



Motor Vehicle Crime Prevention Authority

Board Meeting
Houston, Texas
March 28, 2024

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

Page intentionally left blank.



AGENDA
BOARD MEETING
MOTOR VEHICLE CRIME PREVENTION AUTHORITY
HILTON HOUSTON POST OAK BY THE GALLERIA
2001 POST OAK BOULEVARD
HOUSTON, TEXAS 77056
MARCH 28, 2024
9:00 A.M.

Link to March 28, 2024, MVCPA Board Meeting Documents (under Calendar tab):
<https://www.txdmv.gov/about-us/MVCPA>

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

- 1. Roll Call and Establishment of Quorum**
- 2. Pledges of Allegiance – U.S. and Texas**
- 3. Chair's Reports – Chairman Rodriguez**
 - A. Approval of Transcript as Minutes (January 31, 2024) (ACTION ITEM)
 - B. Chair's Report
- 4. MVCPA Director's Report – William Diggs (BRIEFINGS ONLY)**
 - A. Staffing Update
 - B. Grant Management Tracking System Update
 - C. FY2024 Budget Overview

BRIEFING AND ACTION ITEMS

- 5. Senate Bill 224 Plan of Operation – Sharon Jones and William Diggs (BRIEFING ITEMS)**
 - A. SB224 Partner Agency Inter-Agency Contract (IAC) update – William Diggs
 - B. Senate Bill 224 Advisory Committee future Meeting – Sharon Jones
- 6. Grants, Budget, and Reporting Committee Update – Lt. Gonzalez (BRIEFING ITEM)**
- 7. Proposed Amendments to 43 TAC § 57.36 – David Richards (ACTION ITEM)**

8. **SB224 Catalytic Converter Grant Award Recommendations** – Lt. Gonzalez (ACTION ITEM)
9. **MVCPA Training Team Update** – Earl Pence, Herman Adair, Justin White, and Amber Ott (BRIEFING ITEM)

CLOSED SESSION

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

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.

Section 551.074 - Personnel matters.

- Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.

Section 551.076 - Deliberation Regarding Security Devices or Security Audits.

- the deployment, or specific occasions for implementation, of security personnel or devices; or
- a security audit.

Section 551.089 - Deliberation Regarding Security Devices or Security Audits.

- security assessments or deployments relating to information resources technology;
- network security information as described by Government Code Section 2059.055(b); or
- the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

11. **Action Items from Closed Session**

12. **Public Comment**

13. **Adjournment**

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. 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, Board members may respond in

accordance with Government Code §551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

If you would like to comment on any agenda item (including an open comment under the agenda item for Public Comment), you must complete a speaker's form at the registration table prior to the agenda item being taken up by the Board.

Public comment will only be accepted in person. Each speaker will be limited to three minutes, and time allotted to one speaker may not be reassigned to another speaker.

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 David Richards by telephone at (512) 465-1423.

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.

Page intentionally left blank.



Subject: Table of Contents

Agenda Item	Document	Page No.
	Agenda	i
1	Roll Call and Establishment of Quorum	1
2	Pledges of Allegiance – U.S. and Texas	2
3.A	Approval of Transcript as Minutes (January 31, 2024) (ACTION ITEM)	3
4.A	Staffing Update – William Diggs (BRIEFING ITEM)	4
4.B	Grant Management Tracking System Update – William Diggs (BRIEFING ITEM)	5
4.C	FY2024 Budget Overview – William Diggs (BRIEFING ITEM)	6
5.A	SB224 Partner Agency Inter-Agency Contract (IAC) update – William Diggs (BRIEFING ITEM)	10
5.B	Senate Bill 224 Advisory Committee future Meeting – Sharon Jones (BRIEFING ITEM)	11
6	Grants, Budget, and Reporting Committee Update – Lt. Gonzalez (BRIEFING ITEM)	13
7	Proposed Amendments to 43 TAC § 57.36 – David Richards (ACTION ITEM)	14
8	SB224 Catalytic Converter Grant Award Recommendations – Lt. Gonzalez (ACTION ITEM)	21
9	MVCPA Training Team Update – Earl Pence, Herman Adair, Justin White, and Amber Ott (BRIEFING ITEM)	22

Page intentionally left blank.



Agenda Item: 1

Subject: Roll Call and Establishment of Quorum

	Present
Assistant Chief Mike Rodriguez – Governor Designated Presiding Officer Law Enforcement Representative – Laredo, TX	
Kit Whitehill – Governor Appointed Board Member Insurance Consumer Representative – Coppell, TX	
Rebecca Cantu-Serrano – Governor Appointed Board Member Insurance Consumer Representative – Brownsville, TX	
Charla Brotherton – Governor Appointed Board Member Insurance Writer Representative – Fort Worth, TX	
Vacant – Governor Appointed Board Member Insurance Writer Representative	
Lieutenant Julio Gonzalez – Governor Appointed Board Member Law Enforcement Representative – Dallas, TX	
Major Sharon Jones – Ex Officio Member Designee for the Public Safety Director Texas Department of Public Safety	



Agenda Item: 2

Subject: Pledges of Allegiance – U.S. and Texas



"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."



To: Motor Vehicle Crime Prevention Authority Board
From: MVCPA Staff
Agenda Item: 3. A
Subject: Approval of Transcript as Minutes (January 31, 2024)

RECOMMENDATION

Action Item. Motion to approve the transcript as minutes.

PURPOSE AND EXECUTIVE SUMMARY

MVCPA staff emailed the January 31, 2024, Board Meeting Transcript to all MVCPA board members on March 20, 2024, for review.



To: Motor Vehicle Crime Prevention Authority Board
From: William Diggs, Director
Agenda Item: 4. A
Subject: Staffing Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

The 88th Legislature provided 10 FTEs to the MVCPA staffing level.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

MVCPA was awarded 10 new FTEs from the 88th Legislature. The total FTE count for MVCPA is currently 14.

