1	PROPOSAL OF
2	SUBCHAPTER G. INSPECTIONS
3	43 TAC §217.144
4	INTRODUCTION. The Texas Department of Motor Vehicles (department) proposes to amend Title 43 of
5	the Texas Administrative Code (TAC) §217.144 concerning the training requirements for individuals
6	performing identification number inspections. The proposed amendments implement Senate Bill (SB) 604
7	86th Legislature, Regular Session (2019). Senate Bill 604 changed the name of the "Automobile Burglary
8	and Theft Prevention Authority" to the "Motor Vehicle Crime Prevention Authority."
9	EXPLANATION. Proposed amendments to §217.144 update the citation to Transportation Code
10	§501.0321. The proposed amendments to §217.144(1) update the name of a required training from
11	"Motor Vehicle Burglary and Theft Investigator Training" to "Motor Vehicle Crime Investigator Training"
12	to reflect the new name of the training. The substance of the training will not change as a result of the
13	name change. Proposed amendments to §217.144(1) also change the reference to the "Automobile
14	Burglary and Theft Prevention Authority" to the "Motor Vehicle Crime Prevention Authority." The
15	proposed amendments are necessary to implement SB 604.
16	FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT. Linda M. Flores, Chief Financial Officer,
17	has determined that for each year of the first five years the amendment will be in effect, there will be no
18	fiscal impact to state or local governments as a result of the enforcement or administration of the
19	proposal. Jeremiah Kuntz, Director of the Vehicle Titles and Registration Division, has determined that
20	there will be no measurable effect on local employment or the local economy as a result of the proposal
21	The proposed amendments do not change the nature or substance of the training requirements for
22	individuals performing identification number inspections, but merely update the name of one of the
23	required training courses.

PUBLIC BENEFIT AND COST NOTE. Mr. Kuntz has also determined that, for each year of the first five years the amendments are in effect, there is one public benefit anticipated.

Anticipated Public Benefits. The statutory name change from the "Automobile Burglary and Theft Prevention Authority" to the "Motor Vehicle Crime Prevention Authority" will be reflected in the department's rule. The public benefit anticipated as a result of the proposed amendments is consistency between the department's rules and the Transportation Code.

Anticipated Costs To Comply With The Proposal. Mr. Kuntz anticipates that there will be no costs to comply with these rules. The proposed amendments do not change the nature or substance of the training requirements for individuals performing identification number inspections, but merely update the name of one of the required training courses.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS. As required by Government Code §2006.002 the department has determined that the proposed amendments will not have an adverse economic effect on small businesses, micro-businesses, or rural communities as a result of implementing this rule. The proposed amendments do not change the nature or substance of the training requirements for individuals performing identification number inspections. Therefore, the department is not required to prepare a regulatory flexibility analysis under Government Code §2006.002.

TAKINGS IMPACT ASSESSMENT. The department has determined that no private real property interests are affected by this proposal and that this proposal does not restrict or limit an owner's right to property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking or require a takings impact assessment under the Government Code §2007.043.

GOVERNMENT GROWTH IMPACT STATEMENT. The department has determined that during the first five years the proposed amendments are in effect, no government program would be created or eliminated. Implementation of the proposed amendments would not require the creation of new employee positions

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1 or elimination of existing employee positions. Implementation would not require an increase or decrease

in future legislative appropriations to the department or an increase or decrease of fees paid to the

department. The proposed amendments do not create a new regulation, or expand, limit, or repeal an

existing regulation. Lastly, the proposed amendments do not affect the number of individuals subject to

the rule's applicability and will not affect this state's economy. Again, the proposed amendments do not

change the nature or substance of the training requirements for individuals performing identification

number inspections; the proposed amendments merely update the name of one of the required training

courses.

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REQUEST FOR PUBLIC COMMENT. If you want to comment on the proposal, submit your written

comments by 5:00 p.m. CDT on May 18, 2020. A request for a public hearing must be sent separately

from your written comments. Send written comments or hearing requests by email to rules@txdmv.gov

or by mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue,

Austin, Texas 78731. If a hearing is held, the department will consider written comments and public

testimony presented at the hearing.

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STATUTORY AUTHORITY. The amendments are proposed under Transportation Code §1002.001 which

provides the board of the Texas Department of Motor Vehicles with the authority to adopt rules that are

necessary and appropriate to implement the powers and the duties of the department; and more

specifically, Transportation Code, §501.0321 which provides the department authority to adopt rules to

determine appropriate training programs for a person who performs vehicle identification number

22 inspections.

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1	CROSS REFERENCE TO STATUTE. Transportation Code, §503.0321 and §1002.001.
2	TEXT.
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4	Subchapter G. Inspections
5	43 TAC §217.144
6	§217.144. Identification Number Inspection.
7	In addition to any other requirement specified by Transportation Code, §501.0321, a person is
8	qualified to perform an inspection under <u>Transportation Code</u> , §501.0321, [Transportation Code ,] if that
9	person has completed one of the following training programs:
10	(1) Intermediate or Advanced Motor Vehicle Crime [Burglary and Theft] Investigator
11	Training provided by the Motor Vehicle Crime Prevention Authority (Texas Automobile Burglary and Thef
12	Prevention Authority];
13	(2) Auto Theft School (Parts 1 and 2) provided by the Texas Department of Public Safety
14	or
15	(3) Auto Theft Course provided by the National Insurance Crime Bureau.
16 17	CERTIFICATION. The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.
18	Issued at Austin, Texas, on <u>April 6, 2020</u> .
19 20	/s/Tracey Beaver Tracey Beaver, General Counsel