work completed by taskforces and a general descriptive reporting option for applicants to identify specific activities not covered in the pre-determined activities list.

"Goal 1", "Reduce the incidence of Motor Vehicle Theft through Enforcement Strategies", contains three (3) strategies relating to motor vehicle theft.

1. Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Motor Vehicles
2. Conduct Collaborative Efforts that Result In Reduction of Incidents of Motor Vehicle Theft
3. Prevent And Reduce the Incidence of Motor Vehicle Related Fraud Activities

"Goal 2", "Reduce the Incidence of Theft from Motor Vehicles through Enforcement Strategies", contains two (2) strategies relating to the theft of property and/or items from motor vehicles.

1. Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Burglary of Motor Vehicles and Theft of Vehicle Parts and Accessories
2. Conduct Collaborative Efforts that Result in the Reduction of Incidents of Theft From a Motor Vehicle

"Goal 3", "Educate/Train Citizens and Qualified Personnel in Detection and Prevention of Motor Vehicle Theft, Burglary of Motor Vehicles and Theft of Vehicle Parts and Accessories", contains two (2) strategies highlighting public awareness activities and law enforcement personnel trainings.

1. Conduct Public Awareness Related Activities Used to Educate Citizens
2. Conduct Law Enforcement Training Activities to Educate Officers on Recognition and Apprehension of Stolen Vehicles and Property

Border Security Sections (Mandatory for Intercostal Waterway Port and Border Community Grants)

"Section 4: Border Security - Bridge / Port Operations"

"Section 5: Other Crime Reporting Associated with BMV/MVT"

The 85th Texas Legislature requires MVCPA to report on performance for border security grants in deterring crimes and enforcing state laws. These sections shall be completed by grant programs with border security designations by MVCPA. **All other grant programs are requested to complete relevant sections of 4 & 5.**

Goals, strategies and activities offer a streamlined approach where all applicants will be reporting using the same format. The method will allow the MVCPA to more readily identify trends and provide accurate data for monitoring and compliance. Applicants will be allowed to provide user-defined activities beyond the standard activities. Applicants must provide narrative to adequately describe their implementation of the standard or user-defined activities. The full list of Activities is in the Appendix section.

2.3.8.5 Evaluation

In the evaluation section, applicants must provide the method and measurement they will use to determine the level of success of the program. Activities measure the tasks performed. Evaluation determines the value provided to the community and state as a result of the activity. Applicants must describe the good they plan to accomplish consistent with the mission of MVCPA in implementing the grant program.

2.3.9 Certification

The authorized official designated by city ordinance or county order in the resolution must provide the Certification to MVCPA to complete the grant application. The Certification acceptance button is only available in the on-line system and appears in the authorized official's account tied to their log-in. The certification states:

“By submitting this application I certify that I have been designated by my jurisdiction as the authorized official to accept the terms and conditions of the grant. The statements herein are true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties.

By submitting this application I certify that my jurisdiction agrees to comply with all terms and conditions if the grant is awarded and accepted. I further certify that my jurisdiction will comply with all applicable state and federal laws, rules and regulations in the application, acceptance, administration and operation of this grant.”

2.4 STANDARD AND SPECIAL CONDITIONS

MVCPA has identified specific Standard conditions and may require application specific Special conditions. These conditions shall be certified to or submitted before applying for an MVCPA grant. Some conditions shall be required to be provided during the post award processes. Sample forms or certifications for these requirements shall be made available to applicants as required.

2.4.1 Program Standard Conditions

Compliance with All Laws and Rules

MVCPA requires by rule that entities awarded grants must certify that they follow all applicable state and federal laws (TAC Rule §57.3 Compliance Adoption by Reference). Entities operating in a Taskforce must ensure that all participating entities in the Taskforce also follow all applicable state and federal laws. Examples include, but are not limited to: Americans with Disabilities Act (ADA), Drug-Free Workplace law, and Equal Employment Opportunity laws, Fair Labor Standard Laws, Texas Local Government Code Chapter 262 - Purchasing and Contracting Authority of Counties, Texas Local Government Code Chapter 252 - Purchasing and Contracting Authority of Municipalities, and all other relevant state and federal law.

Multi-jurisdictional or Multi-entity Applications

Applications for MVCPA funds involving more than one jurisdiction must provide documentation that relationships are consistent with and meet (or will meet) the requirements of the Interlocal Cooperation Act (Texas Government Code Chapter 791 - Interlocal Cooperation Contracts). Applicants/grantees must consult their own legal counsel in establishing multi-jurisdictional agreements. Agreements with two or more agencies provided to MVCPA may be bi-lateral or together in a single agreement. In addition to the requirements of the Act, the interlocal agreement provided during the post-award process must include for each subgrantee receiving grant funds or providing match, at least the following:

- a) A budget including personnel, fringe, overtime, travel, equipment, and other operating expenses that are to be reimbursed with grant funds or used as cash match by and for each participating agency (include in-kind match);
- b) The percent of time or effort of personnel participating in the program;
- c) A copy of the Assurances Certification from each agency, receiving MVCPA funds (or reference to them, may be included in the body of the Interlocal Agreement);
- d) A description of activities to be undertaken by the subgrantee under the grant; and
- e) A provision for the applicant to be able to conduct monitoring or review records as required by law.

Applicants may provide letters of support during the application period. After the award, the recipient must provide final Interlocal Cooperation Contracts prior to the first payment being made. Failure to provide the agreements could result in delayed payment or modification of the award.

Applications for MVCPA funds where governmental units participate with non-governmental organizations or entities must provide contracts or agreements that provide appropriate financial protections for MVCPA, the applicant, and other governmental participants. Subgrantees shall be required to provide documentation meeting the same requirements as the applicants are required to provide. Subgrantees shall provide reports of any income generated under the grant. The agreement must also include assignment and coverage of liability. If non-governmental salaries are used as match then the contract must include methods of transfer or credit and documentation to support the matching funds.

Prosecutor Agreements

Applicants that are awarded grants must execute agreements between prosecutor offices and the grantee regarding property and monetary seizures. Copies of all agreements must be submitted to MVCPA. Asset forfeiture and seizure agreements that do not allow all program income to be retained by the grant funded program must be completed and approved by MVCPA prior to receiving payments on grants.

2.4.2 Special Program Conditions

The MVCPA may require special conditions in any grant award. Grantees with special conditions shall not receive payments until the special conditions are met, unless otherwise stated in the conditions issued by MVCPA. Failure to meet special conditions may result in cancellation of the grant, or modification of the award amount or terms. Special conditions may be grantee or program specific, or may include one or more of the following:

- Law Enforcement Training. Grantees providing training or developing regional academies must provide a description of eligibility and requirements of attendees for MVCPA-funded training.
- Procuring Consultants and Professional Services. Grantees using more than \$10,000 in funds to secure professional services and/or consultant services approved in the MVCPA grant budget must develop and implement a contract monitoring process.
- MVCPA Standard Form Contract between Grantee and Third Party. An agreement or contract must be provided between the grantee and any third party participant or service provider.
- Other issues identified in the grant application that require action to be completed prior to issuance of grant payments.

2.5 GRANT REVIEW AND AWARD PROCESS

Applicants shall submit applications in a manner and by the date prescribed in the RFA. All applications must be accompanied by a Resolution adopted by the governing body or Authorized Official supporting the application. All sections of the application must be completed. Applicants may be required to submit additional documents as attachments when required in the Request for Application (RFA). Required attachments shall be considered a component of the grant application and shall be included in the evaluation and scoring of the application.

Applicants who fail to meet the eligibility, submission, or program requirements shall be notified in writing that their application did not meet the requirements, after the review process has been complete. All decisions of the Motor Vehicle Crime Prevention Authority (MVCPA) Board are final and not subject to judicial review.

After submission, the MVCPA staff and board members shall review all of the grant applications which met the published requirements and that were certified complete and eligible to be reviewed. The MVCPA staff and Board member(s) shall score the grant applications. Questions may be asked by the MVCPA for clarification.

A scoring methodology approved by the MVCPA Board and director shall be maintained by the MVCPA director. The director, MVCPA staff and the board member(s) may review the scores together and discuss the submitted applications. Information outside of the application, or not submitted in a timely manner in the application, shall not be used in establishing the score. Scores shall be allowed to be changed one time for cause after the discussion with board members.

The director shall apply the scoring method and develop a recommended funding schedule for the MVCPA Board. The Board may vote to accept the recommended funding proposal or may adopt an alternative award schedule.

2.6 GRANT AWARD STATEMENTS AND ACCEPTANCE NOTICE

The MVCPA shall publish a list of the grant award amounts adopted by the MVCPA Board. If the award amount is different from the amount requested then the applicant shall make modifications to the application, budget, activities, and supporting tables and forms to meet the awarded amount. The MVCPA staff shall provide written instructions to the applicant to modify their grant applications and budgets to align the application with the approved grant amount.

The modified document must include all costs needed to operate the program as funded for the year. The budget and the activities may be modified to reflect the actual amount funded. If the original resolution does not support the modified proposal a new resolution may be required.

Continued grantees with program income balances shall carry forward funds into the new fiscal year. The funds may be incorporated through the grant negotiation process or a grant adjustment may modify the application with program income subject to the MVCPA director's approval.

After review and confirmation that the document is consistent with the award and any other requirements set by the MVCPA Board, the MVCPA director will provide the grantee's Authorized Official with a Statement of Grant Award. Authorized officials, program directors, and financial officers, designated in the grant resolution, shall be notified of the award. The grant award notification contains the Statement of Grant Award, Special Conditions (if applicable), the grantee's modified application and the final Goals, Strategies and Activities. Each grantee shall carefully review the information and maintain electronic or hardcopies of the information with its permanent records. Each applicant shall accept or reject a grant award in the form and manner prescribed by the MVCPA within thirty (30) days of the Statement of Grant Award issuance date. In any event, failure by an applicant to execute and transmit the Statement of Grant Award and Acceptance Notice within 30 days of the award date shall be construed as a rejection of the grant award.

MVCPA will also provide the Grant Administrative Manual and any other forms, documents, or updates to effectively manage the grant. MVCPA will also provide training and opportunities to discuss grant processes in monthly webinars.

The Statement of Grant Award and Acceptance Notice must be signed by the Authorized Official as designated in the proposal, scanned and returned via e-mail. The original signed copy of the Statement of Grant Award shall be mailed to the MVCPA. Signed Statement of Grant Award and Acceptance Notice shall be returned to the MVCPA office within thirty (30) days of the award notice being issued.

All document required to meet standard and/or special conditions must be submitted with the application within thirty (30) days of the award notice being issued or the grantee must request additional time in writing from the MVCPA director and receive the director's written approval.

2.7 MVCPA GRANT ASSURANCES

MVCPA requires that grant funded jurisdictions follow the assurances specified in UGMS as adopted by reference in the Statement of Grant Award. These standard assurances are terms and conditions for receipt of grant funds. Administering agencies and local sub-recipients shall maintain an appropriate grant and contract administration system to insure that all terms, conditions, and specifications are met.

An applicant makes and certifies that as a grantee, it and any subgrantee or program participant shall comply with the following conditions:

- Follow all applicable state and federal laws (43 TAC Rule §57.3 Compliance Adoption by Reference).
- Comply with MVCPA grant rules under Texas Administrative Code, Title 43, Part 3, Chapter 57 Motor vehicle Crime Prevention Authority Administrative Manual and the Uniform Grant Management Standards (UGMS) as promulgated by the Texas Comptroller of Public Accounts.
- The Grantee shall manage the grant consistent with the local policies (such as human resources, civil service, purchasing, travel and equipment use, etc.) and any other local requirements not specifically required or prohibited by MVCPA rules or requirements.
- Provide copies to the MVCPA of any Comprehensive Annual Financial Reports (CAFR) including the A-133 Supplement, Management letters, and all other independent fiscal or program audits conducted by auditors, analysts, or reviewers.
- State funds provided by this act shall not be used to supplant state or local funds (Non Supplanting Certification). Programs proposed in this application have not used grant funds to replace state or local funds that would have been available in the absence of MVCPA funds.
- No MVCPA grant funds, regardless of their source or character shall be used in any manner to influence the outcome of any election or the passage or defeat of any legislative measure.

Official Approval Chart

The following chart provides the approvals in the on-line system that are required for the various functions and certification related to MVCPA grants:

	Authorized Official	Program Director	Program Manager	Financial Officer	Due Date
Grant Application	X				Due date outlined in the RFA
Statement of Grant Award and Acceptance Notice	X				30 days after issuance of Statement of Grant Award
Grant Adjustment	X	X	X	X	As needed. No adjustment after July 31 st

Quarterly Expenditure Report				X or designee	30 th day after quarter. Final Expenditure Report due October 15 th . Delinquent after the last day of the month.
Quarterly Progress Report		X	X		Quarterly: 15 th day after quarter ends. Delinquent after the last day of the month.
End of Year Report		X	X		October 15 th
Inventory Report				X or designee	October 15 th each year.
LETTER					
Disposition of Equipment		X	X	X	Submitted in on-line system as needed

3 GRANT ADMINISTRATION

The Grant Administration phase begins once MVCPA receives a signed Statement of Grant Award and Acceptance Notice. Grantees must follow these procedures and state law, rules, and regulations to administer the grant. Grantees are required to use local governance processes to implement programs. Grantees must ensure Financial Management Systems are implemented, the grant's progress is properly reported and tracked, and self-monitoring mechanisms are in place.

3.1 REIMBURSEMENT PERCENT AND TOTAL PROGRAM BUDGET

MVCPA provides quarterly reimbursement based on the amount spent by grantees. The reimbursement percent provided on the Statement of Grant Award is the rate at which grantees are reimbursed of the total amount spent each period. Grantees expend local funds for allowable, reasonable and necessary costs and receive reimbursement at the agreed reimbursement percent. The "in lieu of Cash Match" contributions provided or accounted for by NICB and DPS are deducted.

Introduction of Program Income through budget adjustments will alter the reimbursement percent and the payment calculation. Since program income is accounted for in the cash match column and is not a direct grantee revenue sources, a change in program income changes the reimbursement percent.

Example:

Grant of \$100,000 with a program income match of \$10,000 and governmental match of \$20,000 equals a reimbursement percent of 76.92%.

Adding an additional \$10,000 of program income to the grant through a budget adjustment, changes reimbursement percent to 71.43%.

The reimbursement percent is different from the Cash Match percentage. Cash match percent is the percent of grantees funds from all sources proposed in the application divided by the total grant amount. Grantee must record actual expenses on expenditure reports and provide supporting documentation to account for all grant funds.

3.2 NON SUPPLANTING REQUIREMENT

Supplanting is the replacement of other funds with MVCPA grant funds or using existing resources as cash match. Grant funds cannot be used to replace other funds that would otherwise be available for the same purpose or program. Specifically, jurisdictions may not reduce the amount that they spend for motor vehicle burglary and theft by moving costs or personnel into a grant funded program.

Under Texas Administrative Code Title 43, Part 3, §57.9 each grantee shall certify with each Expenditure Report that state funds are not used to supplant other funds.

Positions which existed prior to grant award approval and that were funded from any source other than MVCPA grant funds are not eligible for grant funding or to be used as cash match. Existing employees of the grantee may be transferred from other positions to fill the positions in a grant program. However, the positions vacated must be filled promptly by additional transfers and/or new hires so that the grantee's full staff of non-grant employees is not reduced in number.

If a grant program is reduced by 20% or more from the previous year, and as a result, grant funded positions are transferred to other duties for the grant year, they may be returned to grant funding in the subsequent grant year. This exception is not available for any positions that have been off of the grant for more than one grant year.

3.3 GRANT ADJUSTMENTS

A Grant Adjustment Request is an official request to make a budget or program change to a grant.

Grant adjustment requests should be a rare occurrence since effective grant management and grantees directed five percent (5%) flexibility in total grant budget should eliminate the need for most grant adjustments. MVCPA allows grantee directed transfers between categories of up to five percent (5%) without the need for a grant adjustment.

3.3.1 Authorizations and Approvals

All grant adjustments submitted shall be in accordance with the Resolution submitted by the governing body and consistent with local policy. The request to modify the grant shall be submitted electronically to the MVCPA at <https://MVCPA.tamu.edu>. Submissions shall only be made by grant officials who have been assigned the role to submit grant adjustments as recorded by the grantee in the MVCPA in the online system.

MVCPA staff shall review submitted grant adjustment requests within five business days to assess if the information provided is sufficient to make a determination for approval or denial. MVCPA shall provide a written response for grant adjustments that are denied. Approved grant adjustments will be indicated in the on-line system with the information either being displayed as a change in budget and reimbursement rate for budget adjustments or displayed text in the on-line application for program adjustment.

3.3.2 Types of Grant Adjustments

There are two types of Grant Adjustments: (1) Budget and (2) Program. The grant adjustments specified under Texas Administrative Code, Title 43, Rule 57.18 are required and fall under the two types of grant adjustments.

3.3.2.1 Budget Grant Adjustment

Budget adjustments are requests by the grantee to move funds from one budget category to another. Budget adjustments are generally limited to four (4) per year. This is performed in the on-line system by the program director, program manager or financial officer. These include:

- Transfers of funds among direct cost categories exceeding 5.0% of the total grant budget;
- Purchase or changes in equipment amounts, types, or methods of acquisition;

- Authorization to move funds into a direct cost category not authorized in the Statement of Grant Award;
- Authorization to use program income in excess of \$1000 not reflected in the Statement of Grant Award;
- Authorization to use funds for a purpose or activity not provided in the original application;
- Authorization for out of state travel or overtime not in the Statement of Grant Award;
- Authorization of the use of Confidential Informant Funds not in the Statement of Grant Award;
- Changes in the post-grant liquidation periods from forty-five (45) to up to ninety (90) days;
- Change in use or amount of grant funds from the intended purpose as outlined in the Statement of Grant Award or a prior approved adjustment (example: switching approved LPR equipment to unapproved bait trackers).

3.3.2.2 Program (scope) Grant Adjustment

Program (scope) adjustments are requests by the grantee to change a program or operational element of the grant as originally proposed and funded. The program director or program manager submits a scope adjustment request in the on-line system. These include:

- Changes in the need, objectives, approach, or geographical location of the grant;
- Changes in the number or job descriptions of personnel specified in the grant agreement; or
- Other changes in the grant agreement or when the uniform grant and contract management standards require prior approval.

3.3.2.3 The Grant Adjustment Process

- 1) Grantee identifies an unanticipated financial or program change necessary to complete or enhance the mission or operation of the program.
- 2) Grantee identifies the grant award sections, budget categories and program goals, strategies and activities that will be affected by proposed changes.
- 3) Grantee submits a Grant Adjustment Request in the on-line system and fully describes how the grant award will be changed by the proposed request. Provide supporting documentation if needed.
- 4) MVCPA staff reviews the request within five (5) business days to request additional information or if the information provided is sufficient to make a determination of approval or denial.
- 5) MVCPA staff will indicate in the on-line system: 1) more information needed; 2) approval; or 3) denial. The system will update the application and budget.
- 6) An e-mail will notify the person that submitted the request if more information is needed or if the Grant Adjustment is denied.
- 7) No grant adjustment may be submitted after July 31 of each year without reasonable cause and permission of the MVCPA Director.
- 8) No grant adjustments are allowed for "in lieu of cash" without board action. Grantees may not increase the amount of "in lieu of cash" during the grant application cycle. Grantees that have an agency withdraw from their program that provides "in lieu of cash match" must provide cash or another qualifying agency to replace the withdrawn agency.

3.3.3 Deobligation

Grantees that have significant amounts of lapsed salaries or other decreased expenses early in the year resulting in the possibility that all grant funds will not be spent need to notify the MVCPA director as early as possible to discuss deobligation or voluntary reduction of the grant award. Significant lapsed funds may impact the amount of future grant awards

3.3.4 Other Required Notices

Grantees shall maintain their correct contact information with MVCPA at all times in the on-line system. Grantees are responsible to maintain the correct contact information for the designated Program Director, Program Manager, Financial Officer, Authorized Official as well as the e-mail addresses, program location address, phone numbers and any other contact information required in the online system. Changes must be made within five (5) business days following such change in the on-line system. All changes shall be made in the on-line system (<https://MVCPA.tamu.edu>).

Grantees shall provide written notification to grantsMVCPA@txdmv.gov for any changes of bank account information, comptroller mail codes, payment routing information or other deposit related financial issues within five (5) business days. Failure to maintain or provide correct information could result in delayed payments or failed notification of important grant information.