Since the previous MVCPA Board meeting on January 31, 2024, the below positions have been filled:

Grant Auditor IV – Lauren Williams
Grant Auditor III – Sterling Fielder
Training and Development Specialist V – Amber Ott
Administrative Assistant VI – Cassandra Flint
Grant Specialist III - Sandra Rangel
Grant Specialist III - Kathryn Norris
Grant Specialist III - Frances Alvarado

Currently, MVCPA staff are scheduling Interviews for the remaining position:

Program Specialist IV – Scheduling interviews (Dan Price)



To: Motor Vehicle Crime Prevention Authority Board
From: William Diggs, Director
Agenda Item: 4. B
Subject: Grant Management Tracking System Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update related to the new Grant Management Tracking System (GMTS).

FINANCIAL IMPACT

To be determined.

BACKGROUND AND DISCUSSION

MVCPA staff have been diligently working to replace the current GMTS. Staff have coordinated multiple meetings with the project manager assigned by the Project Management Office (PMO) within the TxDMV. A total of 24 responses were received for the recent Request for Information (RFI) placed on the open market. An evaluation of each response is underway and demonstrations will be coordinated in the coming weeks. The PMO Office has also assigned a Business Analyst (BA) to further assist with requirements gathering and coordination with current grantees and respondents to the RFI.



To: Motor Vehicle Crime Prevention Authority Board
From: William Diggs, Director
Agenda Item: 4. C
Subject: FY2024 Budget Overview

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

Attached is the MVCPA fiscal year (FY) 2024 financial report for September 1, 2023–February 29, 2024. The report includes statistical and monetary information on the authority's budget, actual expenditures, and outstanding obligations.

FINANCIAL IMPACT

MVCPA is self-supporting and is funded from motor vehicle insurer fees deposited to the General Revenue Fund.

Key highlights include:

- The Total Adjusted Budget for FY 2024 for all MVCPA programs is \$49.9 million, which includes:
 - \$24.1 million in motor vehicle crime prevention appropriations;
 - \$24.7 million in catalytic converter program appropriations; and
 - \$1.0 million in unexpended appropriations from FY 2023 motor vehicle crime prevention appropriations that are available for expenditure in FY 2024.
- Through the end of February, the major expenditures include:
 - Contract Services for Board meeting and workshop audio/video support services;
 - Travel; and
 - Rent, Buildings, which includes the rental of meeting spaces and equipment for the 2024 MVCPA Conference, as well as board meetings and workshops.
- Encumbrances include:
 - Grants
 - Contract Services for an Interagency Agreement with the Texas Comptroller of Public Accounts and a contract for reporting and transcription services.
 - Rent, Buildings, which includes the rental of meeting space and equipment for the 2024 MVCPA Conference and board meetings.

BACKGROUND AND DISCUSSION

See attached report.

(see next page)

MOTOR VEHICLE CRIME PREVENTION AUTHORITY



Strategy B.2.1. Motor Vehicle Crime Prevention, All Programs

The Motor Vehicle Crime Prevention Authority (MVCPA) educates Texans on how to protect themselves from motor vehicle theft and awards financial grants to local law enforcement entities to curtail auto theft, auto burglary, and catalytic converter theft.

February 2024

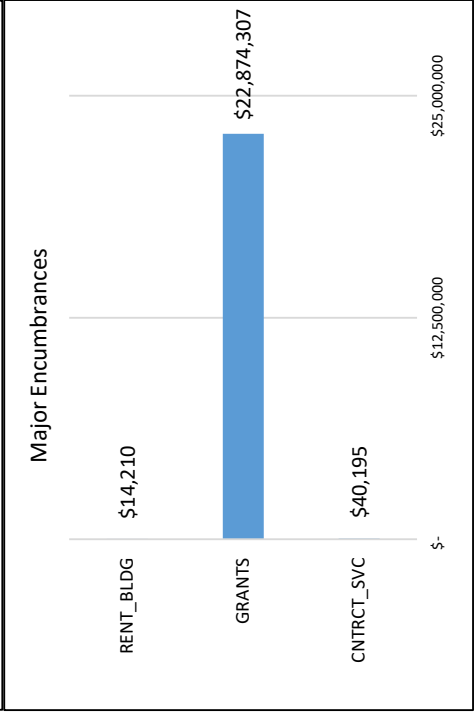
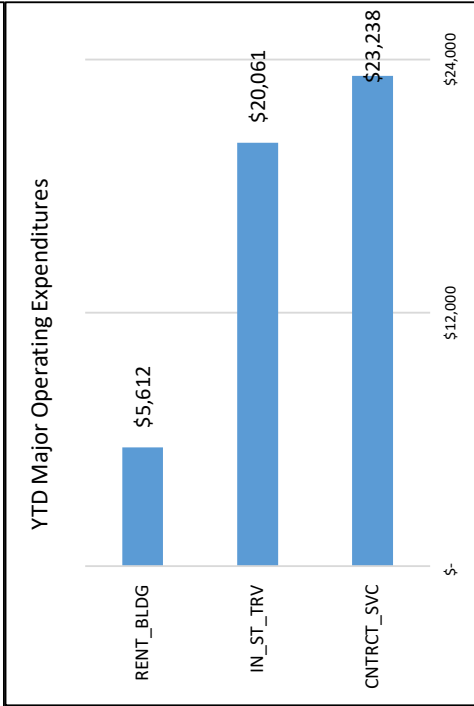
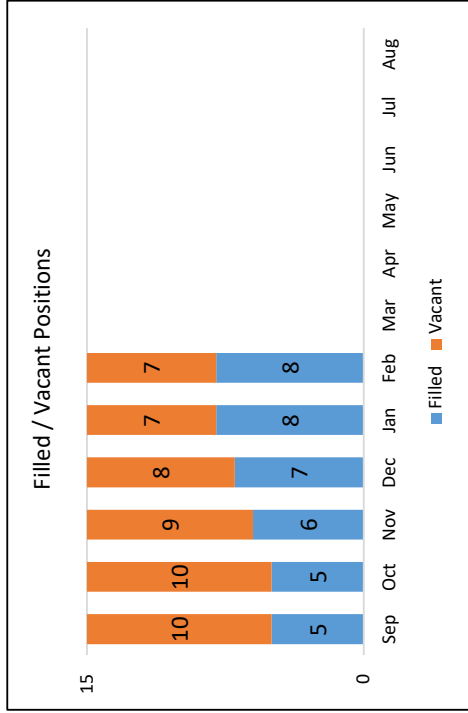
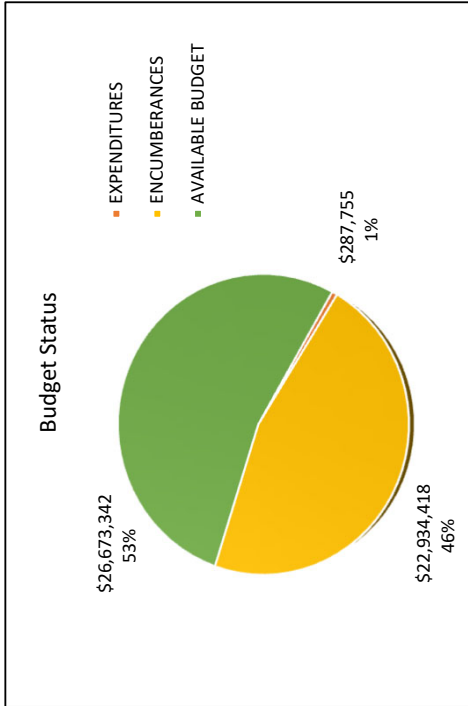
FINANCIAL HIGHLIGHTS