3.4 FINANCIAL ADMINISTRATION

3.4.1 Standards for Financial Management Systems

The prescribed standard financial management conditions and uniform assurances are applicable to all grants and contracts executed between state agencies, local governments and other affected entities.

The uniform grant management standards are used *“to promote the efficient use of public funds in local government and in programs requiring cooperation among local, state, and federal agencies.”* These standards further that objective by providing awarding agencies and grantees with a standardized set of financial management procedures and definitions, by requiring consistency among grantor agencies in their dealings with grantees, and by ensuring accountability for the expenditure of public funds. State agencies are required to adhere to these standards when administering grants and other financial assistance agreements with cities, counties and other political subdivisions of the state. Specifically, grantee financial management systems must meet the following standards:

Financial reporting - Accurate, current, and complete disclosure of the financial results of grant related activities must be made in accordance with the financial reporting requirements of the grant.

Accounting records - Grantees must maintain records which adequately identify the source and application of funds provided for grant related activities. These records must contain information pertaining to grant awards and obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.

Internal control - Effective control and accountability must be maintained for all grant cash, real and personal property, and other assets. Grantees must safeguard all such property and assure that it is used for authorized grant purposes.

Budget control - Actual expenditures must be kept within budgeted amounts for each grant.

Allowable cost - Applicable cost principles, agency program regulations, and the terms of grant agreements shall be followed in determining the reasonableness, allowability, and allocability of costs.

Source documentation - Accounting records must be supported by such source documentation as checks, paid bills, payroll records, receipts, timesheets, travel vouchers, and other records, etc. These source documents must be retained and made available for MVCPA staff when requested.

Cash management - Grantees must establish reasonable procedures to ensure the receipt of reports on cash balances and cash disbursements in sufficient time to enable them to prepare complete and accurate cash transactions reports to the awarding agency.

Reimbursement Grant – All expenditures reported must be based on actual amounts paid and documented. Reporting budgeted amounts or estimated costs as expenditures are not permitted and if used may result in payment suspension and possible termination of the grant. In lieu of cash amounts are reported attributable by quarter based on the certification provided by NICB and DPS.

3.4.2 Costs Incurred Outside the Program Period

Grant funds may not be obligated prior to the effective date without written permission of the MVCPA director or subsequent to the termination date of the grant period. All obligations must be consistent with the Statement of Grant Award and used for statutorily authorized purposes.

3.4.3 Basic Guidelines regarding Allowable Costs

The following guidelines provide the framework to determine if something is an allowable cost of the grant. An allowable cost must:

- Be necessary, reasonable and allocable to the grant program;
- Comply with limitations of the grant agreement as well as other applicable state laws and regulations;
- Be allocated to the grant on a basis consistent with policies that apply to all activities of the grantee;
- Be accounted for on a consistent basis and in accordance with generally accepted accounting principles;
- Be adequately documented. Documentation required may include, but is not limited to, travel records, case and activity logs, time sheets, invoices, contracts, mileage records, fuel cards or logs, billing records, telephone bills, procurement documents, and other documentation that verifies the expenditure amount and appropriateness for the grant.

All costs incurred must be for substantially the same use as approved in the Statement of Grant Award or approved grant adjustments. MVCPA allows grantee directed transfers between categories of up to five percent (5%) without the need for a grant adjustment. All grantee directed adjustments must be necessary, reasonable and allocable to the grant program. All changes in expenses shall support the MVCPA statutory purpose and mission.

Please refer to [Uniform Grant Management Standards](#), "Selected Items of Cost" for an expanded list of general guidelines to be used in establishing the allowability or un-allowability of certain cost items.

3.4.4 MVCPA Specific Unallowable Costs

The following items are unallowable:

1. General Government Costs;
2. Losses;
3. Entertainment, including amusement, diversion, social activities, and any associated costs (i.e. tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable. Certain exceptions may apply when such costs have a programmatic purpose and have been approved by the awarding agency;
4. Fines and penalties (except when incurred as a result of compliance with specific provisions of an award or contract, or with written approval from the awarding agency);
5. Credit card fees;
6. Passport charges;
7. Tips and gratuity;
8. Bar charges/alcoholic beverages;
9. Membership fees to organizations whose primary activity is lobbying; and
10. Funds or expenditures which benefit or enrich corporations or individuals

3.4.5 Other unallowable costs include

Land Acquisition - No grant funds that are awarded for renting, leasing, or construction of buildings or other physical facilities shall be used for land acquisition.

Travel of State MVCPA / TxDMV Officials or Employees - Grantees may not spend award related funds on transportation, lodging, subsistence, and related travel expenses of awarding agency officials or employees.

Bonuses or Commissions - Grantees or Grantees' subrecipients cannot pay any bonus or commission to any individual or organization to obtain approval of an application for award assistance. Bonuses to officers or board members of for-profit or nonprofit organizations are not allowed. Additionally, MVCPA does not allow reimbursement for bonuses to employees.

Prohibited and Controlled Assets Equipment – MVCPA funds shall not be used for the purchase of the following:

- Guns
- Ammunition
- Tracked armored vehicles
- Food other than travel expenses
- Beverages other than travel expenses
- Alcoholic beverages

Lobbying - Grantees and Grantees sub-recipients must comply with all legal provisions related to lobbying as appropriate. The lobbying cost prohibition applies to all award recipients.

Grantees cannot use grant funds for the following purposes:

- Attempting to influence the outcome of any Federal, State, or local election, referendum, initiative, or similar procedure, through in-kind or cash contributions, endorsements, publicity, or similar activity;

- Establishing, administering, contributing to, or paying for the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcome of elections;
- Attempting to influence (a) the introduction of Federal or State legislation; (b) the enactment or modification of any pending Federal or State legislation through communication with any member or employee of the Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), (c) the enactment or modification of any pending Federal or state legislation by preparing, distributing, or using publicity or propaganda, or by urging members of the general public, or any segment thereof, to contribute to or participate in any mass demonstration, march, rally, fund raising drive, lobbying campaign or letter writing or telephone campaign, or (d) with any Government official or employee in connection with a decision to sign or veto enrolled legislation;
- Engaging in or supporting the development of publicity or propaganda designed to support or defeat legislation pending before legislative bodies;
- Paying, directly or indirectly, for any personal service, advertisement, telephone, letter, printed or written matter, or other device, intended or designed to influence a member of Congress or of a State legislature to favor or oppose, by vote or otherwise, any legislation or appropriation by either Congress or a State legislature, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation;
- Engaging in legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried out in support of or in knowing preparation for an effort to engage in unallowable lobbying;
- Paying a publicity expert for purposes unallowable under the anti-lobbying rules;
- Attempting to improperly influence, either directly or indirectly, an employee or officer of the executive branch of the State or Federal Government to give consideration or to act regarding a sponsored agreement or a regulatory matter;
- All grantees must understand that no state appropriated funding made available under the grant program may be used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government;
- Any violation of this prohibition may have criminal or civil liability;
- Any question(s) relating to the lobbying restrictions shall be submitted in writing to the awarding agency's ethics official (typically in the TxDMV Office of the General Counsel) by grantee.

Fundraising - Grantees may not charge as direct or indirect costs against the award the costs of organized fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions.

- The portion of a person's salary that covers time spent engaged in unallowable fundraising, and any indirect costs associated with those salaries, may not be charged to the award.
- An organization may accept donations (e.g., goods, space, services) towards fundraising, as long as the value of the donations is not charged as a direct or indirect cost to the award.

- Nothing in this section shall be read to prohibit a recipient from engaging in fundraising activities, as long as such activities are not financed by State or matching funds.

Corporate Formation - Unless specifically stated in the grant award agreement, the cost for corporate formation (startup costs) or maintenance may not be charged as either direct or indirect costs against the award.

3.4.6 Bonding

Each nonprofit corporation directly receiving grant funds from the MVCPA must secure and maintain a \$25,000 commercial bond indemnifying the MVCPA against the loss and/or theft of MVCPA grant funds. The cost of such a bond is an eligible expense of the grant.

3.4.7 Program Income

Program Income (PI) is any income generated by a grantee or subgrantee that is a direct result of the MVCPA award and funded activities. Program income means fees or money generated by using MVCPA program funded equipment or personnel. Direct result is defined as a specific activity or set of activities that are directly attributable to MVCPA grant funded programs and directly related to the goals, strategies and activities of the program.

Examples of PI include, but are not limited to:

- seized and forfeited assets that are sold;
- interest income;
- charges or fees received using grant funded personnel (e.g. VIN Inspections) or equipment;
- proceeds from grantee-provided training and related course materials which have been funded by the MVCPA grant program;
- restitution; and
- for accounting purposes only - proceeds from the sale of equipment or other assets originally purchased with grant funds.

Program income is subject to the same statutes, rules, regulations, and guidelines applicable to the use of the MVCPA funding.

MVCPA allows program income to be retained locally to support the grant funded program activities. Program income can be included in the original grant application reflected as cash match. It may also be introduced into the program through an approved budget adjustment request during the grant year also reflected as cash match. Grantees having a program income balance of more than \$75,000 at the end of any quarter shall have the grant payment reduced by the amount of uncommitted retained program income over \$75,000.

3.4.7.1 Asset Seizures and Forfeitures

MVCPA program funded activities often result in vehicles and other assets being seized by the governmental entity and/or forfeited to the governmental entity. When these assets are sold they become Program Income. This also includes all funds seized by law enforcement and all property seized by law enforcement which has been converted into funds. Once converted into funds, these funds must be used to support grant funded

activities or meet grant requirements. Grantees must have prior written approval from the MVCPA director to use funds or assets for other purposes.

Asset Seizure and Forfeiture processes shall be consistent with and supported by local Prosecutor(s) Agreements. Grantees must execute agreements between prosecutor offices and the grantee regarding property and monetary seizures. Copies of all agreements shall be submitted to MVCPA. Asset forfeiture and seizure agreements that do not allow all program income to be retained by the grant-funded program and used to support local grant program purposes must be approved by MVCPA Board prior to receiving grant payments.

Grantees earning Program Income from seizures and forfeitures are required to maintain documentation of the seizures and forfeitures received by the grantee agency including, but not limited to, seizure and forfeiture logs, and any other documentation required by statutes, rules, regulations, and guidelines applicable to the seizure and forfeiture of contraband.

3.4.7.2 Program Income Reporting

All program income earned during the grant period from grant activities shall be retained by the grantee and, in accordance with the grant agreement, shall be:

- Added to funds committed to the program by the MVCPA and grantee when approved by the MVCPA director and used for eligible program expenses and activities;
- Used to finance the non-MVCPA share of the program when approved by the MVCPA director; or
- Deducted from the total program costs for the purposes of determining the net costs, on which the MVCPA share of costs shall be based.

All program income and expenditures shall be reported to the MVCPA on the financial expenditure report each quarter. Expenditures using program income of more than \$1,000 must be included in the Statement of Grant Award or have prior written approval from the MVCPA via grant adjustment.

Program income shall be carried forward to the next grant year and shall be reported each quarter on the expenditure reports. Grantees' final year-end expenditure report shall contain the balance carried forward each year.

If a grantee does not plan on carrying forward program income due to grant ending or other circumstances, a request to use the funds must be submitted prior to November 30 of each year to the MVCPA director on agency letterhead signed by the Authorized Official. After approval by the MVCPA Director a grantee shall submit a final report on how funds were used with the final expenditure report.

3.4.8 Match Guidelines

There are two kinds of match: Cash Match and In-Kind Match. Match is subject to the same statutes, rules, regulations, and guidelines applicable to the use of the MVCPA funding.

3.4.8.1 Cash Match

MVCPA requires all grantees to contribute a minimum of 20% cash match.

Cash match is:

1. Funds provided by the grantee, other public agencies and institutions, and private organizations and individuals participating in and to operate the program;
2. Documented use of Department of Public Safety and National Insurance Crime Bureau personnel is allowed to be considered as Cash Match if approved in the application.

An allowable cash match shall only be applied to costs which are allowable with state funds. Match must be utilized ratably throughout the grant period. Examples of costs that can be recorded as Cash Match:

- Direct Salaries (including DPS and NICB personnel)
- Fringe Benefits
- Overtime
- Purchase of Vehicle
- Leased Vehicles Payments
- Supplies and operating expenses
- Travel
- Fuel & Maintenance

3.4.8.2 In-Kind Match

In-kind match that involves third party contributions or additional contributions used to supplement or augment the program are not calculated for reimbursement as part of the total program costs. In-kind match includes, but is not limited to, the valuation of non-cash contributions. In-kind match may be in the form of services, supplies, real property, and equipment.

Examples of In-Kind Match:

- Personnel costs
- Use of computers or other technologies
- Volunteers (professional or general)
- Use of agency vehicles
- Use of a building and utilities
- Contribution of desks and chairs

3.4.8.3 Reporting Match

For required cash or in-kind match, MVCPA requires reporting match expenditures quarterly throughout the grant period. The final expenditure report should reflect that the program met or exceeded the minimum match required for the grant.

Cash match and in-kind contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of grantees. These records must show how the value placed on third party in-kind contributions was derived. In-kind match may be counted when agencies use existing positions to re-organize themselves into Taskforces.

3.4.8.4 Alternative Allowed Match

When alternate or “in lieu of Cash Match” are allowed and used, the grantee is responsible for the full amount of the match if an agency is not able to meet its obligation to the grantee. The grantee must provide certification of match amounts prior to the first grant payment (ex. a copy of an agreement with the entity contributing the alternative match showing monetary value, contributions and conditions of the match). A reconciliation report must be sent in with the final expenditure report to confirm that all alternative match requirements were met.

Grantees must provide documentation for MVCPA to clearly see the sources and types of match and its benefits. When alternative sources of match are allowed two set of records must be maintained by grantees and provided to MVCPA staff. One set of records must show the financial transactions of the agency ledger accounts and one set of records to document the allowed non-cash transactions.

4 BUDGET CATEGORIES

The Statement of Grant Award will have an applicant’s final negotiated application attached along with the budget details for Personnel, Fringe, Overtime, Professional and Contractual Services, Travel, Equipment, and Supplies and Direct Operational Expenses.

Budget Category – means one of the seven (7) cost category lines indicated in the budget summary on the Statement of Grant Award.

Line Item – Means a specific item of cost listed in the budget summary page as an approved, reasonable and necessary expense to operate the grant program.

4.1 PERSONNEL

Personnel services are allowable costs provided that they are reasonable and necessary to enhance the program and/or meet the goals, strategies, and activities of the grant. Personnel services include, but are not necessarily limited to wages, salaries, and fringe benefits.

The grantee shall be responsible for determining that the following requirements are being met prior to the release of funds:

- Salaries are in accordance with local policy of the participating agency.
- Personnel are classified in accordance with the required qualifications for the position.
- Fringe Benefits are in accordance with local policy of the participating agency.

Within the original application, the grantee shall identify the number of personnel and the percentage of time each individual shall work on the grant. The Program Director or Program Manager is responsible for ensuring that the time charged to the grant meets the amount of time committed on the application. Where employees are expected to work solely on a single state award or cost objective, charges for their salaries and wages shall be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications shall be prepared at least semi-annually and shall be signed by

the employee or supervisory official having firsthand knowledge of the work. These certifications shall be maintained at the local level.

4.2 FRINGE BENEFITS

Fringe Benefits are allowances and services provided by employers to their employees as compensation, in addition to regular salaries and wages. Fringe benefits include, but are not limited to: the costs of leave, employee insurance, pensions, unemployment insurance, benefit plans and other costs negotiated or required as terms of employment. These cost items are allowable to the extent that the benefits are reasonable, necessary and are required by law.

Payments to employees for annual leave, sick leave, holidays, court leave, military leave, compensatory time, and other similar benefits, are allowable if they are accrued and paid during the grant period and provided under established local leave policies.

4.3 APPROVED OVERTIME.

Overtime costs are allowable expenditures. If requested, they are indicated as a Budget Category in the approved budget. Overtime pay must not exceed 5% of MVCPA funded direct salaries (not including fringe benefits) during the grant year. Grantees shall only pay overtime to positions required by federal law and consistent with local policy. A copy of the entity's overtime policy by must be maintained in the grantee's file with the grantee's original Statement of Grant Award. Overtime costs shall only be for MVCPA grant-related purposes. Program authorized overtime pay shall be used for MVCPA funded personnel and cash match positions only.

4.4 PROFESSIONAL AND CONTRACTUAL SERVICES

4.4.1 General Guidelines

Grantees may not use temporary personnel to replace Grant funded personnel without receiving prior written approval of the MVCPA director in multijurisdictional taskforces, employees in the non-administrative jurisdiction shall be shown in the award statement as contractual. Grantees are required to track and report the expenses of employees of participating agencies under the line items in the statement of grant award budget (Personnel, fringe and overtime)

Other types of Professional and Contractual Service costs are allowable expenses, if they are reasonable and necessary to enhance the program and/or meet the goals, strategies and activities of the grant. Grantees that utilize a service via a third party under contract, shall itemize all costs payable to that contractor under the Professional and Contractual Services budget category.

Examples of Professional and Contractual Service Costs:

- Consultants
- Trainers
- Counselors
- Evaluators

- Auditors
- Subgrantee personnel

4.4.2 Fees

Consultant fees for appropriately qualified individuals shall be reasonable and consistent with industry market rates for the type of work being performed. The payment may include actual time for preparation, evaluation, and travel subsistence costs, in addition to the time for work/presentation/performance. Procurement of professionals and contract services must be in accordance with the Texas Government Code, Texas Local Government Code, UGMS and local procurement requirements as applicable.

4.4.3 Consultant Guidelines

In addition to Texas Government Code, Local Government Code and local requirements the following apply to consultants:

Consultants Associated with Educational Institutions

The maximum daily rate of compensation that shall be allowed is the consultant's academic salary projected for twelve (12) months divided by 260. These individuals normally receive fringe benefits which include sick leave for a full 12-month period even though they normally work only nine (9) months per year in their academic positions.

4.4.3.1 Consultants Employed by State and Local Governments

Compensation for these consultants shall be allowed only when the unit of government will not provide their services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

Consultants by For Profit and Nonprofit Organizations

These organizations shall be subject to competitive procurement and bidding procedures specified in UGMS. Grantees shall follow all applicable state and local laws, ordinances, and regulations.

4.4.3.2 Independent Consultants

The rate of compensation for Independent Consultants must be reasonable and consistent with that paid for similar services in the marketplace.

4.4.3.3 Contractual Requirements and Conditions

The requirements with respect to arrangements for services with individuals, other government units, and non-governmental organizations are as follows:

Individual Consultant

1. Dual compensation is prohibited (i.e., the individual may not receive compensation from his/her regular employer and the retaining grantee for work performed during a single period of time even though the services performed benefit both);
2. The contractual arrangement must be in writing and consistent with the grantee's usual practices for obtaining such services;
3. Time and/or services for which payment shall be made and rates of compensation are set out and shall be supported by adequate documentation; and,

4. Transportation and subsistence costs for travel performed are at an identified rate consistent with the grantee's general travel reimbursement practices.

4.4.3.4 Units of Government

Rates and the work or services for which reimbursement is claimed must be directly and exclusively devoted to grant purposes and charged at rates not in excess of actual cost to the "contracting" government agency.

4.4.3.5 Other Non-Governmental Organizations

1. The contractual arrangement must be in writing and consistent with the usual practices and policies of the grantee in contracting for or otherwise obtaining services of the type required;
2. The customary fixed fee or profit allowance in cost-type arrangements does not exceed 10% of total estimated costs; and,
3. Must be consistent with all applicable state and local laws, ordinances, and regulations.

4.5 TRAVEL

Travel budgets are intended for use by personnel whose time is devoted to the grant funded activities at or above 50% of their gross annual salary. Travel for personnel dedicated less than 50% to the MVCPA shall be specifically authorized for travel in the grant award or the travel requires prior approval of the director of MVCPA.

Travel costs are allowable for expenses for transportation, lodging, and related incidental costs by employees traveling on official business. These costs shall be considered reasonable and allowable only to the extent such costs do not exceed charges normally allowed by local agency. The grantee's current travel policy which includes allowances for mileage, meals and lodging must be followed. If a grantee does not have a current approved travel policy, travel expenditures must be consistent with the State of Texas Travel Management Plan requirements.