FY 2024 BUDGET		
Original Budget	\$	48,857,762
Adjustments	\$	1,037,753
Adjusted Budget	\$	49,895,515

FY 2024 BUDGET STATISTICS		
% of Strategy Budget		100.00%
% of Agency Budget		11.05%
% Available Budget		53.46%

FY 2024 FTE & SALARY DATA		
FTE Allocation		15
Salary & Related Budget ¹	\$	1,182,382
% of Division Budget		2.37%
YTD Lapsed Salary Budget ²	\$	295,580
Division Salary Surplus ³	\$	2,359

EXPENDITURE DATA		
YTD FY 2024 Expenditures	\$	287,755
YTD FY 2023 Expenditures	\$	3,205,845
Year-over-Year % variance		-91.02%



OPERATIONAL HIGHLIGHTS

The 88th Legislature appropriated \$24,190,500 and an additional six FTEs to MVCPA for FY 2024-2025. In addition, the Legislature appropriated funds for Senate Bill 224 to detect and prevent catalytic converter theft in the amount of \$24,352,279, plus four FTEs and \$314,983 to implement the provisions of bill. 94% of the budget is made up of grant funds, which are distributed to law enforcement agencies throughout the state to fund educational and safety programs related to the prevention of motor vehicle theft. The division's operations primarily involve monitoring grants and assessing requests for reimbursement from grantees. Through the end of February, the major expenditures are in Contract Services for December meetings and Board workshop audio/video support services; Travel; and Rent, Buildings which includes the rental of meeting spaces and equipment for the 2024 MVCPA Conference and SB224 Workshop and December Board meeting. Grants are the most significant encumbrance. Contract Services includes an Interagency Agreement with the Texas Comptroller of Public Accounts and a contract with On the Record Reporting and Transcription services. Rent, Buildings includes the rental of meeting space and equipment for the 2024 MVCPA Conference and December Board meeting.

¹Includes Salary, BRP (benefit replacement pay), and Other Personnel accounts
²Salary budget not utilized due to vacancies
³Annual amount by which the division's salary budget exceeds actual salary expense

MOTOR VEHICLE CRIME PREVENTION AUTHORITY

Strategy B.2.1. Motor Vehicle Crime Prevention, Motor Vehicle Crime Program

The Motor Vehicle Crime Prevention Authority (MVCPA) educates Texans on how to protect themselves from motor vehicle theft and awards financial grants to local law enforcement entities to curtail auto theft, auto burglary, and catalytic converter theft.