All in-state and out-of-state travel estimates shall be itemized in the approved budget. If travel estimates are not itemized in the approved budget, then a grant adjustment must be submitted and approved before travel occurs. Travel request details in grant adjustments must include: 1) how the event is related to grant activities; 2) how attendance at the event shall impact the program's goals and objectives; and 3) provide justification as to why agency personnel must go out-of-state, rather than attend a similar training in-state. Registration fees shall be reported in the Supplies & DOE budget schedule.

4.5.1 Travel Documentation

Travel costs must be properly documented in order to be reimbursable. Employees must document travel costs with travel vouchers, receipts, or other comparable documentation. Auditable documentation must be maintained by the grantees to include the following:

- Name of the individual claiming travel reimbursement
- Destination and purpose of the trip, including how it was necessary to accomplish the objectives of the grant program
- Travel dates and times

- Mileage
- Lodging
- Meals
- Rental car (mileage is not reimbursed for a rental car—only the cost of gasoline is reimbursed)
- Airline
- Incidentals, such as hotel taxes, copying of materials, etc.
- Total travel cost per employee

Travel costs that are not supported by proper documentation, as described above, are unallowable expenses for MVCPA grants and are subject to disallowance.

4.6 EQUIPMENT

Grantees shall use, manage, and dispose of equipment acquired under a grant in accordance with state law, rules, and these procedures provided that the procurement conforms to applicable state law and the standards identified in the Procurement Standards Sections of UGMS, Subpart C, Section 32.

Equipment – “Equipment” means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals the lesser of (a) the capitalization level established by the governmental unit for financial statement purposes, or (b) \$5,000. Also included are “Special Items of Cost” as provided earlier in the definition of equipment.

MVCPA funded equipment shall be used directly to increase apprehension of persons committing burglary and theft of motor vehicles, recovery of stolen vehicles and property, and the clearing of cases through arrest or exceptional means. Personal and incidental use of grant program equipment is not allowed.

In order to purchase equipment with grant funds or program income, a grantee must demonstrate to the MVCPA that the requested equipment is necessary to the successful operation of the grant program. Each piece of equipment must be individually approved by the MVCPA through the original grant application or in a subsequent grant adjustment request, prior to the purchase of such equipment. Equipment purchased prior to MVCPA approval, shall not be considered an allowable cost.

The MVCPA Board has voted to allow program income to fund motor vehicle crime detection and apprehension technology and equipment (surveillance equipment, VIN detection equipment, cameras, bait equipment, LPRs, etc.) up to 100% subject to the terms and conditions of the grant adjustment process. Other Items require a minimum cash match contribution of 20%.

4.6.1 Special Items of Costs (also known as Listed Items) - Controlled (\$500.00 to \$4,999.99)

Class Code	Property Item
129	SOUND SYSTEMS AND OTHER AUDIO EQUIPMENT

130	CAMERA – PORTABLE – DIGITAL, SLR
131	TVs, VIDEO PLAYERS/RECORDERS
204	COMPUTER, DESKTOP
218	DATA PROJECTORS
219	SMARTPHONES, TABLETS & OTHER HAND HELD DEVICES
284	LAPTOP COMPUTERS
735	UNMANNED AERIAL VEHICLE (UAV) DRONES

Purchased VehicleThe MVCPA Board has prohibited the exclusive use of program income to purchase vehicles over \$25,000 without prior MVCPA Board Approval.

Vehicles purchased for grantee use must be used for grant purposes. Use logs are required and must be available for MVCPA inspection. An agency vehicle use policy is required to be maintained in the grantee’s files for each grant program. If an agency does not maintain a policy, grant programs are required to follow rules and regulations promulgated by the Texas Comptroller of Public Accounts for state property management and vehicle use.

Vehicles owned or purchased for grantee use must have MVCPA Director’s written approval prior to be used as bait vehicles.

4.6.1.1 Vehicle Purchase Policy

Grantees with prior approval, may purchase vehicles appropriate for the stated and intended use to support grant activities. Grantees may use MVCPA funds and Cash Match funds (including program income) to purchase vehicles up to the \$25,000. If not included in the original application, grantees must submit a budget adjustment to move funds or obtain authorization. The following apply to purchase vehicles:

- 1) All budget adjustment requests to purchase vehicle must be submitted to the MVCPA director stating:
 - a. type of vehicle;
 - b. intended use of vehicle; and
 - c. how the purchase supports grant funded activities.
- 2) All MVCPA Grantees that want to spend \$25,000 or less on a vehicle may request to use MVCPA funds and at least 20% Cash Match funds to purchase vehicles;
- 3) Grantees must provide local funds for any portion of purchase above \$25,000 per vehicle (increase the cash match amount);
- 4) The MVCPA director will consider age of fleet and number of vehicles per officer prior to approval; and

5) If the grantee does not accept a decision of the MVCPA director, the Grantee may request an Expedited Board Review Process teleconference with the MVCPA Grants, Budget and Reports Committee to present their information and obtain a decision.

4.6.2 Property Management Standards

All property purchased with grant funds, match or program income must be used and managed to meet the statutory purposes of combating motor vehicle burglary and theft. Grantees shall use their agency's property management procedures, policies, and standards. In addition, the property management systems used shall comply with the following:

4.6.2.1 Property Policies

Policies and procedures regarding the acquisition and disposition of property acquired with grant funds must be based on three primary considerations:

- The function of a property in facilitating successful program activities;
- The necessity for ensuring that grant funds are properly used and accounted for; and
- The desirability of simplifying administrative accounting and reporting requirements.

All grantees utilizing grant funds for the acquisition of property are responsible for establishing and maintaining systems for the effective management of such property.

4.6.2.2 Property Management Systems

Grantees shall use their own local government's property management systems to acquire, use, dispose and replace equipment purchased with grant or cash match funds. The grantee systems must conform to all applicable rules, procedures, state, and local laws, rules and regulations. Grant-related assets shall also be maintained accurately on the GMTS System. The required elements on the GMTS follow the Uniform Grant Management Standards promulgated by the Texas Comptroller of Public accounts and shall include:

- Asset Class # - from pulldown menu provided by MVCPA
- Item Description
- Model Year
- Make
- Model #
- Vehicle Use - from pulldown menu provided by MVCPA
- Serial/VIN #
- How acquired - from pulldown menu provided by MVCPA
- Who holds title - from pulldown menu provided by MVCPA
- Acquisition Date
- Cost
- MVCPA Percent of Cost
- Location
- Use Condition - from pulldown menu provided by MVCPA
- Date of Disposal
- Disposal Method - from pulldown menu provided by MVCPA

- Sale Price
- Other Information

4.6.2.3 Use

A grantee shall use equipment acquired under a grant in accordance with state law, rules, and these procedures and the use shall meet the following requirements:

- Equipment must be used by the grantee in the program or for program purposes for which it was acquired as long as needed, whether or not the program continues to be supported by state funds;
- Grantees must seek and obtain approval in writing prior to using equipment on other programs or uses, clearly stating the timeframe and alternative purpose for use;
- Grantee shall also make equipment available for use on other MVCPA funded programs or motor vehicle crime programs currently or previously supported by the state government, providing such use does not interfere with the work on the programs or programs for which it was originally acquired;
- The grantee shall not use equipment acquired with grant funds to provide services for a fee to compete unfairly with private companies that provide equivalent services;
- When acquiring replacement equipment, grantee may use the equipment to be replaced as a trade-in or sell the equipment and use the proceeds to offset the cost of the replacement equipment, subject to the written approval of the MVCPA director;
- Adequate maintenance procedures shall be implemented to keep the property in good condition; and
- When the grantee is authorized or required to sell the property, the grantee shall use their own local government's property management systems sales procedures. The procedures shall provide for competition to the extent practical and result in the highest possible return (Self-dealing is prohibited).

4.6.3 Loss, Damage, or Theft of Equipment

Grantees, at their own expense, are responsible for replacing or repairing property which is willfully or negligently lost, stolen, damaged, or destroyed. Grantees shall investigate any loss, damage, or theft of the property and fully document the loss, damage, or theft and submit the findings of the investigation to MVCPA. Responsible or negligent parties must be identified by the grantee to determine grantees' appropriate action.

In the event of loss, damage, or theft, the MVCPA shall be promptly notified and provided all documents relating to the matter. The Texas Comptroller of Public Accounts has determined that grant funds used for losses are limited to \$1,000 in a twelve-month period and then only as appropriate. Casualty insurance is an allowable cost. The use of cooperative or jurisdictional pooling for loss coverage is an allowable costs.

4.6.4 Replacement of Equipment

When equipment with an acquisition cost of \$1000 or more is no longer efficient or serviceable and the grantee continues to need the equipment in its motor vehicle burglary and theft reduction efforts, the grantee may replace the property through trade-in or sale and purchase of new property, provided the following requirements are met:

1. Grantees must obtain the written approval of the MVCPA director through the GMTS prior to entering into the negotiation for the replacement or trade-in of equipment. The request must include a commitment to obtain the fair market value for the transaction.
2. Value credited for the property, if the property is a trade-in, must be its fair market value.
3. The equipment must be purchased soon after the sale to show that the sale and the purchase are related.
4. Replacement of equipment is not a disposition of such equipment and the MVCPA interest in the equipment shall be transferred to the equipment replacement. MVCPA's share of the equipment replacement shall be computed as follows:
 - (A) The proceeds from the sale of the original equipment or the amount credited for trade-in shall be multiplied by the MVCPA's share (percentage) to produce a dollar amount.
 - (B) The percentage ratio of the dollar amount plus any additional MVCPA contribution to the total purchase price of the equipment replacement shall be MVCPA's share of the equipment replacement.
5. The equipment replacement shall be subject to the same instruction on use and disposition as the equipment that is replaced.
6. Equipment replacement must serve the same function as the original equipment.

4.6.5 Donated Equipment

When a grantee receives a donated physical asset in the form of a piece of equipment, the grantee shall notify the MVCPA to discuss whether it is proper to include the property into the inventory. Determination will be affected by: if the item is expected to be returned (some bait cars), if the gift was to the police or sheriff department but provided to the taskforce, or other limitations on the gift. If agreed to place into the inventory, the equipment shall be properly valued and a gifts in-kind receipt shall be issued with the necessary information to enter in the inventory form.

4.6.6 Disposition

Grantees shall dispose of equipment acquired under MVCPA grant programs with written approval of the MVCPA director through the GMTS prior to disposition. Grantees shall adhere to the following disposition requirements for nonexpendable personal property:

- A grantee may use nonexpendable personal property with a current per-unit fair market value of less than \$1,000 for other activities without reimbursement to the MVCPA, or sell the property and post the proceeds to program income. Methods used to determine per-unit fair market value must be documented, kept on file, and made available to the MVCPA upon request.
- A grantee may retain nonexpendable personal property with a current per-unit fair market value of \$1,000 or more provided that compensation is made to the MVCPA if directed. The amount of compensation shall be computed by applying the percentage of MVCPA participation in the cost of the original program or program to the current fair market value of the property.
- If the grantee has no need for the property and the property has further use value, the grantee shall request disposition from the MVCPA through the GMTS system . The MVCPA shall review and approve or deny the request online to the grantee no later than thirty (30) days after the grantee's request, and the following procedures shall govern:

- If so instructed, the grantee shall sell the property and deposit the funds to the grantee's program income for use to offset future grant payments or use the funds to expand the operation of the grantee.
- By prior agreement the grantee may be instructed to ship the property to other agencies needing the property, the grantee shall be reimbursed by the receiving agency with an amount which is computed by applying the percentage of the grantee's participation in the cost of the program or program to the current fair market value of the property, plus any reasonable shipping or interim storage costs incurred.

4.7 SUPPLIES AND DIRECT OPERATING EXPENSES

4.7.1 General Guidelines

All items included in Supplies and Direct Operating expenses must be related to the day-to-day operation of the MVCPA grant-funded program. Itemized expenses must be allowable, reasonable and necessary to enhance the program and/or meet the goals strategies, and activities of the grant.

Rent and lease expenses/costs must be the actual cost if property is not owned by grantee. Use allowance or depreciation may be submitted in the grant application for grantee owned property.

Office supplies and other miscellaneous small items may be combined into one line item. Pens, paper clips, paper, etc. can be included within the standard Office Supplies line item.

The cost per month of any leased vehicle cannot exceed \$600 in the program budget. The MVCPA and Cash Match portion is limited to the \$600 limit. Any overage may only be reflected as in-Kind match. Costs for leasing vehicles shall include the number of vehicles to be leased and the fee per vehicle. When sharing use of items between programs or with the general agency operations the costs must be prorated in the grant budget to properly reflect the allocation.

Examples of Supplies and DOE items:

- Vehicle lease
- Fuel and maintenance
- Registration fees
- Office Supplies
- Postage
- Printing
- Confidential Funds
- Rent
- Property and Casualty Insurance
- Education and informational materials
- Uniforms

4.7.2 Rentals / Leasing

All leases must include a detailed description of the lease and equipment in the application. Costs for leasing vehicles or equipment shall include the number of vehicles or equipment to be leased, and the estimate per vehicle or equipment unless it is a lease-to-own purchase which would then be considered an equipment purchase.

4.7.3 Vehicle Rental / Lease costs

Rental costs are allowable to the extent that the rates are reasonable in light of such factors as: rental costs of comparable property, if any; market conditions in the area; alternatives available; and, the type, life expectancy, condition, and value of the property leased.

The maximum amount attributable to grant funds including cash match is \$600 per vehicle per month. Grantees may use in-kind funds above this amount.

Rental costs under sale and leaseback arrangements are allowable only up to the amount that would be allowed had the governmental unit continued to own the property.

Rental costs under less-than-arms-length leases are allowable only up to the amount that would be allowed had title to the property vested in the governmental unit. For this purpose, less-than-arms-length leases include, but are not limited to, those where:

- One party to the lease is able to control or substantially influence the actions of the other;
- Both parties are parts of the same governmental unit; or
- The governmental unit creates an authority or similar entity to acquire and lease the facilities to the governmental unit and other parties.

Rental costs under leases which are required to be treated as capital leases under GAAP are allowable only up to the amount that would be allowed had the governmental unit purchased the property on the date the lease agreement was executed. This amount would include expenses such as depreciation or use allowance, maintenance, and insurance. The provisions of Financial Accounting Standards Board shall be used to determine whether a lease is a capital lease. Interest costs related to capital leases are allowable to the extent they meet the criteria in "interest" section of UGMS.

4.7.4 Educational Programs

Educating the public is an important strategy for preventing crime and this concept is included in the MVCPA enabling statute. Grantees may use MVCPA funds consistent with the Statement of Grant Award to help vehicle owners understand the magnitude of the motor vehicle burglary and theft problem and to know steps they can take to protect themselves and their property. Educational programs and marketing expenditures must be directed toward promoting behavior in the community that reduces motor vehicle burglary and theft.

Applicants shall have the ability to choose from a predetermined list the type of activities they shall conduct to meet the goal and the two strategies. If an applicant has identified additional activities, they may also list them in the application. An applicant should include a budget line item to pursue the selected activities.

Suggested Education Programs Strategy

Establish partnerships with community led organizations, auto crime prevention organizations, insurance industry, and businesses. Submit newsletters articles, provide presentations, and participate in community events.

Purchasing Promotional Items and Media

Funds may be used by the MVCPA grantees for promotional items to enhance auto theft crime prevention efforts. Items such as pens, magnets, T-shirts, bags, or hats may be purchased with MVCPA funds to distribute at public awareness/educational events. Funds may be provided for program promotion through paid advertisement, such as billboards, television, newspaper, or radio announcements. Production costs for public service announcements are an allowable expense. It is the intent of the MVCPA to promote the grant program activities and prevention efforts with these funds.

The following guidelines must be followed before purchasing educational or informational material:

- Some printed material, educational material and informational material may be available from the MVCPA.
- All grantees using items with the MVCPA trademarks, service marks slogans or copyrighted and trademarked material must maintain a current license agreement. The agreement will be updated at least once every four years.
- The use of MVCPA grant funds which includes use of the logo, slogan, or name of the Authority must be approved by the director of MVCPA prior to production.
- An estimate and proof of the item must be submitted to MVCPA for approval.

4.7.5 Confidential Funds

WARNING: ANY INFORMATION TRANSMITTED TO MVCPA REGARDING CONFIDENTIAL FUNDS MAY BE SUBJECT TO DISCLOSURE UNDER THE TEXAS PUBLIC INFORMATION ACT (OPEN RECORDS REQUEST).

Confidential funds associated with covert or normal operations of law enforcement are an allowable grant item if they are reasonable and necessary to enhance the program and/or meet the goals, strategies, and activities of the grant. Only agencies with Confidential Fund and Informant policies shall be allowed to submit costs for reimbursement. The agency shall submit the policy to the MVCPA director upon request. The agency will be required to reimburse any expenses to MVCPA not made in accordance with their agency policy.

The grant funds portion amount requested and spent cannot exceed \$5,000 for the grant year.

Grantees must ensure that the controls over disbursement of confidential funds are adequate to safeguard against the misuse of such funds. Therefore, a signed certification that the program director has read, understands, and agrees to abide by the provisions of the grantee's internal procedures which shall incorporate the following elements:

- Imprest Fund - The funds authorized shall be established in an imprest fund which is controlled by a bonded cashier.
- Advance of Funds - The supervisor of the unit to which the imprest fund is assigned must authorize all advances of funds. Such authorization must specify the purpose of the information to be received, the amount of expenditures, and the assumed name of informant.

Confidential expenditures include the following types of purchases and shall be authorized for grantees at the county and city level of law enforcement.

- Purchase of Services (PS) This category includes travel or transportation of a nonfederal officer or an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft or boat, or similar effects to create or establish the appearance of affluence; and/or meals, beverages, entertainment, and similar expenses for undercover purposes, within reasonable limits.
- Purchase of Evidence (PE) This category is for the purchase of evidence and/or contraband such as stolen property, counterfeit tax stamps, counterfeit car titles, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime.
- Purchase of Specific Information (PI) This category includes the payment of monies to an informant for specific information. All other informant expenses would be classified under PI and charged accordingly.

These funds shall only be used:

- when the particular merits of a program/investigation warrant the expenditure of these funds.
- when requesting entities are unable to obtain these funds from other sources.

4.7.5.1 Informant Files

Informant files are confidential files of the true names, assumed names, and signature of all informants to whom payments of confidential expenditures have been made. These records must be maintained locally in accordance with state and local law.

4.7.6 Indirect Costs

Indirect costs are not allowable expenses in MVCPA Grants. Indirect costs are those: incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved.

5 REPORTING GUIDELINES

Grantees are responsible for managing the day-to-day operations of the grant, providing the financial administration and fulfilling the legal purposes of the funds and the activities indicated in the Statement of Grant Award and attached Goals, Strategies, and Activities (GSA) section of the approved award document. Grantees must maintain adequate documentation to demonstrate the activities and events are performed with grant funds. Grantees must document and monitor grant supported activities to ensure compliance with applicable statutorily required performance measures and the agency selected or unique agency developed activities in the GSAs.

5.1 PROGRESS REPORTS (PR)

5.1.1 Progress Reporting

Progress Reports shall be submitted electronically to the MVCPA at <https://MVCPA.tamu.edu>. Submissions shall only be made by grant officials that have been assigned the role to submit Progress Reports as recorded by the grantee in the MVCPA in the online system. Data submitted in the progress report must be only from grant funded activities. If the grantee provides data in the report that is not as a result of grant funded activities it must be clearly indicated and explained in each quarterly report. All grantee Progress Reports are due by the fifteenth (15th) day of the following month. If the fifteenth (15th) day falls on a weekend or holiday it must be submitted on the following business day. The Progress Report will be considered delinquent if it has not been received before the last day of the month. The final end of year report is due on October 15th of each year. Grant payments may be withheld until reports are submitted.

Table 1: Progress Report Deadlines	
Progress Period Start Date	PR Deadline (5:00 PM CT)
September – November	December 15
December – February	March 15
March-May	June 15
June-August	September 15
Sept. 1– Aug. Final Report	October 15

5.1.2 Progress Report Form

The MVCPA grantee performance report is divided into the following sections:

Grantee Cover Page
Statutory Requirements
Goal 1: Reduce the incidence of Motor Vehicle Theft Through Enforcement Strategies. Strategy 1: Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Motor Vehicle Theft.
Goal 1: Reduce the Incidence of Motor Vehicle Theft Through Enforcement Strategies. Strategy 2: Conduct Collaborative Efforts that Result in Reduction of Incidents of Motor Vehicle Theft.
Goal 1: Reduce the Incidence of Motor Vehicle Theft Through Enforcement Strategies Strategy 3: Prevent and Reduce the Incidence of Motor Vehicle Related Fraud Activities.
Goal 2: Reduce the Incidence of Theft From Motor Vehicles Through Enforcement Strategies. Strategy 1: Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Burglary of Motor Vehicles, and Theft of Vehicle Parts and Accessories.

<p>Goal 2: Reduce the Incidence of Theft From Motor Vehicles Through Enforcement Strategies. Strategy 2: Conduct Collaborative Efforts that Result in the Reduction of Incidents of Theft From a Motor Vehicle.</p>
<p>Goal 3: Educate/Train Citizens and Qualified Personnel in Detection and Prevention of Motor Vehicle Theft, Burglary of Motor Vehicles, Theft of Vehicle Parts and Accessories and Fraud. Strategy 1: Conduct Public Awareness Related Activities Used to Educate Citizens.</p>
<p>Goal 3: Educate/Train Citizens and Qualified Personnel in Detection and Prevention of Motor Vehicle Theft, Burglary of Motor Vehicles Theft of Vehicle Parts and Accessories and Fraud. Strategy 2: Conduct Law Enforcement Training Activities to Educate Officers on Recognition and Apprehension of Stolen Vehicles and Property.</p>
<p>Section 4: Border Security - Bridge / Port Operations</p>
<p>Section 5: Other Crime Reporting Associated with BMV/MVT</p>
<p>Section 6: Quarterly Summary</p>
<p>Section 7: Individual Stories or Success for Quarter</p>

5.1.3 Completing the Progress Report Each Quarter

Grantees’ statement of grant award state which activities the grantees targeted themselves to perform. Grantees record reportable events in the Progress Report Form each month and submit it each quarter.

- Progress Report pages reflect the grantees’ **Target Number** for each Activity and/or Unique Activity (if applicable). Enter the actual performance data demonstrating progress toward meeting or exceeding this target. Only quantitative (numeric) data should be entered in the “Target” row and reporting “Month” column.
- Grantees may report as of the last day of each month.
- Fill out the boxes for the each of the 3 month periods
 - **Enter the number for any listed activities performed** for each month of the quarter
 - **Enter zero for targeted activities not performed** for each month of the quarter;
 - **Leave boxes empty for items not targeted and not performed**
- Providing additional information does not relieve the grantee from their obligation to perform the activities specified in their statement of grant award nor does it serve as a grant adjustment.
- Ensure that all entered data and reporting period are correct, before submitting.
- Quarterly Summary

Grantees are required to submit qualitative and informational summaries. The quarterly summary provides information to help MVCPA be aware of local and statewide issues and coordinate responses. The response items are:

1. Describe the major accomplishments for this quarter;
2. Describe any issues or problems in operating the grant program and possible solution encountered this quarter;
3. Describe any personnel or contractor changes made during this quarter;

4. Describe any upcoming events, activities, or initiatives;
5. Other Information may include departmental data elements and reports.

5.1.3.1 Individual Stories or Success

Grantees are required to provide success stories to help shape communication about MVCPA funded programs. A success story would consist of specific examples that occurred during the reporting period that exemplifies the work a grant funded program engages in to combat motor vehicle crimes. The fields are:

- Significant contributions or success stories involving NICB, DPS, or other agents assisting the taskforce in the grant funded activity/program. **(Required for all agencies using DPS or NICB as "in lieu of Cash Match).**
- Success stories where the grant funded activity was successful or made significant progress in combating theft or burglary.
- Any press conference or media coverage.
- Legislator(s) notified, invited, or involved in press related events (please provide legislators' name and office).
- Stories where the grant funded program/activity helped individuals or victims in the community.
- Stories where the grant funded activity/program helped other law enforcement agencies (or departments within grantees' agency).

Use the appropriate field to enter in summaries of the success stories. If possible, include hyperlinks to the corresponding news stories. Use the upload document function to provide news items or documents suitable for reproduction.

5.1.3.2 Final or End-of-Year Performance Report

The End-of-Year Progress Report is due on October 15th of each year. This report will provide grantees' analysis of the grant activities. Grantees shall provide local or outside evaluation results, identify trends and concerns, and draw conclusions about the success of the program and its impact. Grantees may describe any unanticipated outcomes or benefits from the program and any barriers that may have been encountered.

- Enter the start and end dates for the final grant cycle. The reporting period for your final performance report covers the entire grant cycle period of the program.
- Describe the reasons for any data discrepancies (i.e., discrepancy between the target number and actual number).
- An explanation if progress was not made and steps for addressing the issue.
- How data and information were used to make improvements in the program.
- Describe any challenges and successes during the grant cycle.
- Any other information that would help to explain the information given.
- Choose best stories from Quarterly Reports to showcase in MVCPA reports.

5.1.3.3 Documentation for Quarterly and End of Year Progress Reports

Grantees shall maintain sufficient documentation to support reported activities. Documents may include case activity reports, department case management systems, contact logs, TxDPS reporting sheets and information, investigative files, arrest and book in sheets, offense reports and offense report summaries and other source documents.

5.2 FINANCIAL REPORTING

Reimbursement of expenditures are contingent upon the following conditions:

- The availability of appropriated funds
- Compliance with MVCPA [Grant Agreement General Terms and Conditions](#)
- **Actual costs incurred:**
 - in accordance with the approved program budget,
 - within the time frame specified in the grant period and agreement,
 - attributable to work covered by the agreement, and which has been completed in a manner satisfactory and acceptable to the MVCPA.

MVCPA requires quarterly financial reporting. Grantees are reimbursed on a percent of actual cost established in the statement of grant award. The expenditure report is also a mechanism for MVCPA fiscal monitoring. All expenditures must follow local policies and procedures, as well as grant requirements. It is the Grantees responsibility to review all expenditures and to ensure that only actual paid amounts are reported, all regulations are followed, and that documentation is true and complete. The MVCPA shall rely primarily on the grantees' certification and processes when making grant payments to the Grantee. The MVCPA may perform Desk Reviews and test transactions periodically to ensure the Grantee's internal controls are functioning and to determine whether the reports submitted are accurate.

5.2.1 Expenditure Reports

Grantees are required to submit quarterly financial quarterly expenditure reports. Expenditure Reports shall be submitted electronically to the MVCPA at <https://MVCPA.tamu.edu>. Submissions shall only be made by grant officials who have been assigned the role to submit Expenditure Reports as recorded by the grantee in the online system. This report shall provide total expenditures by quarter; as well as supporting documentation that ties to the amount requested for every category for both MVCPA expenditures and cash or alternative match.

Financial expenditure quarterly report due dates are as follows:

Quarter	Period	Report Due Date
1 st	September 1st - November 30th	December 31st
2 nd	December 1st - February 28th	March 31th
3 rd	March 1st - May 31st	June 30th
4 th	June 1st - August 31st	Due: October 15th

- A grantee must liquidate all obligations incurred under the award by no later than 45 days after end of grant year.
- If an expenditure report filing extension is necessary, the extension may be requested in writing by the Financial Officer or Authorized Official and must be approved in writing by the MVCPA director. If authorized by the MVCPA director, the extension may be up to ninety (90) days after the end of the grant period. Expenditure Report submissions beyond ninety (90) days after the end of the grant period will not be processed.

Supporting documentation for reported expenditures shall be provided using the upload link within the Quarterly Expenditure Report:

- Personnel, Fringe and Overtime - Payroll summary reports for all positions must separate salary, fringe & overtime.
- Professional and Contract Services – invoices from other jurisdictions indicating amounts and categories claimed must separate salary, fringe & overtime.
- Equipment – invoices paid
- Travel, Supplies (DOE) and Other - ledgers listing transactions traceable to source documents

All other records which should be retained locally and may include time sheets (including certifications), travel records, purchase orders, procurement records, invoices, contracts, mileage records, receipts, and other documentation that verify expenditure amounts and appropriateness to the grant. These types of documentation shall be submitted to the MVCPA promptly, only on request.

5.3 INVENTORY REPORTING

Inventory Reports shall be submitted electronically with the certifications to the MVCPA at <https://MVCPA.tamu.edu>. Submissions shall only be made by grant officials who have been assigned the role to submit Inventory Reports as recorded by the grantee in the online system. All grantees are required to review and certify the inventory is true and correct to MVCPA no later than October 15 each grant year. If equipment purchases are reported in the Q4 Expenditure Report, those items will appear below the certification after the Q4 report has been approved by the director.

A physical inventory of property shall be taken on odd-numbered years and the results included with the Inventory Certification Report by October 15. The grantee shall, in connection with the inventory, verify the existence, current utilization, and continued need for the equipment. Any differences between quantities determined by the physical inspection and those shown in the accounting records shall be investigated by the Program Director or designee to determine the causes of the difference. The summary of the findings of the reconciliation and disposition actions to update the inventory must be made with the inventory report. The physical inventory documentation shall be retained by the grantee for review by MVCPA staff when requested. This requirement is for three (3) years after the completion of the grant period.

Equipment having a unit cost of less than \$500 shall not be reported as equipment unless the grantee's agency capitalizes such purchases in its own accounting policy. Any special item indicated in this manual valued between \$500 and \$5000 shall be included in the equipment budget and inventory.

Equipment budgeted and paid in total with grantee funds shall not be included in the inventory report unless it was paid for as cash match

At the termination of the grant or dissolution of a funded program, grantees shall prepare and submit all required reports. They must maintain in their files the inventory report for all equipment items purchased for

the grant if Grant related funds were used to purchase any part of those items until the retention period is expired.

The final inventory report shall also include recommendations as to the future use and disposition of the equipment. The MVCPA director will respond to the recommendations with instructions within 30 days of receipt of the final inventory report.

5.4 CONTRACT AND MAJOR OBLIGATIONS

As required in 43 TAC § 57.22, Third Party Participation, including any amendments, must be reviewed and approved as to form and content by the MVCPA director or board designee prior to the release of any funds under the contract when the amount is \$15,000 or more.

5.5 VIOLATION OF LAW OR NOTICE OF LITIGATION

All grantees that have a reasonable belief that a criminal violation may have occurred in connection with MVCPA funds, including the misappropriation of funds, fraud, theft, embezzlement, forgery, or any other serious irregularities indicating noncompliance with the requirements of a grant shall immediately notify the MVCPA director and the MVCPA general counsel in writing of the suspected violation or irregularity. The grantee shall also notify the local prosecutor's office of any possible criminal violations.

Grantees whose programs or personnel become involved in any litigation arising from or related to the grant, whether civil or criminal, must immediately notify and forward a copy of any demand notices, lawsuits, or indictments to the MVCPA director and the MVCPA general counsel.

6 MONITORING

The MVCPA is required by state regulations to conduct program and financial compliance and quality assurance reviews. The purpose of the MVCPA monitoring and site visits is to ensure compliance with state law, program rules and regulations and the Statement of Grant Award. This will be accomplished by program and fiscal monitoring, inquiries to obtain information, and technical assistance as needed. The MVCPA shall conduct program and financial oversight and monitoring of grant funds throughout the life of the grant. Monitoring may include the following:

- 1) Comprehensive Annual Financial Report reviews (CAFR) (Single Audit Review)
- 2) Desk reviews
- 3) On-site monitoring

The objective of oversight and monitoring is to:

- assess and evaluate whether program purposes are being attained
- determine whether goals, strategies, activities and other measurable outcomes are being met
- document and evaluate accomplishments
- review financial records and documentation for consistency with program activity

- assess if the grantee is in compliance with State cost principles, rules, regulations and contractual requirements

6.1 COMPREHENSIVE ANNUAL FINANCIAL REPORT REVIEW

Grantee(s) receiving total federal/state grant awards in the amount of **\$750,000** or greater are required to submit a copy of the Comprehensive Annual Financial Review (CAFR), the A-133 supplement, and all management letters from the Independent Auditor to MVCPA every year immediately upon receipt of that report. The MVCPA shall conduct a CAFR review to assess if grantees have expended program funds in accordance with legal, regulatory, and contractual requirements.

The CAFR shall be submitted electronically to MVCPA by an e-mail to grantsMVCPA@txdmv.gov with attachments or web link to the grantee's Comprehensive Annual Financial report (remember to include A-133 and management letter);

MVCPA staff shall acknowledge receipt of the CAFR within five (5) working days. The MVCPA staff shall review the CAFR and discuss with grantees any issues that are indicated by the findings if necessary.

Grantee (s) who do not receive federal/state grant awards of **\$750,000** within a fiscal year and did not obtain a CAFR, shall submit an e-mail to grantsMVCPA@txdmv.gov indicating a single audit was not obtained or required.

6.2 DESK REVIEW

Desk Reviews of a grantee may be performed by MVCPA staff at any time. Desk reviews are for the purpose of reviewing grant program activities, verifying the existence or veracity of financial records, and to help resolve any program or financial issues that are identified. Desk reviews may also be scheduled prior to an on-site visit. **Grantees will receive a notification letter of the upcoming desk review.** Grantees may be required to submit additional supporting documentation for Expenditure Reports.

Documentation may include, but is not limited to:

- Timesheets and payroll records
- Travel, logs or mileage document
- Review and verification of invoices/receipts for operating costs
- Lodging and meals
- Contractor/consultant contracts and invoices
- Other grantee supporting documents for the quarterly expenditure reports and progress reports

At the time of the desk review, the grantee staff may be asked for clarification or additional information on any grant related documentation. Grantees must respond within five (5) working days.

6.3 ON-SITE MONITORING

Grantee(s) may have an on-site monitoring visit every two (2) years unless MVCPA identifies any potential risk that warrants an additional on-site review.

The purpose of on-site visits is to assess the progress of grantee programs in implementing grant activities and to review program and financial activities. **Grantees shall be notified of an upcoming review.** On-site monitoring includes, but is not limited to, the review and verification of the following:

- Supporting documents for progress and expenditure reports;
- Additional details or records on expenses or reports;
- Grant files;
- Detail listing of the general ledger accounts;
- Records on generated program income;
- Cash match accounts;
- Time and attendance records for all grant staff;
- Travel logs and travel expenditures;
- Property record inventory list;
- Confidential Informant files;
- Imprest Fund log; and
- Other case, assignment or grant program records.

Potential Risk includes, but is not limited to:

- Grantee has a documented history of unsatisfactory performance;
- Grantee is not performing in accordance with the terms and conditions of the grant award;
- Grantee is habitually delinquent on the submission of required reports;
- Grantee is delinquent on the fourth (4th) quarter Expenditure Report.
- Grantee's reporting is repeatedly not in conformance with grant requirements

Notification

- MVCPA shall make its best efforts to notify Grantee (s) two-weeks in advance when selected for routine on-site monitoring.
- The grantee is required to cooperate by making the requested personnel and supporting documentation available within a reasonable time during the time of the visit.
- A monitoring report shall be transmitted electronically to the grantee.
- The grantee shall have not less than ten (10) business days to review the report and provide any response, such as, rebuttals, corrective actions taken, and remediation efforts.

6.4 CORRECTIVE ACTION PLAN

If any findings are identified as a result of a CAFR review, a desk review, or an on-site visit, the grantee is required to submit a response within thirty (30) days from the date of receipt of the monitoring report to either dispute the findings with written comments and any supporting documentation, or by submitting a Corrective

Action Plan (CAP) specifying the plan to remedy the finding. The CAP must be fully implemented within six (6) months from the date of the report.

As needed, the monitor shall follow-up with the grantee to provide ongoing technical assistance and to facilitate grant compliance. The monitor shall also ensure that appropriate changes have occurred. Any potential risk that led to the review shall be addressed with grantee, including possible strategies for remedying the problem.

6.5 SANCTIONS

Sanctions may become necessary when every effort has been made to clear findings of a deficiency within the prescribed time period and the deficiencies remain unresolved. Failure to resolve findings can result in sanctions including increased monitoring, withholding of funds, or grant revocation. Sanctions shall be approved or set by MVCPA board.

6.6 APPEALS

The grantee may appeal any imposed sanctions through the process provided for in 43 TAC Code Rule §57.30, Appeal of Termination of Grant.

6.7 RECORDS RETENTION REQUIREMENTS

Grantees shall maintain all equipment and inventory records until three years after the disposition of the equipment. Grantees shall maintain all other financial records, program records, supporting documents, and any other records pertinent to the award for at least three years. The three year retention period starts from the date of the issuance of the Comprehensive Annual Financial Review / Single Audit report covering the entire award period, or notification of the close out of the grant by MVCPA whichever is later

6.8 GRANT CLOSE OUT

MVCPA shall close out the award when all applicable administrative actions and all required work of the grant have been completed. It is the responsibility of the grantee to comply in full with all close-out requirements and to submit reports in a timely manner.

Grantees are responsible for:

- submitting all financial, progress, inventory, performance, and other reports required as a condition of the grant;
- resolving any deficiencies identified in a monitoring visit;
- ensuring all program goals were met or provide an acceptable explanation as to why those goals were not achieved;
- returning funds due as a result of credits, rebates or transaction error findings based on the results of a review covering any part of the period of grant support; and
- submitting an inventory of all property acquired with grant funds or seized for which it is accountable.

The grantee (s) must provide any additional information requested by the MVCPA within five (5) business days of the date of the request.

A close out of the Grant awards shall be finalized by MVCPA when it determines a final payment has been made and all required work of the grant and all applicable administrative actions have been completed.

APPENDIX



Board Agenda Item

MVCPA Director's Reports

Section 13. Report on MVCPA-related activities identified by the Director as noteworthy, which may include reports on:

- A.** Budget
- B.** Grant Activities and Analysis
- C.** Grant Adjustments Status
- D.** Public Education and Public Awareness Program and Activities
- E.** MVCPA Law Enforcement Training
- F.** Assessment Collection Activities
 - American Modern Home Insurance Company – Misapplied Payment
- G.** Agency Operations
 - i.** Trademark updates
 - ii.** Internet Domain MVCPA texas.gov and TXMVCPA.gov
- H.** Personnel Updates
- I.** Grantee Monitoring

Motor Vehicle Crime Prevention Authority

February 5, 2020

Budget Status Report

Motor Vehicle Crime Prevention Authority AY 2020 as of 12/31/2019					
MVCPA Budget Category	Adjusted Budget	Expenditures	Projected Obligations and Encumbrances	Available Budget	% Available Budget
Grants	\$ 12,288,301	\$ -	\$ 11,500,466	\$ 787,835	6.4%
Administrative	\$ 547,549	\$ 127,258	\$ 76,919	\$ 343,374	62.7%
Total	\$ 12,835,850	\$ 127,258	\$ 11,577,385	\$ 1,131,209	8.8%

Administrative Breakdown:					
Salaries and Personnel Costs	\$ 363,475	\$ 118,717	\$ -	\$ 244,758	67.3%
Professional Fees & Services	\$ 87,000	\$ 65	\$ 39,300	\$ 47,635	54.8%
Advertising and Promotion	\$ 25,500	\$ -	\$ 18,236	\$ 7,265	28.5%
Travel	\$ 16,100	\$ 4,565	\$ -	\$ 11,535	71.6%
Consumable Supplies	\$ 4,500	\$ 463	\$ 93	\$ 3,944	87.6%
All Other Operating	\$ 50,974	\$ 3,448	\$ 19,290	\$ 28,237	55.4%
Administrative Total	\$ 547,549	\$ 127,258	\$ 76,919	\$ 343,374	62.7%

Automobile Burglary and Theft Prevention Authority AY 2019 as of 12/31/2019

ABTPA Budget Category	Adjusted Budget	Expenditures	Projected Obligations and Encumbrances	Available Budget	% Available Budget
Grants	\$ 12,690,120	\$ 10,235,012	\$ 2,455,033	\$ 75	0.0%
Administrative	\$ 506,410	\$ 467,765	\$ 9,261	\$ 29,384	5.8%
Total	\$ 13,196,530	\$ 10,702,777	\$ 2,464,294	\$ 29,458	0.2%
Administrative Breakdown:					
Salaries and Personnel Costs	\$ 368,281	\$ 366,906	\$ -	\$ 1,376	0.4%
Professional Fees & Services	\$ 61,238	\$ 45,162	\$ 2,367	\$ 13,709	22.4%
Advertising and Promotion	\$ 26,990	\$ 20,990	\$ 3,398	\$ 2,602	9.6%
Travel	\$ 15,000	\$ 10,700	\$ -	\$ 4,300	28.7%
Consumable Supplies	\$ 1,980	\$ 1,620	\$ 0	\$ 360	18.2%
All Other Operating	\$ 32,921	\$ 22,388	\$ 3,495	\$ 7,037	21.4%
Administrative Total	\$ 506,410	\$ 467,765	\$ 9,261	\$ 29,384	5.8%

Motor Vehicle Crime Prevention Authority
February 5, 2020
Rapid Reponse Strikeforce Summary

Grantee/Applicant Agency Name:

ORI #

Houston Police Department	Houston Auto Crimes Task Force / 27
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Operation Name

Strikeforce #1

Participating agency(ies) name:

ORI #

Houston Police Department: Auto Theft/Highway Interdiction/CID/Marine	
FBI/HSI	
CBP/TSA	
USCG/Houston Port Police	

Grant Start Date

Grant End Date

8/14/2019	9/30/2019
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Summary of Rapid Response Strikeforce Operation (Provide a general description of the activity):

The Auto Theft Division, Houston Auto Crimes Task Force (**HACTF**) of the Houston Police Department (**HPD**) has been asked to assist in a multi-agency operation at the Port of Houston to deter criminal activity at the Port. The purpose of the Auto Theft Division's personnel will be to identify and recover stolen/VIN swapped vehicles and arrest suspects related to these activities.