February 2024

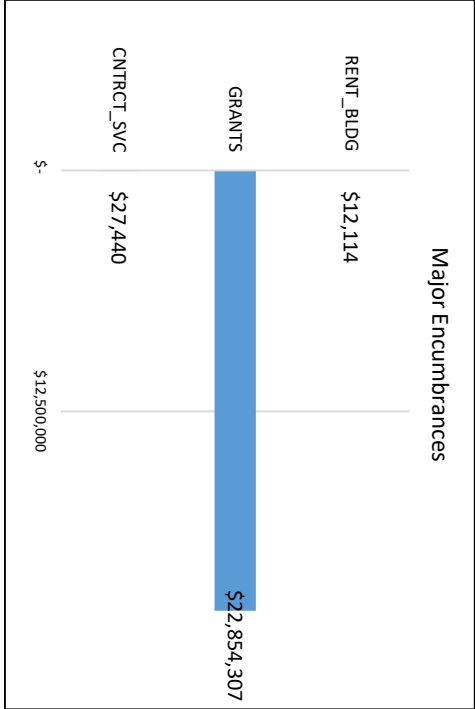
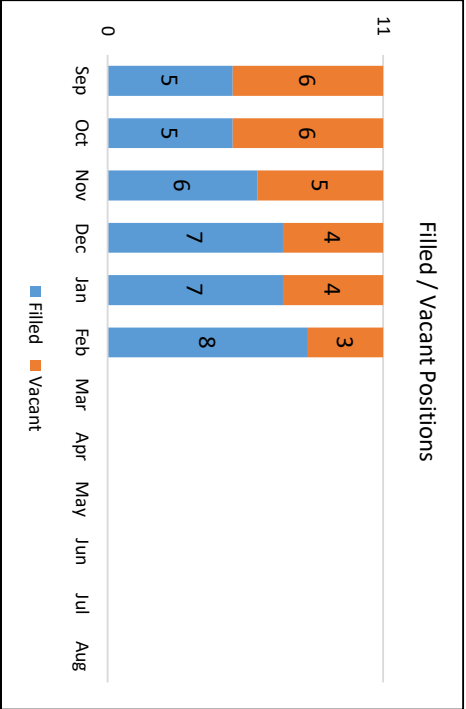
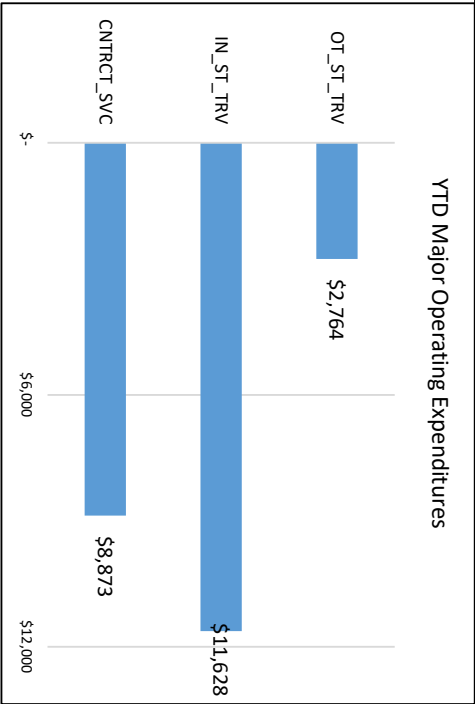
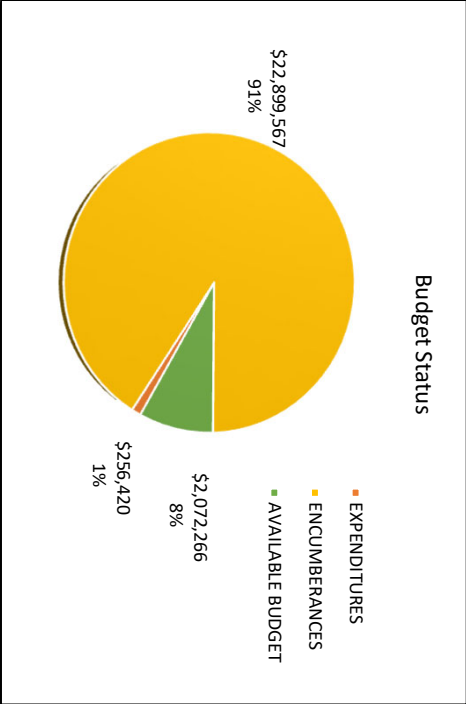
FINANCIAL HIGHLIGHTS

FY 2024 BUDGET	
Original Budget	\$ 24,190,500
Adjustments	\$ 1,037,753
Adjusted Budget	\$ 25,228,253

FY 2024 BUDGET STATISTICS	
% of Strategy Budget	50.56%
% of Agency Budget	5.59%
% Available Budget	8.21%

FY 2024 FTE & SALARY DATA	
FTE Allocation	11
Salary & Related Budget ¹	\$ 870,549
% of Division Budget	3.45%
YTD Lapsed Salary Budget ²	\$ 147,765
Division Salary Surplus ³	\$ -

EXPENDITURE DATA	
YTD FY 2024 Expenditures	\$ 256,420
YTD FY 2023 Expenditures	\$ 3,205,845
Year-over-Year % variance	-92.00%



OPERATIONAL HIGHLIGHTS

The 88th Legislature appropriated \$24,190,500 and an additional six FTEs to the MVCPA Motor Vehicle Crime Prevention program for FY 2024-2025. The program's operations primarily involve monitoring grants and assessing requests for reimbursement from grantees. Through the end of February, the major expenditures are in Contract Services for December meetings and Board workshop audio/video support services; Travel, including out-of-state travel for board member attendance at the San Diego CA IACP Conference; and Rent, Buildings which includes the rental of meeting spaces and equipment for the 2024 MVCPA Conference and December Board meeting. Grants are the most significant encumbrance. Contract Services includes an Interagency Agreement with the Texas Comptroller of Public Accounts and a contract with On the Record Reporting and Transcription services. Rent, Buildings includes the rental of meeting space and equipment for the 2024 MVCPA Conference and December Board meeting.

¹Includes Salary, BRP (Benefit replacement pay), and Other Personnel accounts
²Salary budget not utilized due to vacancies
³Annual amount by which the division's salary budget exceed actual salary expense

MOTOR VEHICLE CRIME PREVENTION AUTHORITY

Strategy B.2.1, Motor Vehicle Crime Prevention, Catalytic Converter Program



The Catalytic Converter program is tasked with detecting and preventing catalytic converter theft in the State of Texas, pursuant to SB 224, 88th Legislature, R.S.

February 2024

FINANCIAL HIGHLIGHTS

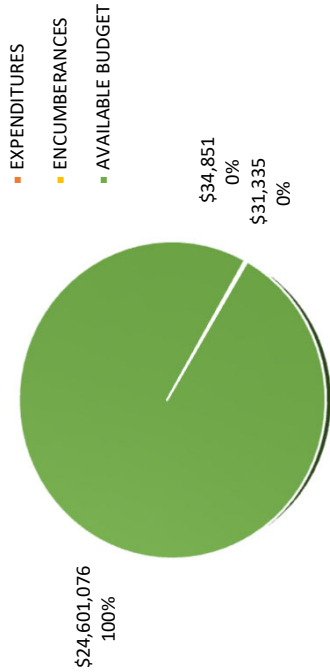
FY 2024 BUDGET		
Original Budget	\$	24,667,262
Adjustments	\$	-
Adjusted Budget	\$	24,667,262

FY 2024 BUDGET STATISTICS		
% of Strategy Budget		49.44%
% of Agency Budget		5.46%
% Available Budget		99.73%