The purpose of this operation is for HACTF, along with other units from the Houston Police Department, Houston Port Police and numerous Federal agencies to collectively address crime issues at the Port of Houston.

A briefing will be conducted under the IH-610 bridge near the entrance of the City Dock Terminal on Wednesday, August 14, 2019 at 1915 hours.

The plan is to close down the exit gates and conduct "Person Inquires" and K-9 inspections on all dock workers and their vehicles. Information has been gathered from sources that several vehicles have had the VIN switched and may contain hidden compartments.

This is a multiple agency and multiple divisional operation that requires that all ranks of the Houston Police Department involved in this operation be paid by the grant to include Lieutenants, Sergeants and Officers regardless of their Fair Labor Standards Act (**FLSA**) pay designation.

If all funds are unable to be spent on the date of this operation, the funds will be spent doing similar operations at the Port within the specified grant end date of September 30, 2019.

Location of Strikeforce (Counties/Cities)

Counties:	Harris
Cities:	Houston

Requested Reimbursement Items

Description	Number Persons/Items	Amount
Overtime – Applicant Agency	15 Lt./Sgt./Off.	4999.00
Overtime – Participating Agency		
Equipment #1		
Equipment #2		
Equipment #3		
Supplies and Other Operating (describe)		
Total Amount Requested:		

Match Contributed to Operation

Description	Number Persons/Items	Amount
Estimated Amount of Non-Grant Personnel Used	10 Sgt/Off	1000.00
Overtime Units Provided	Unknown	
Equipment	5 vehicles	
Supplies and Direct Operating Expenses		

Financial Description and Additional Information

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Signature of Grant Requestor	Date
Signature of Grant Requestor	Date
Approved Automobile Burglary and Theft Prevention Authority	Date

Date of Committee Approval:	Date of Board Approval:
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Rapid Response Strikeforce Proposed Action Plan

Type of Operation (mark all that apply):	Estimate	Actual
Arrest Warrants	5	1
Search Warrants		
Bait Car Deployments (Times Deployed)		
Bait Car (Arrests)		
LPR Operation (Hits)	5	0
LPR Operation (vehicles recovered)		
Surveillance (Arrests)		
Business Inspection (Number of Businesses)		
Business Inspection (Number of vehicles / parts recovered)		
Chop Shop (Arrests)		
Chop Shop (Number of vehicles / parts recovered)		
Device Install		
Port Inspection (Cars Inspected)	20	52
Port Inspection (vehicles recovered)		
Bridge Inspection (Cars Inspected)		
Bridge Inspection (vehicles recovered)		
Organized Crime Operation (number of gangs/networks)	1	0
Organized Crime Operation (number arrested)		
Other		

Expectations of Strikeforce Operation	Estimate	Actual
# of vehicles recovered	2	5
# of cases cleared (burglary)		1
# of cases cleared (theft)		
# of arrests (burglary)		
# of arrests (theft)		

After Action Report Details:

Operation #1

This first Strike Force operation was conducted 8/14/2019 at 1900 hours. The location was the Port of Houston, located at 111 East Loop North Houston, Texas at one of the ports major entrances. Personnel from multiple organizations participated in the operation as listed below.

Houston Police Department

Auto Theft

Highway Interdiction

Narcotics K-9

Air/Marine

CID-Border Enforcement Security Team

Houston Police cash match was worked by the following on-duty personnel who assisted in vehicle checks with ABTPA task force personnel from 1830-2130 hours.

Sergeant R Cashdollar

Off. E Garza

Off. M. Langford

Off. J. Sallee

Off. S. Gillham

Off. C Meade

Off. N. Rojas

Other agencies

FBI

HIS

CBP

TSA

USCG

Port of Houston Police

Harris County Constable PCT 2

Results

Due to hard rains and thunderstorms while these agencies were conducting a briefing at the Port, many of the workers departed the Port prior to it being safe for officers to set up their check point. No arrests were made during this operation while officers checked approximately 40 vehicles departing the port.

Operation #2

This Strike Force operation was conducted on 9/25/2019 from 1800 hours. The location was the City Docks, located at the Port of Houston. Personnel from multiple organizations participated in the operation as listed below.

Houston Police Department

Auto Theft

Highway Interdiction

Air/Marine

Houston Police cash match was worked by the following on Duty personnel who assisted ABTPA task force personnel in vehicle checks. These personnel worked from 1800-2200 hours.

Sergeant Cashdollar

Off Starks

Off Geomans
Off Meade
Off Sallee

Results

57 dock workers checked and 52 vehicles inspected
5 stolen vehicles recovered
1 arrest for outstanding warrant

Recommendations

The reporting process is time consuming and interferes with the amount of time that the commander has to actually be involved in the operation. Some of the statistics seem redundant.

The time line was too short for this type of operation due to having to coordinate with several other divisions and agencies for this operation to happen. The weather also played a part in the time line problems.

Overall, this process is too labor intensive for the amount of money awarded and the time line for the money to be spent was too short.

Signature of Grantee	Date
Title:	

Wilson, Bryan

From: Naquin, Kye <Kye.Naquin@HoustonPolice.Org>
Sent: Tuesday, October 15, 2019 8:27 AM
To: Wilson, Bryan
Subject: Strikeforce Plan
Attachments: Rapid Responce Strikeforce Grant Application 2.docx

Attached is the amended Strikeforce Plan with the after action part that we talked about on the phone. Give me a call if you have questions.

Kye Naquin, Lieutenant
Houston Police Department
Auto Theft Division, Houston Auto Crimes Task Force (HACTF)
1200 Travis, Houston, Tx 77002
Office: 713-308-3599
email: Kye.Naquin@HoustonPolice.org

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**Texas Automobile Burglary and Theft and Prevention Authority
FY19 Rapid Response Strikeforce**

CORRECTED Statement of Grant Award and Grantee Acceptance Notice

Grant Number: 608-19- HPD00TF
 Grantee: City of Houston
 Program Title: Port of Houston Rapid Response Task Force
 Grant Award Amount: \$4,999
 Total In-kind Match Amount: \$1,000
 Grant Term: August 14, 2019 to September 30, 2019

The Automobile Burglary and Theft Prevention Authority (ABTPA), State of Texas; provides the following grant to City of Houston (hereinafter referred to as Grantee). This proposed Rapid Response Strikeforce operation is funded by ABTPA and consistent with Texas Revised Civil Statutes Article 4413(37), Section 8.

Whereas, on August 14, 2019 the Automobile Burglary and Theft Prevention Authority Director has approved the grant award of up to \$4,999 to Grantee for funding the Rapid Response Strikeforce operation described in the attached application and further identified by grant number 608-19-HPD00TF as evidenced by this FY19 Statement of Grant Award; and

Whereas, the Grantee desires to accept the FY19 grant award and use all funds for purposes and in compliance with the following requirements that are adopted in their entirety by reference:

- Texas Revised Civil Statutes Article 4413(37) and Texas Administrative Code: Title 43; Part 3; Chapter 57;
- Uniform Grant Management Standards (UGMS) as promulgated by the Texas Comptroller of Public Accounts;
- The Director Approved Application attached to this Statement of Grant Award; and
- The Approved Grant Budget Summary:

Description of Deliverables	Program Total	<u>In-Kind</u> Match
Overtime for 15 personnel	\$4,999	
<u>In-kind</u> Match non-grant personnel		\$1,000
Total Deliverable Services		\$5,999

Now, therefore, the Grantee accepts the FY19 Statement of Grant Award under the conditions above including requirements in the grant application as evidenced by this agreement, executed by the official authorized to sign the original grant application and execute this agreement on behalf of the governing body of this grantee; and

The ABTPA has awarded the above-referenced grant subject to the availability of state funds. The approved budget is reflected in the above Approved Grant Budget Summary. This grant is subject to and conditioned upon the acceptance of the ABTPA Grant Administrative Guide promulgated for this specific program fund (referenced above) by the ABTPA.

APPROVED AND ACCEPTED BY:



 Authorized Official

DANA HITZMAN COMMANDER

 Printed Name and Title

08.14.19

 Date Signed

4000 Jackson Avenue
 Austin, Texas 78731
 (800) Car Watch (227-9282) - 512-465-1485
 Website: www.txwatchyourcar.com

Automobile Burglary and Theft Prevention Authority Rapid Response Strikeforce Grant Application

Grantee/Applicant Agency Name:		ORI #
Houston Police Department		Houston Auto Crimes Task Force / 27
Operation Name		
Strikeforce #1		
Participating agency(ies) name:		ORI #
Houston Police Department: Auto Theft/Highway Interdiction/CID/Marine		
FBI/HSI		
CBP/TSA		
USCG/Houston Port Police		
Grant Start Date	Grant End Date	
8/14/2019	9/30/2019	

Summary of Rapid Response Strikeforce Operation (Provide a general description of the activity):

The Auto Theft Division (HACTF) of the Houston Police Department has been asked to assist in a multi agency operation at the Port of Houston to deter criminal activity at the port. The purpose of the Auto Theft Division's personnel will be to identify and recover stolen/VIN swapped vehicles and arrest suspects related to these activities.

The purpose of this overall operation is for Houston Auto Crimes Task Force (HACTF,) along with others units from the Houston Police Department (HPD,) Houston Port Police and numerous Federal agencies to collectively address crime issues at the Port of Houston. A tactical operation plan will be developed, approved and maintained by the Houston Police Department prior to the operation.

A briefing will be conducted under the IH-610 bridge near the entrance of the City Dock Terminal on Wednesday, August 14, 2019 at 1915 hours.

The plan is to close down the exit gates and conduct "Person Inquires" and K-9 inspections on all dock workers and their vehicles. Information has been gathered from sources that several vehicles have had the VIN switched and may contain hidden compartments.

This is a multiple agency and multiple divisional operation that requires that all ranks of the Houston Police Department involved in this operation be paid by the grant to include Lieutenants, Sergeants and Officers regardless of their Fair Labor Standards Act pay designation.

If all fund are unable to be spent on the date of this operation, the funds will be spent doing similar operations at the port within the specified grant end date.

Location of Strikeforce (Counties/Cities)

Counties:	Harris
Cities:	Houston

Requested Reimbursement Items

Description	Number Persons/Items	Amount
Overtime – Applicant Agency	15 Lt/Sgt/Off	4999.00
Overtime – Participating Agency		
Equipment #1		
Equipment #2		
Equipment #3		
Supplies and Other Operating (describe)		
Total Amount Requested:		

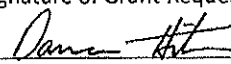
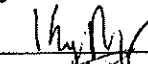
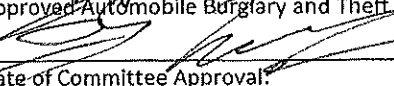
Match Contributed to Operation

Description	Number Persons/Items	Amount

Automobile Burglary and Theft Prevention Authority Rapid Response Strikeforce Grant Application

Estimated Amount of Non-Grant Personnel Used	10 Sgt/Off	1000.00
Overtime Units Provided	Unknown	
Equipment	5 vehicles	
Supplies and Direct Operating Expenses		

Financial Description and Additional Information

Signature of Grant Requestor	Date
	8.9.19
Signature of Grant Requestor	Date
	8/9/2019
Approved Automobile Burglary and Theft Prevention Authority	Date
	8/13/19
Date of Committee Approval:	Date of Board Approval:

Rapid Response Strikeforce Proposed Action Plan

Type of Operation (mark all that apply):	Estimate	Actual
Arrest Warrants	5	
Search Warrants		
Bait Car Deployments (Times Deployed)		
Bait Car (Arrests)		
LPR Operation (Hits)	5	
LPR Operation (vehicles recovered)		
Surveillance (Arrests)		
Business Inspection (Number of Businesses)		
Business Inspection (Number of vehicles / parts recovered)		
Chop Shop (Arrests)		
Chop Shop (Number of vehicles / parts recovered)		
Device Install		
Port Inspection (Cars Inspected)	20	
Port Inspection (vehicles recovered)		
Bridge Inspection (Cars Inspected)		
Bridge Inspection (vehicles recovered)		
Organized Crime Operation (number of gangs/networks)	1	
Organized Crime Operation (number arrested)		
Other		

Expectations of Strikeforce Operation	Estimate	Actual
# of vehicles recovered	2	
# of cases cleared (burglary)		
# of cases cleared (theft)		
# of arrests (burglary)		
# of arrests (theft)		

**Automobile Burglary and Theft Prevention Authority
Rapid Response Strikeforce Grant Application**

After Action Report Details:	
Signature of Grantee	Date
Title:	

Motor Vehicle Crime Prevention Authority

February 05, 2020

FY 2020 Grant Adjustment Report

Grant Program	Adjustment Type	Description	Budget Adjustment Total	Approval Date	Denial Date
Burnet County	Budget	Move supplies/DOE income to travel	\$487.00	09/17/19	
Travis County	Budget	Move program income to overtime and supplies/DOE	\$4,705.00	10/03/19	
City of Corpus Christi	Program	Approval of vehicle wraps	\$0	10/23/19	
Galveston County	Program	Change in target goals	\$0	01/02/20	
Harris County	Budget	Move program income to supplies/DOE	\$6,391.70	10/28/19	
City of Brownsville	Program	Change in target goals	\$0	01/02/20	
City of Austin	Budget	Move personnel income to overtime and travel	\$30,300.00	11/06/19	
City of Laredo	Program	Change in target goals	\$0	01/02/20	
City of Victoria	Program	Change in target goals	\$0	01/02/20	
City of Pasadena	Program	Change in target goals	\$0	01/02/20	
City of Mansfield	Program	Utilize supplies/DOE income for vehicle maintenance repair on vehicles donated by NICB	\$0	01/14/20	
Tarrant County	Budget	Move supplies/DOE income to overtime	\$20,400.00	01/23/20	

Total: 12

Budget Change: 5

Program Change: 7

Budget/Program Change: 0

Motor Vehicle Crime Prevention Authority

February 05, 2020

FY 2019 Grant Adjustment Report

Grant Program	Adjustment Type	Description	Budget Adjustment Total	Approval Date	Denial Date
Galveston County	Budget/Program	Notification change in agency participation in the program for FY19. Move personnel and fringe to professional/contract services.	\$66,311.00	09/10/18	
City of Mansfield	Budget	Move program income to equipment and supplies/DOE	\$29,845.00	09/24/18	
Travis County	Budget	Move program income to travel, supplies/DOE, overtime and professional/contract services	\$27,000.00	10/15/18	
City of San Antonio	Budget	Move fringe to personnel, overtime, travel and supplies	\$49,734.00	10/19/18	
City of Houston	Budget	Move travel and supplies/DOE to overtime	\$5,000.00	12/17/18	
Montgomery County	Program	Added Angelina County as a coverage agency	\$0	01/04/19	
Dallas County	Program	Move program income to equipment	\$26,471.00	12/21/18	
Harris County	Budget	Move program income to equipment	\$4,418.00	01/30/19	
City of Laredo	Program	Change in target goals	\$0	02/05/19	
Lubbock County	Budget	Move program income and fringe to equipment	\$8,353.43	02/27/19	
Corpus Christi	Budget	Move program income to equipment	\$62,402.60	02/22/19	
Tarrant County	Budget	Move program income and professional/contract services to overtime, travel, equipment and supplies/DOE	\$23,960.00	03/19/19	
Galveston County	Budget	Move professional/contract services to travel	\$3,800.00	03/18/19	
City of Mansfield	Budget	Move program income to equipment and supplies/DOE	\$4,545.11	04/01/19	
Travis County	Budget	Move program income to travel, equipment and supplies/DOE	\$15,435.00	04/02/19	
City of Laredo	Budget	Move program income to travel, equipment and supplies/DOE	\$20,619.00	04/04/19	
Tarrant County	Program/Budget	Move program income to travel	\$422.12	04/12/19	
City of Pasadena	Program	Request for out of state travel	\$0	04/24/19	
Travis County	Budget	Move professional/contract services to overtime	\$10,300.00	04/24/19	
Harris County	Program	Change in target goals	\$0	04/25/19	

City of Austin	Budget	Move personnel and fringe to overtime, travel, equipment and supplies/DOE	\$20,700.00	05/08/19	
City of Brownsville	Program	Change in target goals	\$0	05/13/19	
Montgomery County	Budget	Move program income to equipment	\$28,997.00	05/31/19	
City of San Antonio	Program	Waived limit on program income	\$0	05/28/19	
City of Brownsville	Budget	Move program income to equipment	\$13,292.33	05/21/19	
City of Corpus Christi	Budget	Move fringe and supplies/DOE to overtime	\$35,000.00	05/31/19	
City of Houston	Budget	Move travel and supplies/DOE to equipment	\$11,217.00	06/05/19	
Montgomery County	Budget	Move program income to equipment	\$1,752.00	06/05/19	
Dallas County	Budget	Move overtime and program income to equipment	\$31,000.00	06/20/19	
Smith County	Program	Change in targets goals	\$0	06/20/19	
Smith County	Budget	Move travel and supplies/DOE income to fringe, personnel and equipment	\$5,250.00	07/17/19	
Harris County	Budget	Move program income to supplies/DOE	\$455.00	08/02/19	
City of Mansfield	Budget	Move fringe and personnel income to equipment	\$18,214.00	08/02/19	
Tarrant County	Program	Change in targets goals	\$0	08/02/19	
City of Austin	Budget	Move personnel income to overtime and supplies/DOE	\$25,000.00	08/06/19	
City of Beaumont	Budget	Move personnel income to supplies/DOE	\$10,000.00	08/06/19	
Montgomery County	Program	Added additional investigator position funded by Montgomery County	\$0	08/16/19	
Galveston County	Budget	Move personnel income to supplies/DOE	\$1,200.00	08/20/19	
Dallas County	Budget	Move professional/contract services and supplies/DOE income to equipment, personnel and fringe	\$49,823.00	08/21/19	
Lubbock County	Budget	Move personnel income to supplies/DOE	\$1,200.00	08/26/19	
City of Brownsville	Program	Grantee did not submit/finish adjustment	\$0		
Dallas County	Budget	Admin closed by MVCPA	\$0		
Burnet County	Program	Admin closed by MVCPA	\$0		

Total: 43
Budget Change: 28
Program Change: 10
Budget/Program Change: 2
Not Completed: 3

Motor Vehicle Crime Prevention Authority
February 5, 2020
Public Education and Public Awareness Initiative

Social Media: To advance the goals of MVCPA and its statutory obligations, MVCPA uses a variety of web-based and social media tools, when appropriate, to obtain information and communicate with grantees, stakeholders, and community members across the state. MVCPA uses social media to educate, inform, and disseminate information based on examined data, verifiable and reliable news sources.

In September 1991, MVCPA (FKA ABTPA) established “AskABTPA” on Facebook. Later in August 2019, after the name change to MVCPA, “AskMVCPA” was established together with a new Facebook page – Texas Motor Vehicle Crime Prevention Authority – https://www.facebook.com/TXMVCPA/?modal=admin_todo_tour. Within Facebook, AskMVCPA houses our new Facebook page which is pinned to the top of the page, and accessible through Shortcut link on the left side of the page.

ASKMVCPA has 29 Friends, an average of 18 Likes, 17 Views and 5 Shares per month. Many, not all the task force members have Facebook and Twitter accounts. We have been trying to encourage task force members to use their social media platforms more to increase the coverage and impact of our messages. Based on recorded number of views on news items posted and shared among taskforces, many posts, especially the ones listed below recorded high number of views:

- 1) Auto theft reaches all-time high in colder temperatures – this is because people leave their car running to warm it up.
- 2) NICB’s Hot Wheels: America’s 10 Most Stolen Vehicles (2018 Data)
- 3) What is Jugging robbery?
- 4) October 2019 Auto Theft Report by Texas Department of Public Safety
- 5) Auto Burglary/Theft - Cities where your car is most likely to be stolen in Texas – according to an article in USA Today.
- 6) Beware of buying flood damaged vehicles.

MVCPA’s Twitter account was initially setup in 2017 but experienced management challenges because the staff that created the account transitioned to another job, hence the account became suspended for some time before it was reactivated in August 2019. Since then, MVCPA’s Twitter account has been actively used. The account recorded more than 20 Tweets, 10 Following, and 9 Followers.

GovDelivery

ABTPA staff worked with TxDMV’s Government and Strategic Communications Division to broadcast “If You Like It Lock It” campaign on GovDelivery – a web-based email subscription management system that allows user subscription for government news and information. GovDelivery is one of the leading provider of government-to-citizen communication solutions, with fully-automated and on-demand distribution mechanisms.

On December 19, 2019, TxDMV and MVCPA sent Happy Holidays greeting, together with “If You Like It Lock It” campaign through GovDelivery. The email included the logo, “Hide your stuff and lock your car” message, and 14 tips on steps to follow for a safe and secure holiday.

2,192 GovDelivery emails went out to individuals, community members and stakeholders with 94% delivery rate.

Texas Department of Motor Vehicles - Bulletin Detail Re... **GOVDELIVERY**

Subject: If You Like It - Lock It!
Sent: 12/19/2019 03:42 PM CST
Sent By: Adam.Shaivitz@txdmv.gov
Sent To: Subscribers of MVCPA Notices

2,192 Recipients

- ✓ Email
- ✓ SMS
- ✗ Facebook
- ✗ Twitter
- ✓ RSS

94% Delivered

0% Pending
6% Bounced
16% Open Rate
20% Click Rate



**MOTOR VEHICLE CRIME
PREVENTION AUTHORITY**

Happy Holidays

from the

**Texas Motor Vehicle
Crime Prevention
Authority**

It doesn't matter what kind of car you drive; all vehicles are a potential target of theft. In the State of Texas over 69,000 cars and trucks are stolen and 200,000 are burglarized each year.

Hide your stuff and lock your car.

Please Texas - **If You Like It -- Lock It**

Follow these tips for a safe and secure holiday:



STATE OF TEXAS
OFFICE OF THE GOVERNOR

When it comes to the safety of our neighborhoods, there are many factors that help us maintain our secure environments, including communication between neighbors, an active relationship with law enforcement, and a sense of community pride. Though many may not realize it, one of our greatest defenses against crime is alert citizens working together to make their communities better.

It is no easy feat to keep crime and drugs out of our neighborhoods, but for years, communities across Texas and our country have celebrated National Night Out to work toward this very goal. National Night Out is an effort that involves citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations, and local officials who are willing to put in the work to see safer, more secure communities.

In order to foster a strong sense of community and a greater sense of our surroundings, National Night Out encourages citizens to participate in neighborhood block parties, vigils, cookouts, parades, and flashlight walks. The individuals and groups taking part in this nationwide event are helping stop crime at the most critical point — before it ever starts.

At this time, I encourage all Texans to participate in National Night Out. By uniting to work toward the common good, we make not only our communities safer, but the great State of Texas stronger for future generations.


Therefore, I, Greg Abbott, Governor of Texas, do hereby proclaim October 1, 2019, to be

National Night Out



in Texas, and urge the appropriate recognition whereof.

In official recognition whereof, I hereby affix my signature this the 18th day of September, 2019.


Governor of Texas

Motor Vehicle Crime Prevention Authority

February 5, 2020

MVCPA Trainings

Motor Vehicle Burglary and Theft Investigator training

Background:

On September 1, 2017 the Automobile Burglary and Theft Prevention Authority (ABTPA) began administering the Motor Vehicle Burglary and Theft Investigator Training. The Texas Department of Public Safety (DPS) stopped providing similar training in February 2016. As a result, in FY 2017, the ABTPA Board and staff determined it was in the best interest of the state to assume responsibility for providing training. Texas Department of Motor Vehicles (TxDMV), the National Insurance Crime Bureau (NICB), DPS and the Texas Association of Vehicle Theft Investigators (TAVTI) worked together to review and update the intermediate classes.

Current State:

There were five Motor Vehicle Burglary and Theft Investigator trainings held in FY19. Three Intermediate trainings conducted for 32 TCOLE approved hours and were held in Galveston, Houston and Conroe. There were 89 attendees who are now eligible to get access to NICB regulated databases allowing them to conduct 68-A inspections. There were two Advanced trainings conducted for 24 TCOLE approved hours and were held in Fort Worth and Humble. There were 78 attendees for those 2 classes.

In November 2019 the TxDMV TCOLE Training Committee held their board meeting and approved the Intermediate and Advanced lesson plan for FY20.

Future State:

To continue providing the Intermediate and Advanced Motor Vehicle Burglary and Theft Investigator training. We are planning on holding one Intermediate class and two Advanced trainings in FY20.

Summary of FY17/18 Investigator trainings:

FY	Type of course	# of students	# with access to ISO database	# of agencies represented
17	Intermediate	98	61	39
18	Intermediate	102	57	37
19	Intermediate	89	27	33
19	Advanced	78		27
Total		367		

In the May 23, 2018 board meeting, the board authorized MVCPA staff to use up to \$15,000 to support the training for instructor travel and supplies. For the five trainings conducted in FY19 the amount expended was:

Travel costs	\$5,134.57
Supplies	\$5,971.31
Total	\$11,105.88

Motor Vehicle Crime Analysts Training

MVCPA worked with NICB to establish a training in Texas for investigators and civilians in the MVCPA taskforces. A total of 26 students attended the training representing 12 different agencies. The trainings are also available to Texas Department of Public Safety (TxDPS) Intelligence Analysts. TxDPS hosts the classes in their computer center training room in Austin. The training focuses on navigating the ISO ClaimSearch. Three classes were held in FY19. The classes are taught by NICB analysts from their headquarters in Chicago. We are very grateful for NICB Director, Mr. Fred Lohmann for pulling these resources together to increase our skill and knowledge in fighting motor vehicle burglary and theft in Texas. One class has been scheduled for March 2020.

Motor Vehicle Crime Prevention Authority

February 5, 2020

ABTPA to MVCPA Changes - Reaching Insurance Company Compliance Professionals:

7/1/2019 Wolters Kluwer delivers notice of repeal of Civ Stat Art. 4413(37) to over 4,000 insurance compliance professionals nationwide.

7/2/2019 Wolters Kluwer delivers notice of new Trans s 1006.153 to over 4,000 insurance compliance professionals nationwide.

8/8/19 TDI Commissioner's Regulatory Activity Bulletin B-0006-19

8/13/19 Wolters Kluwer delivers Commissioner's bulletin B-0006-19 to over 4,000 insurance compliance professionals nationwide.

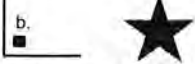
8/30/19 Texas Business Daily - Notification of name change

9/27/2019 Texas Comptroller of Public Accounts published Motor Vehicle Crime Prevention Authority (MVCPA) Fee on its website.

10/16/19 Capitol website posted the formation of Transportation Code Chapter 1006. The writers moved MVCPA into Transportation Code Chapter 1006 as authorized by SB604 (86R) and also codified the \$4 fee required in HB2048 (86R) into section 1006.153.

12/30/2019 Texas Comptroller of Public Accounts published MVCPA fee reporting forms 25-106 & 25-107.

1/2020 Texas Comptroller of Public Accounts published MVCPA fee notice online in their monthly Tax Policy News.



Insurance Motor Vehicle Crime Prevention Authority Semiannual Fee Report - July through December 2019

(Licensed Companies and Miscellaneous Organizations)

Only for use to report the July through December 2019 period.
A report must be filed even if no fee is due.

a. T Code ■ 76100

c. Taxpayer number
■

d. Filing period
PERIOD ENDING 12-31-2019

e. ■ 194

f. Due date
03-01-2020

g. Taxpayer name and tax report mailing address

For information about Insurance Tax, call 800-252-1387. Details are also available online at www.comptroller.texas.gov.

h. IMPORTANT
Blacken this box if your mailing address has changed. Show changes beside the preprinted information. 1.

i. j.

NOTE: Insurers may recoup this fee from policyholders as authorized by 28 TAC, Section 5.205.

Who Must File

All licensed property and casualty insurance companies, including risk retention groups, interinsurance or reciprocal exchanges, mutual associations, Mexican Casualty Companies or Lloyd's plans that are licensed to write any form of motor vehicle insurance in this state as defined in Article 5.01(e), Insurance Code, during the last six months of the year are required to compute and pay the fee.

For Specific Information for Questions Regarding the Fee

All requests for information, other than form completion, should be referred to the Motor Vehicle Crime Prevention Authority (MVCPA) at AskMVCPA@txdmv.gov or call 512-465-1485.



Electronic reporting and payment options are available 24 hours a day, 7 days a week. Have this form available when you log on.

www.comptroller.texas.gov/taxes/file-pay/

(Instructions continued on back.)

<u>CALCULATION</u>	
1. Total number of motor vehicle years for policies effective July 1 - Aug. 31	1. ■ _____
2. Fee rate	2. ■ 2.00
3. Amount due for July 1 - Aug. 31 (Multiply Item 1 by Item 2)	3. _____
4. Total number of motor vehicle years for policies effective Sept. 1 - Dec. 31,	4. ■ _____
5. Fee rate	5. ■ 4.00
6. Amount due for Sept. 1 - Dec. 31 (Multiply Item 4 by Item 5)	6. _____
7. TOTAL AMOUNT DUE AND PAYABLE (Add Item 3 and Item 6)	7. _____

*** DO NOT DETACH ***

Form 25-107-A (10-19)



Insurance Motor Vehicle Crime Prevention Authority Semiannual Fee Report - July through December 2019

8. TOTAL AMOUNT DUE AND PAYABLE (See Item 7.) 8. ■ _____

Taxpayer name

k.

l.

■ T Code ■ Taxpayer number ■ Period

76020

I declare the information in this document and all attachments is true and correct to the best of my knowledge and belief.

Authorized agent
sign here ▶

Preparer's name (Type or print.)

Daytime phone (Area code & number) Date

Make the amount in Item 8 payable to STATE COMPTROLLER
Mail to COMPTROLLER OF PUBLIC ACCOUNTS
P.O. Box 149356
Austin, TX 78714-9356

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this form.

Instructions for Computing the Motor Vehicle Crime Prevention Authority Semiannual Fee

Effective September 1, 2019, the fee increased from \$2.00 to \$4.00 per motor vehicle year. This will result in a split period for the second half 2019 "Texas Motor Vehicle Crime Semiannual Fee Report" that is due March 2, 2020.

When to File

Reports and payments are due semiannually:

- March 1 for the last six months of the previous year
- Aug. 1 for the first six months of the current year

Refunds

An insurer that seeks either a refund of fees or a determination of the sufficiency of their semiannual payment must notify **the Authority in writing** not later than four years after the date the semiannual payment was made. This includes the amending of a report that would generate a refund. Send refund requests to:

Motor Vehicle Crime Prevention Authority
c/o Texas Department of Motor Vehicles
4000 Jackson Avenue
Austin, TX 78731-6007

For Assistance with Form Completion

If you have any questions regarding Insurance Tax, contact us at 800-252-1387 or visit our website at www.comptroller.texas.gov.

General Instructions

- If any preprinted information is not correct, mark out the item and write in the correct information.
- TYPE OR PRINT.

Policies Subject to the Fee

Every form of insurance on any automobile, or other vehicle listed below and its operating equipment or necessitated by reason of the liability imposed by law for damages arising out of the ownership, operation, maintenance or use in this state of the following:

- | | | |
|------------------|------------------------------|---------------------------------|
| • any automobile | • tractor | • autocycle |
| • motorcycle | • traction engine | • any vehicle trailer, or |
| • motorbicycle | • any self-propelled vehicle | semi-trailer pulled or towed by |
| • truck | • truck-tractor | a motor vehicle |

The following are **excluded** from consideration for the fee:

- every motor vehicle running only on fixed rails or tracks
- policies providing mechanical breakdown coverage
- garage liability policies
- nonresident policies
- policies providing only non-ownership or hired auto coverages

Calculating Motor Vehicle Years

"Motor vehicle years" defined as the total number of motor vehicles covered under an insurer's policies for the year or portion of the year at the time the policies are issued. The fee is based on the percentage of a year covered under the policy, times the number of vehicles covered by that policy, times the number of policies delivered, issued for delivery or renewed during each semiannual period covering the same number of vehicles and the same percent of a year covered under the policy. For purposes of calculating the percent of a year for a policy, you can use one of the following methods:

- (1) A pro rata method with the number of days covered under the policy divided by 365, or
- (2) A monthly basis, with the number of months for the policy divided by 12. Fractions of a month should be rounded up to a full month when using this method.

In the calculation of motor vehicle years, the following items should be noted:

- **Policy cancellations** for any reason have no effect on the fee amount due for the vehicles covered by such policies. Once a policy is delivered, issued for delivery or renewed during each semiannual period, the fee accrues based on the total motor vehicle years at that time. If a policy is written and later cancelled, the MVCPA fee would be due. A flat cancellation of an insurance policy means that no insurance coverage was provided; therefore, no MVCPA fee is due.
- **Endorsements adding vehicles** accrue "motor vehicle years" in the year of the endorsement, prorated for the remainder of the policy period as determined in the Calculation of Motor Vehicle Years.
- **Endorsements deleting vehicles** are treated in the same manner as a cancellation. If a vehicle is removed from a policy by endorsement, the full MVCPA fee is still due.
- **Vehicles substituted** on existing policies by endorsement, if substituted concurrently, are not subject to additional fees.
- **Policies delivered, issued for delivery or renewed** with an effective period that extends into the next period or year will be counted 100% in the period or year of issue.

The sum of all resulting motor vehicle years is multiplied by \$4. For instance, if from Sept. 1, 2019 through Dec. 31, 2019, an insurance company sells 500 six-month policies, each of which covers four vehicles, and 200 annual policies, each of which covers three vehicles, then the fee due is calculated as follows:

$$\begin{array}{r} .5 \text{ year} \times 4 \text{ vehicles} \times 500 \text{ policies} = 1,000 \text{ motor vehicle years} \\ 1.0 \text{ year} \times 3 \text{ vehicles} \times 200 \text{ policies} = 600 \text{ motor vehicle years} \\ \hline \text{Total } 1,600 \text{ motor vehicle years} \end{array}$$

The insurer would pay \$4 times 1,600, or \$6,400, for its 700 policies.

Recouping Fee Payments

Insurers may recoup this fee from policyholders as authorized by Administrative Rule 28 TAC Section 5.205.

THE STATE OF TEXAS §
THE COUNTY OF TRAVIS §

INTERAGENCY COOPERATION CONTRACT

THIS CONTRACT is entered into by and between the State agencies shown below as Contracting Parties under the authority granted and in compliance with the provisions of Chapter 771 of the Government Code.

I. CONTRACTING PARTIES:

The Receiving Agency	Motor Vehicle Crime Prevention Authority by and through the Texas Department of Motor Vehicles (TxDMV)
The Performing Agency	Texas Comptroller of Public Accounts (CPA)

II. STATEMENT OF SERVICES TO BE PERFORMED: The Performing Agency will undertake and carry out services described in **Attachment A**, Scope of Services.

III. CONTRACT PAYMENT: The total amount of this contract shall not exceed \$20,000.00 and shall conform to the provisions of **Attachment B**, Budget. Payments shall be billed annually at \$10,000 per year.

IV. TERM OF CONTRACT: Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party. This contract begins on September 1, 2019 or when fully executed by both parties, whichever is later and terminates August 31, 2021.

V. THE AGREEING PARTIES certify that:

1. The services specified in **Attachment A** are necessary and essential for activities that are properly within the statutory functions and programs of the affected agencies of State Government.
2. The proposed arrangements serve the interest of efficient and economical administration of the State Government.
3. The services or resources agreed upon are not required by Article XVI, Section 21 of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.
4. This contract neither requires nor permits either party to exceed its duties and responsibilities or the limitations of its appropriated funds.

VI. LEGAL AUTHORITY:

The Receiving Agency further certifies that it has the authority to request the above services by authority granted in Texas Transportation Code, Chapter 1006.

The Performing Agency further certifies that it has the authority to perform the services by authority granted in Texas Government Code, Chapter 403.

This contract, including the provisions of **Attachment A**, Scope of Services, **Attachment B**, Budget, and **Attachment C**, General Terms and Conditions, which are incorporated into this contract by this reference, contains the entire agreement between the parties relating to the rights granted and the obligations assumed in it. Any oral representations or modifications concerning this contract shall be of no force or effect unless contained in a subsequent writing, signed by both parties.

THE UNDERSIGNED SIGNATORIES represent and warrant that they have full authority to enter into this contract on behalf of the respective parties. This contract may be executed in one or more counterparts, each of which is an original, and all of which constitute only one agreement between the parties.

THE RECEIVING AGENCY

Texas Department of Motor Vehicles

By:

Whitney Brewster
AUTHORIZED SIGNATURE

Whitney Brewster, Executive Director

NAME AND TITLE

09-11-19
DATE

THE PERFORMING AGENCY

Texas Comptroller of Public Accounts

By:

Lisa Craven
AUTHORIZED SIGNATURE

Lisa Craven, Deputy Comptroller

NAME AND TITLE

9-13-19
DATE

ATTACHMENT A
Interagency Cooperation Contract
Scope of Services

The parties agree that with regard to forms:

1. The CPA and the TxDMV, Motor Vehicle Crime Prevention Authority (MVCPA) Division shall develop fee assessment forms and instructions annually. The content and format of the fee assessment forms and instructions shall incorporate the current statutory requirements, TxDMV procedural changes, and the MVCPA administrative rule amendments that may affect the fee assessment of the property and casualty insurers writing policies covering motor vehicles.
2. The CPA shall produce all fee assessment forms and instructions.
3. The CPA shall mail the fee assessment report in January of each year to those insurers filing a paper report; CPA shall notify electronic filers of this assessment report by email of an upcoming due date. The CPA shall mail the semi-annual payment worksheet in June for the payment due in August to all Texas licensed property and casualty insurers regardless of the method used to report and pay this assessment.
4. The TxDMV shall provide any procedural changes and rule changes made by MVCPA that may affect fee assessment and fee assessment forms to the CPA at least three months prior to the CPA's two (2) mailings of the fee assessment forms and instructions.
5. The TxDMV shall publish and mail to all Texas licensed property and casualty insurers procedural changes and rule changes adopted by the MVCPA that may affect the fee assessment when the changes occur within the three months prior to the CPA's mailing of the fee assessment forms and instructions. The TxDMV shall also publish and mail to the insurers all procedural changes and rule changes adopted by the MVCPA when they occur subsequent to the CPA's mailing date.

The parties agree that with regard to the collection of fee assessment and reports:

1. The CPA shall collect for the TxDMV the motor vehicle fees assessed against Texas licensed property and casualty insurers writing policies covering motor vehicles pursuant to Texas Transportation Code Chapter 1006, two (2) times per year no later than August 1 for the first six months of the year and no later than March 1 for the second six months of the year.
2. The MVCPA is appropriated an amount from General Revenue based on the General Appropriations Act. The CPA shall deposit the assessment payments and clear the revenues into Unappropriated General Revenue. All funds related to MVCPA which CPA receives into or disburses from Unappropriated Revenue will be identified as MVCPA funds ("Program Cost Account"). CPA shall reconcile the Program Cost Account each month.
3. All interest and other earnings shall be credited to General Revenue Fund. On or about May 31 and October 31 CPA's Appropriations Control in the Fiscal Management Division of CPA will provide to TxDMV the current balance and activity in the Program Cost Account.
4. The CPA shall enter report data and payment information into a database, identifying those companies failing to either file a form and/or pay the assessment.
5. The CPA shall identify and report to the TxDMV the Texas licensed property and casualty insurers that fail to file the fee assessment form or render payment. The CPA will issue letters of non-compliance to the insurers, approximately 30 days after the filing due date. Upon the mailing of this letter, the CPA shall refer these cases to the TxDMV.
6. The CPA will send a billing notice to the Texas licensed property and casualty insurers writing policies covering motor vehicles identified as filing the fee assessment form but failing to pay the correct assessment amount. Upon mailing of this notice, the CPA will refer these cases to the TxDMV Notwithstanding the foregoing and paragraph 5, above, CPA has no duty to refer a case of non-compliance to the TxDMV Office of General Counsel at any time during the term of this Contract.
7. The CPA shall deliver filing and payment data to the TxDMV. At no time will CPA be responsible for the collection and enforcement of the fee assessments. If CPA personnel are required to testify in any proceeding regarding the administration and collection of fees, the TxDMV shall pay reasonable expert witness fees to the CPA.
8. The CPA shall promptly refund assessment amounts in accordance with applicable State law and attendant regulations.