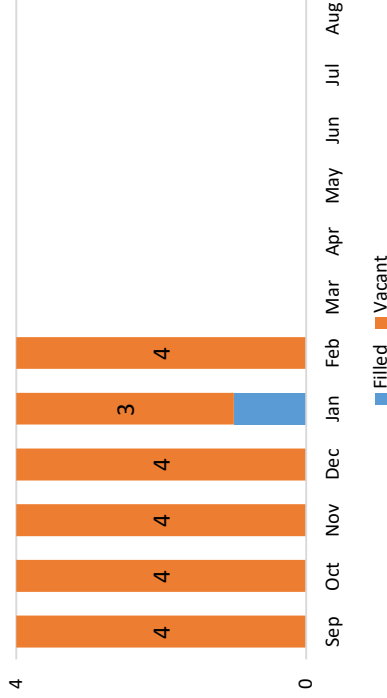
FY 2024 FTE & SALARY DATA		
FTE Allocation		4
Salary & Related Budget ¹	\$	311,833
% of Division Budget		1.26%
YTD Lapsed Salary Budget ²	\$	147,816
Division Salary Surplus ³	\$	2,359

EXPENDITURE DATA		
YTD FY 2024 Expenditures	\$	31,335
YTD FY 2023 Expenditures	\$	-
Year-over-Year % variance		0.00%

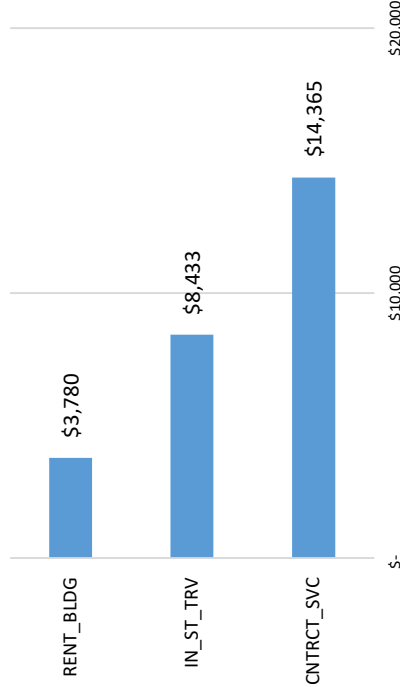
Budget Status



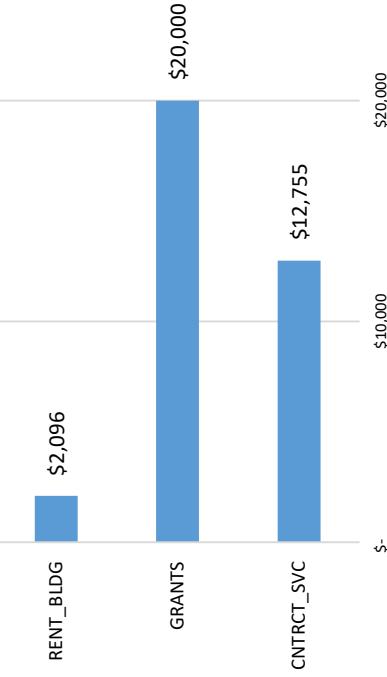
Filled / Vacant Positions



YTD Major Operating Expenditures



Major Encumbrances



OPERATIONAL HIGHLIGHTS

The 88th Legislature appropriated funds for Senate Bill 224 to detect and prevent catalytic converter theft in the amount of \$24,352,279, plus four FTEs and \$314,983 to implement the provisions of bill. Through the end of February, the major expenditures in the Catalytic Converter Program are in Contract Services for Transcription & Reporting Services for MVCPA SB224 Advisory Committee and Conference Coordinating & Planning Services; Travel; and Rent, Buildings which includes the rental of meeting spaces and equipment for the SB224 Workshop.

¹Includes Salary, BRP (benefit replacement pay), and Other Personnel accounts

²Salary budget not utilized due to vacancies

³Annual amount by which the division's salary budget exceed actual salary expense



To: Motor Vehicle Crime Prevention Authority Board
From: William Diggs, Director
Agenda Item: 5. A
Subject: SB224 Partner Agency Inter-Agency Contract (IAC) Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update on SB224 Partner Agency IAC's.

FINANCIAL IMPACT

Texas Department of Licensing and Regulation (TDLR) \$396,542 – 4 FTEs to include additional operating costs.

Texas Department of Public Safety (TxDPS) \$2,367,166 – 16 FTEs to include additional operating costs.

BACKGROUND AND DISCUSSION

DPS and TDLR IAC's were prepared by MVCPA Staff in conjunction with TXDMV Office of General Counsel, MVCPA Lead Counsel David Richards and Associate General Counsel Shadd Pegram. Both DPS and TDLR have received the documents and are working through their internal processes for execution. The projected completion date for the IACs is in April of 2024.

Partner Agency Meetings occur every other Thursday to further develop and execute the SB224 Plan of Operation. Meetings are focused on overall collaboration, developing intelligence sharing, and continuous review of risk-based factors.



To: Motor Vehicle Crime Prevention Authority Board
From: Sharon Jones, Major
Agenda Item: 5. B
Subject: Senate Bill 224 Advisory Committee Future Meeting

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update on future Senate Bill 224 (SB224) Advisory Committee Meeting.

FINANCIAL IMPACT

To be determined.

BACKGROUND AND DISCUSSION

Below is a schedule of the upcoming SB224 Advisory Committee Meetings and scheduled tours:

Senate Bill 224 Advisory Committee – Techemet Tour

Date: Wednesday, May 1, 2024

Location: 6025 Genoa Red Bluff Rd, Pasadena, Texas 77507

Time: 10:00 AM – 2:00 PM

Senate Bill 224 Advisory Committee Meeting

Date: Thursday, May 2, 2024

Location: Hilton Houston Post Oak by the Galleria (2001 Post Oak Blvd., Houston, TX 77056)

Time: 9:00 AM – 5:00 PM

Senate Bill 224 Advisory Committee – LKQ Auto Parts of Central Texas Tour

Date: Monday, July 1, 2024

Location: 5545 Goodwin Ln, New Braunfels, Texas 78130

Time: 10:00 AM – 12:00 PM

Senate Bill 224 Advisory Committee – PGM of Texas Tour

Date: Monday, July 1, 2024

Location: 2809 S Interstate 35, San Marcos, Texas 78666

Time: 2:00 PM – 4:00 PM

Senate Bill 224 Advisory Committee Meeting

Date: Tuesday, July 2, 2024

Location: Embassy Suites by Hilton San Marcos Hotel Conference Center (1001 E. McCarty Ln., San Marcos, TX 78666)

Time: 9:00 AM – 5:00 PM

Senate Bill 224 Advisory Committee Meeting

Date: Thursday, October 3, 2024

Location: Laredo, TX

Time: 9:00 AM – 5:00 PM



To: Motor Vehicle Crime Prevention Authority Board
From: Julio Gonzalez, Chairman GBR Committee
Agenda Item: 6
Subject: Grants, Budget, and Reporting Committee Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an overview of the March 27, 2024, Grants, Budget, and Reporting Committee Meeting outcome.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The GBR Committee received updates from Director Diggs on the following topics:

- MVCPA Budget
- Grant Management Tracking System Replacement Progress

The GBR Committee received a proposed rule amendment from MVCPA Lead Counsel David Richardson on the following topic:

- 43 TAC Rule 57.36 Level of Funding for Grant Projects (Proposed Rule Amendment)

The GBR Committee also was presented with information from SB-224 Catalytic Converter Applicants. Information for each SB 224 Grant Applicant will be presented for approval before the entire board in agenda item 8.



To: Motor Vehicle Crime Prevention Authority Board
From: David Richards, MVCPA Attorney
Agenda Item: 7
Subject: Proposed Amendments to 43 TAC 57.36, Level of Funding Grant Projects

RECOMMENDATION

Action Item. Approval to publish the rule amendment in the *Texas Register* for public comment.

PURPOSE AND EXECUTIVE SUMMARY

The amendment is designed to provide the MVCPA board with flexibility in establishing grantee cash match requirements for each year of funding.

FINANCIAL IMPACT

There will be a positive fiscal impact to state or local governments as a result of the enforcement or administration of this proposal. The public benefits of the proposal anticipated as a result of the proposal will include increased funding for the city and county governments of MVCPA taskforces to combat catalytic converter theft in their communities.

BACKGROUND AND DISCUSSION

Transportation Code §§1006.151(a) and 1006.154 provide the Motor Vehicle Crime Prevention Authority (MVCPA) with authority to issue grants in its own name by providing funding to law enforcement agencies for economic motor vehicle theft and fraud-related motor vehicle crime enforcement teams; to law enforcement agencies, local prosecutors, judicial agencies, and neighborhood, community, business and non-profit organizations for the programs designed to reduce the incidence of economic motor vehicle theft and fraud-related motor vehicle crime; for conducting educational programs designed to inform motor vehicle owners of methods of preventing motor vehicle burglary or theft and fraud-related motor vehicle crime; for equipment, for experimental purposes, to assist motor vehicle owners in preventing motor vehicle burglary or theft; and funding to establish a uniform program to prevent stolen motor vehicles from entering Mexico. Under current 43 Texas Administrative Code (TAC) §57.36, a grantee must contribute a cash match of 20% of the total MVCPA award for each year of funding to be eligible for MVCPA grant funds.

During the 88th Texas Legislature, Regular Session, Senate Bill (SB) 224 passed and was signed into law. The focus of SB 224 was the detection and prevention of catalytic converter theft in Texas. SB 224 appropriated funding for the coordinated regulatory and law enforcement activities intended to detect and prevent catalytic converter theft, and provided that the funding may be appropriated to the MVCPA for the activities described in SB 224.

The MVCPA issued a Request for Applications (RFA) for SB 224 FY24 funding to solicit applications from law enforcement agencies and taskforces to apply for SB 224 FY24 grant funding. Prior to posting the SB 224 RFA, law enforcement agencies and taskforces informed the MVCPA that due to the timing of the SB 224 FY24 RFA posting and the current FY24 budgetary cycles in their cities and counties, the law enforcement agencies and taskforces would be unable to provide the twenty percent cash match required under 43 TAC §57.36. Many of the same law enforcement agencies and MVCPA taskforces had already provided a twenty percent cash match for MVCPA FY24 non-SB 224 grants. Lacking the ability to provide an additional twenty percent cash match for SB 224 FY24 grant funding, the law enforcement agencies and taskforces would not be able to be eligible for or secure SB 224 FY24 grant funding based on the rule as currently written. Without the ability of law enforcement agencies and taskforces to secure such funding, the legislative intent behind SB 224 would be impeded

and unfulfilled. SB 224 recognized that law enforcement agencies and taskforces are vital to the success of detecting and preventing catalytic converter theft in Texas. The current rule has the effect of preventing law enforcement agencies and taskforces from serving in this vital role due to budgetary constraints.

An amendment to 43 TAC §57.36 is proposed to provide the MVCPA board with authority to address unforeseen grantee budgetary shortfalls by providing the board with greater flexibility in adjusting the cash match percentage required of law enforcement grantees seeking MVCPA grant funding. The proposed amendment would allow the MVCPA board to exercise its discretion in setting the percentage of cash match in each grant funding cycle by considering grantee budgetary factors. By providing the MVCPA board with discretion to set the percentage of cash match or waive the cash match requirement for a given fiscal year, the board can ensure that law enforcement agencies with decreased financial resources will have a realistic opportunity to apply for and secure MVCPA grant funding in furtherance of the MVCPA statutory mandates.