The parties agree that with regard to reporting:

1. The CPA serves in a ministerial role in regard to reporting the status of collections as stated above.

ATTACHMENT B
Interagency Cooperation Contract
Estimated Budget
Collection of TxDMV, MVCPA Motor Vehicle Fees

MAXIMUM AMOUNT PAYABLE: \$20,000.00 (\$10,000.00 per Fiscal Year)

The TxDMV shall pay the CPA \$10,000.00 per Fiscal Year for performing the services listed in Attachment A, which include the following:

- ◆ all costs associated with answering routine inquiries regarding fee assessment from property and casualty insurers;
- ◆ retaining and maintaining fee assessment information in the designated database;
- ◆ identifying Texas licensed property and casualty insurers that owe the assessment;
- ◆ contacting non-complying property and casualty insurers; and
- ◆ reporting to the TxDMV the status of the collections.

CPA shall prepare and submit to MVCPA through TxDMV an Interagency Transaction Voucher or Invoice ("ITV") for the services prior to the end of each Fiscal Year in which the services were rendered. TxDMV shall remit payment to CPA promptly.

ATTACHMENT C
Interagency Cooperation Contract
General Terms and Conditions

Article 1. Amendments

This contract may only be amended by written agreement executed by both parties prior to the expiration of the contract, however, Performing Agency expressly reserves the right in its sole discretion, to amend the contract unilaterally with ten (10) business days' written notice to ensure compliance of the contract or either party with state or federal law or other regulation.

Article 2. Records

The Performing Agency agrees to maintain all books, documents, papers, accounting records, and other evidence pertaining to costs at its office during the contract period and for seven (7) years from the date of final payment under the contract. These materials shall be made available for inspection and copying by the Receiving Agency, by the State Auditor's Office, and by their authorized representatives. If the contract is federally funded, these materials shall also be made available for inspection and copying by the U.S. Department of Transportation and by the Office of the Inspector General.

Article 3. Performing Agency Resources

All employees of the Performing Agency and Receiving Agency shall have adequate knowledge and experience to enable them to perform the duties assigned to them under this contract.

Article 4. Additional Work

- A. If the Performing Agency is of the opinion that any assigned work is beyond the scope of this contract and constitutes additional work, it shall promptly notify the Receiving Agency in writing. The written notice shall present the relevant facts and show how the work constitutes additional work.
- B. If the Receiving Agency in its sole discretion finds that the work does constitute additional work, the Receiving Agency shall so advise the Performing Agency and a written amendment will be executed. The Performing Agency shall not perform any proposed additional work or incur any additional costs before the execution of an amendment.
- C. The Receiving Agency shall not be responsible for actions by the Performing Agency or for any costs incurred by the Performing Agency relating to additional work that is performed before an amendment is executed or that is outside the scope of the contract, as amended.

Article 5. Disputes

The parties agree to use good-faith efforts to resolve all questions, difficulties, or disputes of any nature that may arise under or by this Contract; provided however, nothing in this paragraph shall preclude either party from pursuing any remedies available under Texas law.

Article 6. No Assignment

Neither party shall assign, sublet, or transfer any interest in this agreement.

Article 7. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any default, but either party may avail itself of any remedy existing at law or in equity, and all remedies shall be cumulative.

Article 8. Termination

This contract may be terminated by satisfactory completion of all services and obligations contained in this contract, by mutual written agreement, or by either party unilaterally after 30 days' written notice to the other party. The Performing Agency shall neither incur nor be reimbursed for any new obligations after the effective date of termination.

Article 9. Basis for Calculating Reimbursement Costs

The Receiving Agency will reimburse the Performing Agency for costs incurred in carrying out the services authorized in Attachment A, Scope of Services, subject to the cost categories and estimated costs set forth in Attachment B, Budget. The Receiving Agency shall compensate the Performing Agency in accordance with Sections 771.007 and 771.008 of the Texas Government Code.

Article 10. Availability of Funds; Legislative Action.

Both parties are state agencies whose authority and appropriations are subject to actions of the Texas Legislature. If either party becomes subject to a legislative change, revocation of statutory authority, or lack of appropriated funds which would render either party's delivery or performance under the contract impossible or unnecessary, the contract will be terminated or cancelled and be deemed null and void. In the event of a termination or cancellation under this Section, neither party will be liable to the other for any damages, which are caused or associated with such termination or cancellation. The party terminating or cancelling under this Section shall not be required to provide advance notice.

Article 11. Authority of State Auditor

The parties acknowledge the State Auditor's authority to conduct audits of state agencies under Chapter 321, Texas Government Code.

Article 12. Notices

All notices to either party shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to that party at the following address:

Performing Agency:	Texas Comptroller of Public Accounts Attention: Operations and Support Services Legal Division- Contracts 111 E. 17 th Street, Room 201 Austin, Texas 78711-3528
Receiving Agency:	Texas Department of Motor Vehicles Attention: Bryan E. Wilson MVCPA Director 4000 Jackson Avenue Austin, Texas 78731

All notices shall be deemed given on the date delivered in person or deposited in the mail. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

Article 13. Force Majeure

Neither party shall be liable to the other for any delay in, or failure of performance of, any requirement included in the contract caused by force majeure. The existence of such causes of delay or failure shall extend the period of performance until after the causes of delay or failure have been removed provided the non-performing party exercises all reasonable due diligence to perform. Force majeure is defined as acts of God, war, fires, explosions, hurricanes, floods, failure of transportation, or other causes that are beyond the reasonable control of either party and that by exercise of due foresight such party could not reasonably have been expected to avoid, and which, by the exercise of all reasonable due diligence, such party is unable to overcome.

Article 14. No Waiver

The contract shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to either party as an agency of the State of Texas or otherwise available to the party. The failure to enforce or any delay in the enforcement of any privileges, rights, defenses, remedies,

or immunities available to a party under this contract or under applicable law shall not constitute a waiver of such privileges, rights, defenses, remedies, or immunities or be considered as a basis for estoppel. Neither party waives any privileges, rights, defenses, or immunities available to it as an agency of the State of Texas, or otherwise available to it, by entering into this contract or by its conduct prior to or subsequent to entering into this contract.

Article 15. Severability

If one or more provisions are deemed invalid, illegal, or unenforceable for any reason, such invalidity, illegality or unenforceability shall not affect any other provision and this contract shall be construed as if the invalid, illegal or unenforceable provision had never been contained herein.

Article 16. Headings

The headings used in this contract are for ease of reference only and will not be used to interpret any aspect of this contract.

Article. 17. Survival

The expiration or termination of this contract shall not affect the rights and obligations of the parties accrued prior to the effective date of expiration or termination and such rights and obligations shall survive and remain enforceable.

Article 18. Governing Law; Venue

This contract is governed by and construed under and in accordance with the laws of the State of Texas. Any and all obligations under this contract are due in Travis County and venue is proper only in such county.

Article 19. Texas Public Information Act

Each party is responsible for complying with the provisions of Chapter 552, Texas Government Code (Texas Public Information Act) and the Attorney General Opinions issued under that statute. The parties shall comply with all applicable state and federal laws and regulations regarding data confidentiality, privacy and security.

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Office of the Attorney General

Texas Water Code and Texas Health and Safety Code Settlement Notice

Notice is hereby given by the State of Texas of the following proposed resolution of an environmental enforcement lawsuit under the Texas Water Code and the Texas Health and Safety Code. Before the State may settle a judicial enforcement action under the Texas Water Code, the State shall permit the public to comment in writing on the proposed judgment. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreed judgment if the comments disclose facts or considerations that indicate that the consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Texas Water Code and the Texas Health and Safety Code.

Case Title and Court: *Harris County, Texas and the State of Texas v. Zak Brothers, Inc.*, Cause No. 2017-53686; in the 189th Judicial District Court, Harris County, Texas.

Nature of the Suit: Defendant Zak Brothers, Inc. is the owner of real property in Houston, Harris County, Texas. In early 2014 and continuing into late 2015, Harris County Public Infrastructure Department ("HCED") investigated and found an illegal sewage drain field had been installed at the property without the appropriate permit. On two occasions, once in 2014 and once in 2016, HCED filed charges for unlawful disposal of human excrement at the Property. Each of the two charges resulted in pleas of no contest. Harris County filed its original petition on August 11, 2017. The State of Texas is a necessary and indispensable party to the suit.

Proposed Agreed Judgment: The proposed Agreed Final Judgment includes a permanent injunction to ensure Defendant's continued compliance; and assesses against Defendant civil penalties in the amount of \$4,000 to be equally divided between Harris County and the State; and attorney's fees in the amount of \$1,500 to Harris County and \$1,500 to the State.

For a complete description of the proposed settlement, the complete proposed Agreed Final Judgment should be reviewed. Requests for copies of the judgment, and written comments on the proposed settlement, should be directed to Amy Rodriguez, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC 066, Austin, Texas 78711-2548, phone (512) 463-2012, facsimile (512) 320-0911. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-201902685
Ryan L. Bangert
Deputy Attorney General for Legal Counsel
Of the Attorney General
Filed: August 16, 2019

Automobile Burglary and Theft Prevention Authority

Notice of Agency Name Change

Through enactment of Senate Bill 604, 86th Legislature, 2019, the Governor and the Legislature changed the name of Automobile Burglary and Theft Prevention Authority to Motor Vehicle Crime Prevention Authority. All powers, duties, rights, and obligations of the Automobile Burglary and Theft Prevention Authority are the powers, duties, rights, and obligations of the Motor Vehicle Crime Prevention Authority. The Motor Vehicle Crime Prevention Authority is the authority formerly known as the Automobile Burglary and Theft Prevention Authority in all respects. All personnel, equipment, data, documents, facilities, contracts, items, other property, rules, decisions, and proceedings of or involving the Automobile Burglary and Theft Prevention Authority are unaffected by the change in the name of the authority.

Effective September 1, 2019, the name of the Automobile Burglary and Theft Prevention Authority will be changed to the Motor Vehicle Crime Prevention Authority. As of September 1, 2019, the name of Title 43, Part 3, Chapter 57, of the *Texas Administrative Code* is the Motor Vehicle Crime Prevention Authority, but the rule numbers and names under the chapter will remain the same.

TRD-201902844
David Richards
General Counsel
Automobile Burglary and Theft Prevention Authority
Filed: August 21, 2019

Comptroller of Public Accounts

Notice of Contract Amendments

Notice of Contract Amendments: The Texas Comptroller of Public Accounts ("Comptroller") entered into amendments with several qualified, independent unclaimed property audit firms to their respective original Unclaimed Property Audit Services Agreements ("Contracts") resulting from Comptroller's Request for Proposals 218g ("RFP 218"). The Contracts were awarded as authorized by Chapters 72-75 and Section 74.702 of the Texas Property Code; and Chapters 403 and 2254, Subchapter A of the Texas Government Code.

Notice of issuance of RFP 218g was published in the June 3, 2016, issue of the *Texas Register* (41 TexReg 4067). Notice of Award was published in the September 16, 2016, issue of the *Texas Register* (41 TexReg 7271).

The Amendments to the respective Contracts have been entered into with the following firms:

Audit Services, U.S., LLC, 212 West 35th Street, Suite 1600, New York, New York 10001, is extended by Amendment No. 2.

Discovery Audit Services, LLC, 11637 Lake Sherwood Avenue N, Baton Rouge, Louisiana 70816, is extended by Amendment No. 2.

Innovative Advocate Group, Inc., 370 State Highway 35, Suite 201, Red Bank, New Jersey 07701, is extended by Amendment No. 2.

Treasury Services Group, LLC, 1100 Main Street, Suite 2720, Kansas City, Missouri 64105, is extended by Amendment No. 2.

Insurance Council of Texas News Release

Texas Legislature Raises Auto Theft Fee to \$4

The 86th Texas Legislature passed and Governor Abbott signed into law House Bill 2048 that raises the Auto Theft fee from \$2 to \$4 per motor vehicle covered by any form of motor vehicle insurance. The bill's effective date is September 1, 2019. The fee is collected by the Automobile Burglary and Theft Prevention Authority (ABTPA) using the Texas Comptroller of Public Accounts' [Webfile](#) and [website](#). The fee will now be used to support both auto theft prevention programs and emergency rooms and trauma centers. Also, effective September 1, 2019, the name of ABTPA changes to the Motor Vehicle Crime Prevention Authority (MVCPA).

Any insurance company writing any form of motor vehicle insurance in Texas, including an interinsurance or reciprocal exchange, mutual company, mutual association, or Lloyd's plan shall pay to the MVCPA a fee equal to \$4 multiplied by the total number of motor vehicle years of insurance for insurance policies delivered, issued for delivery, or renewed by the insurer. This includes policies that cover any motor vehicle. The statute defines a motor vehicle as a self-propelled vehicle or a vehicle, trailer, or semitrailer designed for use with a self-propelled vehicle. The term does not include a vehicle that runs exclusively on fixed rails or tracks or a piece of equipment operated solely on private property.

The Comptroller of Public Accounts will continue to work with the MVCPA to collect the fee and is updating their website, instructions and filing documents. To transition to the new fee, there will be one unique fee collection period, July 2019 through December 2019 (due March 1, 2020). This unique fee collection period requires insurers to use a one-time, special on-line and/or paper form (CPA Form 25-110). This is because insurers must pay \$2 for all covered motor vehicles covered under policies issued during the July 1, 2019 through August 31, 2019 timeframe. Insurers must then pay the \$4 fee for all covered motor vehicles covered under policies issued during the September 1, 2019 through December 31, 2019 timeframe. This one-time use form will have two lines for this reporting and payment cycle. This form will be available as soon as possible but well before the due date.

Currently, the ABTPA collects over \$50 million per year from the fee. Only \$12.8 million was appropriated to the ABTPA to combat motor vehicle theft in FY18. The fee was instituted in 1993 to fund the ABTPA to prevent and reduce losses to the public from motor vehicle theft. At that time, there were more than 160,000 motor vehicle thefts per year. The number of motor vehicle thefts have fallen to less than 70,000 per year, but losses from the motor vehicle burglary and theft are over a billion dollars per year. The funds appropriated to MVCPA support special law enforcement taskforces that specialize in motor vehicle burglary and theft. They also work closely with the National Insurance Crime Bureau and insurers investigative units. These MVCPA funded taskforces recovered over 11,000 vehicles in 2018. When funds are available, MVCPA works with insurance organizations to inform the public on how to prevent motor vehicle burglary and theft. The recent If You Like it -Lock It! campaign launched by ICT and NICB was from FY18 unexpended balance funds provided by the Governor and Legislature into FY19. According to the law revised by HB2048, starting September 1, 2019, 60% of the \$4 fee will go to the trauma facility and emergency medical services account while 20% will be provided to MVCPA. The remaining 20% will continue to be deposited into the General Fund.

For more information, e-mail askmvcpa@txdmv.gov or call 512-465-1485

ICT 5 Things You Should Know Newsletter

The Auto Theft fee has been raised to \$4 per motor vehicle year of insurance effective September 1, 2019. The name of the state entity responsible for collecting the fee changes from the Automobile Burglary and Theft Prevention Authority (ABTPA) to the Motor Vehicle Crime Prevention Authority (MVCPA) on September 1, 2019. MVCPA will continue to work with the Texas Comptroller of Public Accounts' [Webfile](#) and [website](#) to collect the fee. The Comptroller is updating their website, instructions and filing documents. Any insurance company writing any form of motor vehicle insurance in Texas, including an interinsurance or reciprocal exchange, mutual company, mutual association, or Lloyd's plan shall pay to MVCPA a fee equal to \$4 multiplied by the total number of motor vehicle years of insurance for insurance policies delivered, issued for delivery, or renewed by the insurer.

There will be a transition period from July 1, 2019 through December 31, 2019 (due March 1, 2020) that requires insurers use a one-time, special on-line and paper form (CPA Form 25-110). This is because insurers must report and pay \$2 for all covered motor vehicles covered under policies issued or renewed during the July 1, 2019 through August 31, 2019 timeframe. Insurers will then report and pay the \$4 fee for all motor vehicles covered under policies issued or renewed during the September 1, 2019 through December 31, 2019 timeframe. This one-time use form will have two lines for this reporting and payment cycle.

For more information, e-mail askmvcpa@txdmv.gov or call 512-465-1485



Commissioner's Bulletin # B-0006-19

August 08, 2019

To: All Insurers Writing Automobile Insurance in Texas

Re: Changes to the Automobile Burglary and Theft Prevention Authority and Fee (HB 2048 and SB 604); Form and Rate Filings

House Bill 2048 and Senate Bill 604, 86th Legislature, Regular Session (2019), made changes related to the Automobile Burglary and Theft Prevention Authority (ABTPA). By law, insurers must pay a fee to the ABTPA. TDI's rule allows—but does not require—insurers to recoup all or part of that fee from policyholders.

- **HB 2048** increases the fee from \$2 to \$4 per motor vehicle each year, effective for insurance policies issued, delivered, or renewed on or after September 1, 2019.
- **SB 604** changes the name of the ABTPA to the Motor Vehicle Crime Prevention Authority (MVCPA). It also moves the statutory language for the ABTPA to the Transportation Code.

FAQs

Do I need to file rates?

TDI rules require insurers to submit a rate and rule filing if they will pass on any of the fee to policyholders. The filing should include the manual page or fee schedule showing the revised name and amount of the fee. If the only changes are the name and the amount of the fee, the insurer is not required to provide supporting information and rate filing exhibits.

Do I need to file forms?

To continue using any form that cites the fee, the insurer must file an amended version changing the \$2 fee to \$4, per HB 2048, or use brackets for a variable amount. This includes declarations pages, endorsements, or other forms. To add the MVCPA fee to a different form, the insurer must file it.

If the insurers' declarations page or other forms mention the ABTPA, the insurer must update them to the MVCPA, per SB 604.

Is there an expedited form filing process?

TDI is prioritizing approval of form filings that make only the changes required to comply with the new law. Most insurers that TDI anticipated would need to make changes have already filed and received approval. TDI expects the remaining affected insurers to make a diligent effort to quickly submit filings so they can be approved by September 1, 2019. Filings that contain changes other than those required to comply with the new law will be reviewed according to TDI's normal procedures.

We will review and approve revised forms quickly if the insurer:

1. Makes no changes other than to replace the notice language with TDI's plain language version:

Your payment includes a \$[_____] fee per vehicle each year. This fee helps fund: (1) auto burglary, theft, and fraud prevention, (2) criminal justice efforts, and (3) trauma care and emergency medical services for victims of accidents due to traffic offenses. By law, this fee funds the Motor Vehicle Crime Prevention Authority (MVCPA).

2. Adds this statement to the Filing Description field (under the General Information tab) in SERFF:

The only change to the form in this filing is to update the notice language using the plain language version offered by TDI.

What if the insurer does not elect to use the version of the notice language shown above?

To revise the current notice to create a plain language version of the notice that is consistent with HB 2048 and SB 604, the insurer should:

- change \$2 to \$4, or use brackets for a variable amount;
- change "Automobile Burglary and Theft Prevention Authority" to "Motor Vehicle Crime Prevention Authority"; and
- update or remove the statutory reference.

As part of the Commissioner's plain language campaign, TDI put together a [webpage of writing resources](#).

Will TDI update the rule?

In 2020, we plan to update the rule that requires notice of the fee (Title 28 Texas Administrative Code Section 5.205). The updated rule will reflect the change in the amount of the fee and will update the reference from the ABTPA to the MVCPA.

Questions?

Send rate/rule filing questions to the Property and Casualty Actuarial Office at 512-676-6700 or PCActuarial@tdi.texas.gov.

Send form filing questions to the Property and Casualty Lines Office at 512-676-6710 or PropertyCasualty@tdi.texas.gov.