[Next Rule>>](#)

Texas Administrative Code

TITLE 43	TRANSPORTATION
PART 3	MOTOR VEHICLE CRIME PREVENTION AUTHORITY
CHAPTER 57	MOTOR VEHICLE CRIME PREVENTION AUTHORITY
RULE §57.36	Level of Funding for Grant Projects

For each grant, ~~[a grantee must contribute a cash match of 20% of]~~ the [total] MVCPA will determine whether to require grantees to contribute a cash match to be eligible [award,] for [each year of] funding. ~~[, in order to be eligible for]~~ If required, the cash match will be a percentage of the total MVCPA award, for each year of funding[s], not to exceed 20%. The cash match requirement for each grant will be stated in the grant application.

Source Note: The provisions of this §57.36 adopted to be effective January 21, 1993, 18 TexReg 159; amended to be effective October 13, 1995, 20 TexReg 7973; amended to be effective August 21, 1996, 21 TexReg 7655; transferred effective February 24, 1998, as published in the Texas Register March 6, 1998, 23 TexReg 2399; amended to be effective November 14, 1999, 24 TexReg 10146; amended to be effective August 29, 2006, 31 TexReg 6820; amended to be effective December 10, 2007, 32 TexReg 9132; amended to be effective April 12, 2012, 37 TexReg 2436; amended to be effective March 24, 2015, 40 TexReg 1713; amended to be effective March 1, 2020, 45 TexReg 1443

PROPOSED REVISION TO

43 TAC §57.36

INTRODUCTION. The Motor Vehicle Crime Prevention Authority (MVCPA) proposes an amendment to 43 TAC §57.36 concerning level of funding for grant projects. This amendment is necessary to implement Occupations Code §§1006.151 and 1006.154 by providing financial support to law enforcement agencies for economic motor vehicle theft and fraud-related motor vehicle crime enforcement teams, and in lessening the financial burden on local city and county governments that may be unable to meet the current cash match requirements under 43 TAC §57.36.

EXPLANATION.

Transportation Code §§1006.151(a) and 1006.154 provide the Motor Vehicle Crime Prevention Authority (MVCPA) with authority to issue grants in its own name by providing funding to law enforcement agencies for economic motor vehicle theft and fraud-related motor vehicle crime enforcement teams; to law enforcement agencies, local prosecutors, judicial agencies, and neighborhood, community, business and non-profit organizations for the programs designed to reduce the incidence of economic motor vehicle theft and fraud-related motor vehicle crime; for conducting educational programs designed to inform motor vehicle owners of methods of preventing motor vehicle burglary or theft and fraud-related motor vehicle crime; for equipment, for experimental purposes, to assist motor vehicle owners in preventing motor vehicle burglary or theft; and funding to establish a uniform program to prevent stolen motor vehicles from entering Mexico. Under current 43 Texas Administrative Code (TAC) §57.36, a grantee must contribute a cash match of 20% of the total MVCPA award for each year of funding to be eligible for MVCPA grant funds.

1 During the 88th Texas Legislature, Regular Session, Senate Bill (SB) 224 passed and was signed into
2 law. The focus of SB 224 was the detection and prevention of catalytic converter theft in Texas. SB 224
3 appropriated funding for the coordinated regulatory and law enforcement activities intended to detect
4 and prevent catalytic converter theft, and provided that the funding may be appropriated to the MVCPA
5 for the activities described in SB 224.

6 The MVCPA issued a Request for Applications (RFA) for SB 224 FY24 funding to solicit applications from
7 law enforcement agencies and taskforces to apply for SB 224 FY24 grant funding. Prior to posting the SB
8 224 RFA, law enforcement agencies and taskforces informed the MVCPA that due to the timing of the SB
9 224 FY24 RFA posting and the current FY24 budgetary cycles in their cities and counties, the law
10 enforcement agencies and taskforces would be unable to provide the twenty percent cash match required
11 under 43 TAC §57.36. Many of the same law enforcement agencies and MVCPA taskforces had already
12 provided a twenty percent cash match for MVCPA FY24 non-SB 224 grants. Lacking the ability to provide
13 an additional twenty percent cash match for SB 224 FY24 grant funding, the law enforcement agencies
14 and taskforces would not be able to be eligible for or secure SB 224 FY24 grant funding based on the rule
15 as currently written. Without the ability of law enforcement agencies and taskforces to secure such
16 funding, the legislative intent behind SB 224 would be impeded and unfulfilled. SB 224 recognized that
17 law enforcement agencies and taskforces are vital to the success of detecting and preventing catalytic
18 converter theft in Texas. The current rule has the effect of preventing law enforcement agencies and
19 taskforces from serving in this vital role due to budgetary constraints.

20 An amendment to 43 TAC §57.36 is proposed to provide the MVCPA board with authority to
21 address unforeseen grantee budgetary shortfalls by providing the board with greater flexibility in
22 adjusting the cash match percentage required of law enforcement grantees seeking MVCPA grant funding.
23 The proposed amendment would allow the MVCPA board to exercise its discretion in setting the

percentage of cash match in each grant funding cycle by considering grantee budgetary factors. By providing the MVCPA board with discretion to set the percentage of cash match or waive the cash match requirement for a given fiscal year, the board can ensure that law enforcement agencies with decreased financial resources will have a realistic opportunity to apply for and secure MVCPA grant funding in furtherance of the MVCPA statutory mandates.

FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT. Glenna Bowman, Chief Financial Officer, Texas Department of Motor Vehicles has determined that for each year of the first five years the new section will be in effect, there will be a positive fiscal impact to state or local governments as a result of the enforcement or administration of the proposal. William Diggs, Director of the Motor Vehicle Crime Prevention Authority (MVCPA) Division, has determined that there will be no potential measurable effect on local employment or the local economy.

PUBLIC BENEFIT AND COST NOTE. Mr. Diggs has also determined that, for each year of the first five years the new section is in effect, the public benefits anticipated as a result of the proposal will include increased funding for the city and county governments of MVCPA taskforces to combat catalytic converter theft in their communities.

Anticipated Costs to Comply with The Proposal. Mr. Diggs anticipates there will be no significant fiscal costs for grantees to comply with this rule..