For more information, contact: PropertyCasualty@tdi.texas.gov

Last updated: 8/9/2019



MVCPA Board Members

Lt. Tommy Hansen
Chair
Law Enforcement Representative
Hitchcock, Texas

Ashley Hunter
Insurance Representative
Austin, Texas

Armin Mizani
Consumer Representative
Keller, Texas

Shay Gause
Insurance Representative
Helotes, Texas

Asst. Chief Mike Rodriguez
Law Enforcement Representative
Laredo, Texas

Katherine B. Whitehill
Consumer Representative
Coppell, Texas

Ex Officio Member
Steven C. McCraw
Major Justin Owen—Designee
Texas Department of Public Safety
Austin, Texas

Bryan E. Wilson
Director

November 1, 2019

The Honorable Greg Abbott
Governor of the State of Texas
PO Box 12428
Austin, Texas 78711

Re: FY 2018 Unexpended Balance funds carried into FY2019

Dear Governor Abbott:

Thank you for supporting the Motor Vehicle Crime Prevention Authority (MVCPA) [then known as the Automobile Burglary and Theft Prevention Authority] by providing the unexpended balance (UB) authority of up to \$500,000 from FY 2018 to FY 2019. The Legislative Budget Board and your office granted this UB authority. This authority resulted in about \$359,000 to help us to more effectively combat the more than \$1 billion loss from motor vehicle crimes in Texas in FY19. In addition to saying thank you for granting the UB authority, we want to update on how some of those funds were used.

The major initiatives funded out of the UB Authority that could not have been done otherwise were:

- 1) **Statewide Public Education and Awareness grant** – \$200,000 - Statute requires the MVCPA to conduct educational programs about methods to prevent motor vehicle crime. The MVCPA partnered with the National Insurance Crime Bureau (NICB) (a national nonprofit corporation that fights motor vehicle crime and fraud) on a statewide public education campaign. NICB launched the “If You Like It Lock It!” media campaign in English and Spanish with Gary P. Nunn as a spokesperson for the campaign. TV and radio public service announcements were distributed to the Texas Association of Broadcasters members. To date, more than 20,000 spots have aired with a total airtime value of more than \$1.2 million. The campaign put up nine billboards reminding Texans to “Lock It” and provided print materials for law enforcement agencies to distribute in their communities.

The campaign also distributed, through our law enforcement taskforces, new technologies that allow Texans to mark and register their pickup tailgates to increase recoveries of stolen tailgates and help catch criminals. The program also issued trailer hitch locking devices and license plate locking screws to help prevent crime.

2) **Bait Car Research grant** – \$35,000 - Texas A&M University is performing the nation's first law enforcement officer directed research project on bait car program operations. For decades bait cars have been used in high crime areas to catch auto thieves with little evidence-based guidance. The results of this research will be shared with law enforcement in Texas and the US and will hopefully increase bait car effectiveness.

3) **Houston Police Department Rapid Response Strikeforce (RRS) Pilot** – \$1,295 - MVCPA developed the RRS program in FY18 but did not have funds to commence it until granted the UB authority. The U.S. Customs and Border Patrol (CBP) requested the Houston Auto Theft Taskforce's assistance in conducting an operation in the Port of Houston since most CBP officers do not have the expertise to identify stolen vehicles. In two evenings with CBP the Houston PD officers using overtime funded by RRS recovered 5 stolen vehicles that were containerized and intended to be shipped out of the US. This smuggling method is often used by and to fund organized crime. This pilot was a small but effective start to improve border security operations mandated of MVCPA by the 85th Texas Legislature.

The UB funds from FY18 reduced motor vehicle thefts and burglaries by allowing MVCPA to close the funding gap and accomplish more of its statutory mandates. On behalf of the MVCPA members and the local law enforcement partners we fund, thank you.

Sincerely,



Lt. Tommy Hansen
MVCPA Board Chair
Galveston County Sheriff's Department

Cc: Sarah Hicks, Director of Office of Budget and Planning, Office of the Governor
Fisher Reynolds, Budget Advisor, Office of the Governor



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Ex Officio Member
Steven C. McCraw
Major Justin Owen—Designee
Texas Department of Public Safety
Austin, Texas

Bryan E. Wilson
Director

November 4, 2019

Sarah Keyton
Assistant Director, Legislative Budget Board
PO Box 12666
Capitol Station
Austin, Texas 78711

Re: FY 2018 Unexpended Balance funds carried into FY2019

Dear Ms. Keyton:

Thank you for supporting the Motor Vehicle Crime Prevention Authority (MVCPA) [then known as the Automobile Burglary and Theft Prevention Authority] by providing the unexpended balance (UB) authority of up to \$500,000 from FY 2018 to FY 2019. The Legislative Budget Board and your office granted this UB authority. This authority resulted in about \$359,000 to help us to more effectively combat the more than \$1 billion loss from motor vehicle crimes in Texas in FY19. In addition to saying thank you for granting the UB authority, we want to update on how some of those funds were used.

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Sincerely,



Lt. Tommy Hansen
MVCPA Board Chair
Galveston County Sheriff's Department

Cc: Thomas Galvan, Analyst, Legislative Budget Board

Border Security Reporting Template

Agency Code:			Agency Name:			Prepared By:		Reporting Period:			
608			Department of Motor Vehicles			Bryan Wilson/Shelia Bledsoe		September 2018 - August 2019			
Category:			Grants	Subcategory:	Local Law Enforcement	SBP Program:	Automobile Burglary and Theft Prevention				
Strategy (e.g. A.1.1)	AY	FY	OOE/MOF Code	Agency Division	Appropriated	Budgeted	Expended in Border Counties	Direct Support for Border Security Activities Expended in Non-Border Counties	Expended in Non-Border Counties	Total Expended	
B.2.1	2019	2019	4000-Grants	Automobile Burglary and Theft Prevention Authority	\$2,800,000	\$5,898,084	\$3,513,382			\$3,513,382	
B.2.1	2018	2019	4000-Grants	Automobile Burglary and Theft Prevention Authority	\$2,800,000	\$5,744,665	\$2,617,082			\$2,617,082	
										\$0	
										\$0	
										\$0	
										\$0	
										\$0	
Total, Objects of Expense					\$5,600,000	\$11,642,749	\$6,130,464	\$0	\$0	\$6,130,464	
B.2.1	2019	2019	1-General Revenue Fund	Automobile Burglary and Theft Prevention Authority	\$2,800,000	\$5,898,084	\$3,513,382			\$3,513,382	
B.2.1	2018	2019	1-General Revenue Fund	Automobile Burglary and Theft Prevention Authority	\$2,800,000	\$5,744,665	\$2,617,082			\$2,617,082	
										\$0	
										\$0	
										\$0	
										\$0	
										\$0	
Total, Method of Financing					\$5,600,000	\$11,642,749	\$6,130,464	\$0	\$0	\$6,130,464	
<i>check</i>					\$0	\$0	\$0	\$0	\$0	\$0	
Number of Positions (FTE)											
Subcategory Definition:											

A grant is a financial award given by a state agency to an eligible grantee. They are not expected to be repaid by the recipient and do not include technical assistance or other forms of financial assistance such as a loan or loan guarantee.

The Automobile Burglary and Theft Prevention Authority provides grants to local law enforcement agencies (task forces) to fund initiatives to reduce incidences of motor vehicle theft and burglary.

Agency Notes:

Appropriation Authority:

Article IX, Sec. 17.07 Border Security - Informational Listing. Included elsewhere in this Act is \$800.0 million in border security funding for the 2018-2019 biennium. The following is an informational list of the amounts appropriated elsewhere in this Act for border security to the Department of Public Safety, Trusteed Programs Within the Office of the Governor, the Parks and Wildlife Department, the Alcoholic Beverage Commission, the Department of Criminal Justice, the Commission on Law Enforcement, the Office of the Attorney General, the Soil and Water Conservation Board, and the Department of Motor Vehicles.

Department of Motor Vehicles

Automobile Burglary and Theft Prevention Authority Grants (ABTPA) \$5.6 million

The appropriated amount for ABTPA is \$5.6 million for the FY18-FY19 biennial total. In accordance with Appropriations Act, Article IX, Section 4.02 Grants, the ABTPA distributes grants on a reimbursement basis. For FY19 ABTPA designated specific grant funded Law Enforcement Agencies that operate along to Texas Border with Mexico (City of Brownsville, City of Eagle Pass, City of El Paso, City of Laredo,) and in the Texas Seaports (City of Beaumont, City of Corpus Christi, Galveston County, Harris County, City of Houston, City of Pasadena, City of Victoria) as "border/port security grants."

NOTE: An additional \$2,617,082 Border Security funds for AY 2018 were paid out in FY 2019 after the submission of the Period-2 Report for 2018 (as shown above).

External/Internal Factors Impacting Subcategory:

Expenses provided in this report are well below the obligations and encumbrances made by ABTPA. General Appropriations Act, Article IX Sec. 4.02. Grants. (a), requires ABTPA to "distribute grants on a reimbursement or as needed basis." Also, due to the statutory requirement (Chapter 783 Texas Government Code) for reimbursement grants, payments cannot be completed until after the due date of reports set in the rules promulgated by the Comptroller under this law.

The number of Positions (FTE) required in the report has not been provided because the employees under this grant program are not direct State employees. The number of positions funded under these grants are employees of grantees and subgrantees.

Agency Category
DMV Grants: Local Law Enforcement

Indicator	2018-February				2018-August				2019-February				2019-August				Agency Explanatory Notes for 2019 (if required)
	Border		Non-border		Border		Non-border		Border		Non-border		Border		Non-border		
	Assist	Lead	Assist	Lead	Assist	Lead	Assist	Lead	Assist	Lead	Assist	Lead	Assist	Lead	Assist	Lead	
# of intelligence referrals						145								204			4.2.6
Lbs. of drugs seized						16.82								5.5			5.8.2
# of apprehensions for smuggling						5								16			5.1.3, 5.2.3, 5.2.4
# of apprehensions resulting in cases charged						453								978			PR Item -5.11.2- Taskforces apprehesions where prosecutor informed taskforce that charges were filed (9 of 11 taskforces reporting).
# of apprehensions resulting in officer submitting cases to prosecutor														2115			PR Item -5.11.1- Taskforces apprehesions where officers submitted charges to prosecutor (11 of 11 taskfers reporting -Some months not submitted).

Motor Vehicle Crime Prevention Authority

February 5, 2020

Trademark summary

MVCPA current trademarks are:

- Watch Your Car
- You Hold the Key
- If You Like It. Lock It. (English and Spanish)
- Protect It. It's Yours.

The TxDMV Office of General Counsel has applied for new trademarks with the United States Patent and Trademark Office for 'If You Like It. Lock It.' in English and Spanish and those have been approved.

Renewal applications have been filed for Watch Your Car and You Hold the Key and we are waiting on approval from USPTO.

All trademarks are valid for 10 years and are filed under two classes, advertising and educational purposes.

Protect It. It's Yours. has about five years before it is up for renewal.



Word Mark	IF YOU LIKE IT LOCK IT MOTOR VEHICLE CRIME PREVENTION AUTHORITY
Goods and Services	IC 035. US 100 101 102. G & S: Promoting public awareness of the need for vehicle theft and vehicle burglary prevention; production of television, radio, and online public service announcements on the subject of vehicle theft and vehicle burglary prevention; direct mail advertising on the subject of vehicle theft and vehicle burglary prevention. FIRST USE: 20190506. FIRST USE IN COMMERCE: 20190506
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	01.17.12 - Maps of Texas ; Texas, map of 14.11.08 - Locks ; Locks and key holes; padlocks; combination locks ; Locks, combination ; Padlocks 26.05.13 - Triangles, exactly two triangles ; Two triangles 26.05.21 - Triangles that are completely or partially shaded 26.11.13 - Rectangles (exactly two rectangles) ; Two rectangles 26.11.21 - Rectangles that are completely or partially shaded 26.11.25 - Rectangles with one or more curved sides
Serial Number	88711608
Filing Date	December 2, 2019
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Texas Department of Motor Vehicles STATE AGENCY TEXAS 4000 Jackson Avenue Austin TEXAS 78731
Attorney of Record	Robert Blech
Description of Mark	The color(s) blue, red, white, black is/are claimed as a feature of the mark. The mark consists of The mark consists of a white background and a vertical rectangle with rounded corners and arch at the top the rectangle, representing a padlock with a clasp. The outline of the padlock is black. The color of the arched clasp and the top half of the padlock is split evenly between white on the left side and red on the right side. The bottom half of the padlock is blue. Under the clasp near the top of the padlock is a rectangle with a light charcoal back ground on the left side and light black back ground on the right, containing the words IF YOU LIKE IT in white capital letters. The Words IF YOU are on the left side of the rectangle on the charcoal background, overlaying the white background, and the words LIKE IT are on the right side of the background, overlying the red background. Beneath the first rectangle with the Words LIKE IT at approximately the middle section of the padlock is a second rectangle with a charcoal back ground on the left side of the rectangle and a darker background on the right of triangle with the letters LOCK it in white letters. The upper half of the triangle overlays the white and scarlet background colors in the upper half of the padlock and the lower half of the Triangle overlays the midnight blue bottom section. Directly beneath the rectangle with the words LOCK IT is a rectangular shape with a scarlet background. Centered in the underlying background is a silhouette of the State of Texas in White. Beneath and separate from the padlock in black capital letters are the words MOTOR VEHICLE CRIME and a line below those words the words PREVENTION AUTHORITY.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

If You Like It - Lock It!

Word Mark	IF YOU LIKE IT - LOCK IT!
Goods and Services	IC 035. US 100 101 102. G & S: Promoting public awareness of the need for vehicle theft and vehicle burglary prevention; production of television, radio, and online public service announcements on the subject of vehicle theft and vehicle burglary prevention; direct mail advertising on the subject of vehicle theft and vehicle burglary prevention. FIRST USE: 20190506. FIRST USE IN COMMERCE: 20190506
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88440082
Filing Date	May 21, 2019
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	September 10, 2019
Registration Number	5920885
Registration Date	November 26, 2019
Owner	(REGISTRANT) Texas Department of Motor Vehicles STATE AGENCY TEXAS 4000 Jackson Ave. Austin TEXAS 78731
Attorney of Record	Jon Lawson
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

Motor Vehicle Crime Prevention Authority

February 5, 2020

Domain Name

From: noreply@salesforce.com on behalf of [Domain Names](#)
To: [Menoskey, Mary](#)
Cc: beth.perry@dir.texas.gov; domainrequest@dir.texas.gov; registrar@dir.texas.gov
Subject: Domain Name Request Approved
Date: Monday, October 7, 2019 2:00:54 PM

DIR has reviewed your domain name request for **mvcpa.texas.gov** and has authorized it for use by the Motor Vehicle Crime Prevention Authority. The requested domain name meets the established naming convention within the Internet and Email Domain Management Policy and is not eligible for the exception process.

Please proceed with business and technical preparations necessary to implement the texas.gov domain. When you are ready for your new domain to be visible on the Internet, or for any additional technical questions, please contact the DIR technical team at Registrar@dir.texas.gov.

Thank you.

From: noreply@salesforce.com on behalf of [Domain Names](#)
To: [Menoskey, Mary](#)
Cc: beth.perry@dir.texas.gov; domainrequest@dir.texas.gov; registrar@dir.texas.gov
Subject: Domain Name Request Approved
Date: Monday, October 7, 2019 2:02:46 PM

DIR has reviewed your domain name request for **txmvcpa.texas.gov** and has authorized it for use by the Motor Vehicle Crime Prevention Authority. The requested domain name meets the established naming convention within the Internet and Email Domain Management Policy and is not eligible for the exception process.

Please proceed with business and technical preparations necessary to implement the texas.gov domain. When you are ready for your new domain to be visible on the Internet, or for any additional technical questions, please contact the DIR technical team at Registrar@dir.texas.gov.

Thank you.

Motor Vehicle Crime Prevention Authority

February 5, 2020

Flag Status: Full-Staff



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Governor Greg Abbott Issues Eight Executive Orders In Response To El Paso and Odessa Shootings ()

Governor Greg Abbott Issues Eight Executive Orders In Response To El Paso and Odessa Shootings

September 5, 2019 | Austin, Texas | [Proclamation](#)

WHEREAS, on August 3, 2019, a gunman killed twenty-two people in El Paso and injured dozens more in a despicable act of domestic terrorism; and

WHEREAS, the mother of the El Paso gunman had previously expressed concern to police about her son and the weapon with which he would later commit his cowardly attack; and

WHEREAS, on August 31, 2019, another gunman heinously killed seven people in Odessa and injured dozens more; and

WHEREAS, the Odessa gunman had called both the police and the Federal Bureau of Investigation prior to his shooting spree, had previously failed a background check, and was recently reported to law enforcement for confronting a neighbor while brandishing a semiautomatic rifle; and

WHEREAS, these tragic events come in the wake of other mass shootings in Texas, including one in which a gunman in Santa Fe opened fire in his high school with a shotgun and a revolver, another in which a gunman murdered worshippers at their church in Sutherland Springs, and another in which a gunman fatally ambushed police officers in Dallas; and

WHEREAS, mental instability, racial hatred, extremist ideology, a desire to sow domestic terror, and other factors have contributed to these horrific mass shootings in varying degrees; and

WHEREAS, legislative action has been and will be taken to safeguard against these dangers; and

WHEREAS, in addition to further legislative action, executive action can be taken immediately to help prevent more mass shootings and keep Texans safe; and

WHEREAS, revised and readily available standards for gathering and processing information about potential criminal or terrorist acts can lead to swifter action by law enforcement to prevent such acts, including mass shootings;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby order the following:

Order No. 1 Within thirty days of this order, the Texas Department of Public Safety shall develop standardized intake questions that can be used by all Texas law-enforcement agencies to better identify whether a person calling the agency has information that should be reported to the Texas Suspicious Activity Reporting Network.

Order No. 2 Within thirty days of this order, the Department of Public Safety shall develop clear guidance, based on the appropriate legal standard, for when and how Texas law-enforcement agencies should submit Suspicious Activity Reports.

Order No. 3 Within sixty days of this order, the Texas Commission on Law Enforcement shall make training available to educate all law-enforcement officers regarding the standards that will be developed pursuant to Order No. 1 and Order No. 2.

Order No. 4 The Department of Public Safety shall create and conduct an initiative to raise public awareness and understanding of how Suspicious Activity Reports are used by law-enforcement agencies to identify potential mass shooters or terroristic threats, so

that the general public and friends, family members, coworkers, neighbors, and classmates will be more likely to report information about potential gunmen.

Order No. 5 The Department of Public Safety shall work with the Texas Education Agency and the Texas Higher Education Coordinating Board on ways to better inform schools, students, staff, and families about the importance of Suspicious Activity Reports and how to initiate that process.

Order No. 6 The Department of Public Safety shall work with local law enforcement, mental-health professionals, school districts, and others to create multidisciplinary threat assessment teams for each of its regions, and when appropriate shall coordinate with federal partners.

Order No. 7 The Department of Public Safety, as well as the Office of the Governor, shall use all available resources to increase staff at all fusion centers in Texas for the purpose of better collecting and responding to Suspicious Activity Reports, and better monitoring and analyzing social media and other online forums, for potential threats.

Order No. 8 Beginning January 1, 2020, all future grant awards from the Office of the Governor to counties shall require a commitment that the county will report at least 90 percent of convictions within seven business days to the Criminal Justice Information System at the Department of Public Safety. By January 1, 2021, such reporting must take place within five business days.

This executive order supersedes all previous orders on this matter that are in conflict or inconsistent with its terms, and this order shall remain in effect and in full force until modified, amended, rescinded, or superseded by me or by a succeeding governor.

Given under my hand this the 5th day of September, 2019.

GREG ABBOTT
Governor

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Motor Vehicle Crime Prevention Authority

February 5, 2020

Personnel Updates

Robert Sutton-Grant Coordinator

Robert "Rob" Sutton started working with MVCPA in August 2020. Prior to this he served honorably in the U.S. Air Force for over 11 years as a Security Forces (Military Police) member with additional experience overseas and in combat. During his time in the Air Force, Rob was recognized for his achievements and experience in all aspects of law enforcement and law enforcement administration such as contract monitoring and management of command centers. Rob is also in the process of obtaining his TCOLE license. When he is not working, Rob enjoys the outdoors, traveling, live music, and spending time with his dog and friends.



**MOTOR VEHICLE CRIME
PREVENTION AUTHORITY**