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS. As required by the Government Code, §2006.002, the department has determined that the proposed amendment will not have an adverse economic effect on small businesses, micro-businesses, and rural communities because the new section does not require small businesses, micro businesses, or rural communities to comply. Therefore, the department is not required to prepare a regulatory flexibility analysis under Government Code, §2006.002.

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

5 **GOVERNMENT GROWTH IMPACT STATEMENT.** The department has determined that each year of the
6 first five years the proposed new section is in effect, no government program would be created or
7 eliminated. Implementation of the proposed amendments would not require the creation of new
8 employee positions. The proposed amendment does not create a new regulation, or expand, or repeal an
9 existing regulation. The proposed amendment may decrease the amount of cash match funding that an
10 MVCPA grantee is required to provide in order to be eligible for MVCPA grant funding. Lastly, the
11 proposed new section does not affect the number of individuals subject to the rule's applicability and will
12 not affect this state's economy.

13 **REQUEST FOR PUBLIC COMMENT.**

14 If you want to comment on the proposal, submit your written comments by 5:00 p.m. CST on MM, DD,
15 YYYY. A request for a public hearing must be sent separately from your written comments. Send written
16 comments or hearing requests by email to rules@txdmv.gov or by mail to Office of General Counsel, Texas
17 Department of Motor Vehicles, 4000 Jackson Avenue, Austin, Texas 78731. If a hearing is held, the
18 department will consider written comments and public testimony presented at the hearing.

19 **STATUTORY AUTHORITY.** The MVCPA proposes an amendment to 43 TAC §57.36 under Transportation
20 Code §1006.101. Transportation Code §1006.101 authorizes the MVCPA to adopt rules that are necessary
21 appropriate to implement the powers and the duties of the authority.

22 **CROSS REFERENCE TO STATUTE.** Art. 4413(37) §6.



To: Motor Vehicle Crime Prevention Authority Board
From: Julio Gonzalez, Chairman GBR Committee
Agenda Item: 8
Subject: SB224 Catalytic Converter Grant Award Recommendations

RECOMMENDATION

Action Item.

PURPOSE AND EXECUTIVE SUMMARY

To provide an overview and recommendation for potential approval of the below SB224 Grant Applications.

FINANCIAL IMPACT

Total Request = \$6,802,347

BACKGROUND AND DISCUSSION

The following SB224 Gant Applications have been submitted and reviewed by MVCPA Staff and the GBR Committee. The GBR Committee recommends approval of the following applications and award funding in the amounts requested:

City of Brownsville	South Texas Auto Theft Enforcement Task Force (S.T.A.T.E. Task Force) - \$278,803
Chambers County	Chambers County Sheriff's Office - \$50,455
City of Dallas	Dallas Converter Squad - \$872,650
City of Eagle Pass	Eagle Pass Police Auto Theft Task Force - \$669,684
Galveston County	Gulf Coast Environmental Crimes Task Force - \$450,702
Harris County	HC Auto Theft Taskforce Catalytic Converter Theft Prevention and Investigation - \$63,300
Hidalgo County	HCSO Catalytic Converter Grant - \$402,473
City of Houston	Houston Catalytic Converter Crimes Task Force 1 (HCCCTF 1) - \$964,240
City of Laredo	Laredo Auto Theft Task Force - \$1,961,593
City of New Braunfels	New Braunfels Police Department - Enforcement and Prevention Initiative - \$686,748
City of Pasadena	Pasadena Auto Crimes Prevention Program - \$103,000
Potter County	Potter County (Panhandle Auto Burglary and Theft Unit, PABTU) - \$237,350
Smith County	Smith County - East Texas Auto Theft Task Force - \$111,804
	Total Request = \$6,802,347



To: Motor Vehicle Crime Prevention Authority Board
From: Earl Pence, Deputy Director; Herman Adair, Law Enforcement Trainer; Justin White, Law Enforcement Trainer; Amber Ott, Law Enforcement Trainer
Agenda Item: 9
Subject: MVCPA Training Team Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update on MVCPA Training Team activities.

FINANCIAL IMPACT

To be determined.

BACKGROUND AND DISCUSSION

The last Law Enforcement Trainer Position has been filled with the addition of Amber Ott. Amber comes to the Motor Vehicle Crime Prevention Authority from the Motor Carrier Division of the Texas Department of Motor Vehicles (TxDMV). Amber brings a wealth of experience and knowledge, already proving to be a valuable asset to the training division.

The Law Enforcement Trainers are in the process of developing up-to-date statistics for training slides that will be shared at various training courses including the NICB Auto Theft trainings and the MVCPA Auto Theft trainings. In addition to the statistics being shared, the trainings will also include a 15-minute presentation on catalytic converter crimes. The Law Enforcement Trainers are also developing public catalytic converter theft prevention education course to be shown in person and in Webinars to the general public. Trainers are developing a 2-hour Basic Catalytic Converter Crimes training for the FY24 MVCPA Conference scheduled in July. The course outline will be sent to TCOLE for approval. Numerous trainings are filling the calendar for the remainder of the year, including a Part 2 (Advanced) Auto Theft Course to be held in Conroe, TX in June 2024.

With the assistance of TxDMV, MVCPA is in the process of purchasing a truck and trailer. The trailer will be wrapped with MVCPA public awareness logos and is expected to be driven to car shows, community celebrations, public education events, etc. The trailer will be equipped to show educational videos, store promotional and education materials, and store custom printed MVCPA tablecloths for booth set-ups. The specifications for the truck and the trailer are being finalized. Currently, the Law Enforcement Team is attempting to obtain a catalytic converter that is cut in half to educate the public on the precious metals. The catalytic converter will be one of the many hands-on items used for part of the trainings and public displays.

A future project for the Law Enforcement Trainers is to develop a 1- hour Catalytic Converter Presentation for larger police agency cadet classes.



**MOTOR VEHICLE CRIME
PREVENTION AUTHORITY**