



**AGENDA
BOARD MEETING
MOTOR VEHICLE CRIME PREVENTION AUTHORITY
TEXAS DEPARTMENT OF MOTOR VEHICLES
LONE STAR ROOM
4000 JACKSON AVENUE
AUSTIN, TEXAS 78731
OCTOBER 17, 2024
9:00 AM**

The presiding officer of the Board of the Motor Vehicle Crime Prevention Authority (Committee) will be physically present in the Lone Star Room, 4000 Jackson Avenue, Austin, Texas 78731. Some Committee members may attend via videoconferencing.

Link to October 17, 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 – Mike Rodriguez, Chairman**
 - A. Approval of Transcript as Minutes (July 19, 2024) (ACTION ITEM)
 - B. Chair's Report
- 4. MVCPA Director's Report – William Diggs, Director (BRIEFING ONLY)**
 - A. Staffing Update
 - B. FY25 Budget Overview

BRIEFING AND ACTION ITEMS

- 5. Senate Bill 224 Plan of Operation – Sharon Jones, Major & William Diggs, Director**
 - 5A. SB224 Partner Agency Inter-Agency Contract (IAC) update – William Diggs, Director (BRIEFING ITEM)**

- 5B. Senate Bill 224 Advisory Committee update** – Sharon Jones, Major (BRIEFING ITEM)
- 5C. Consideration of the Continuation of SB 224 Advisory Committee under Transportation Code Section 1006.103.** – Sharon Jones, Major (ACTION ITEM)
- 6. Grants, Budget, and Reporting Committee Update** – Sharon Jones, Major (BRIEFING ITEM)
- 7. FY-25 Tier Two Taskforce Grant Award Recommendations** – William Diggs, MVCPA Director (ACTION ITEM)
- 8. Rule Review Proposal under Government Code, §2001.039: Chapter 57, Motor Vehicle Crime Prevention Authority** - David Richards (ACTION ITEM)
- 9. Chapter 57 Motor Vehicle Crime Prevention Authority – Amendments: §§57.9; 57.14; 57.18; 57.27; 57.29; 57.30; 57.48; 57.49; 57.50; 57.51; and 57.52 (Relating to Cleanup)** – David Richards (ACTION ITEM)
- 10. MVCPA Logo Redesign review and selection** – Herman Adair, Lead Trainer (ACTION ITEM)
- 11. MVCPA Training Section Update** – Herman Adair, Lead Trainer (BRIEFING ITEM)
- 12. MVCPA 2025 Conference Venue recommendation and selection** – Sharon Jones, Major (ACTION ITEM)
- 13. MVCPA Taskforce 68A Inspection Updates for FY23 & FY24** – William Diggs, Director (BRIEFING ITEM)
- 14. FY-24 Supplanting follow-up report conducted by MVCPA Audit Section** – Lauren Williams, Auditor (ACTION ITEM)

REFUND REQUESTS

- 15. Berkley Casualty Company 1st Half 2023** – Dan Price, MVCPA Audit Manager (ACTION ITEM)
- 16. Berkley National Insurance Company 1st Half 2023** – Dan Price, MVCPA Audit Manager (ACTION ITEM)

17. **Berkley Regional Insurance Company 1st Half 2023** – Dan Price, MVCPA Audit Manager (ACTION ITEM)
18. **Riverpoint Insurance Company 1st Half 2023** – Dan Price, MVCPA Audit Manager (ACTION ITEM)
19. **StarNet Insurance Company 1st Half 2023** – Dan Price, MVCPA Audit Manager (ACTION ITEM)

CLOSED SESSION

20. **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.

21. **Action Items from Closed Session**
22. **Public Comment**
23. **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.



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Agenda Item: 1

Subject: Roll Call and Establishment of Quorum

	Present
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	
Scott Jackson – Governor Appointed Board Member Insurance Writer Representative	
Thomas Sloan – Governor Appointed Board Member Law Enforcement Representative	
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 (July 19, 2024)

RECOMMENDATION

Action Item. Motion to approve the transcript as minutes.

PURPOSE AND EXECUTIVE SUMMARY

MVCPA staff emailed the July 19, 2024, Board Meeting Transcript to all MVCPA board members on October , 2024, for review.



To: Motor Vehicle Crime Prevention Authority Board
From: MVCPA Staff
Agenda Item: 3. B
Subject: Chair's Report

RECOMMENDATION

Action Item.

PURPOSE AND EXECUTIVE SUMMARY



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

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

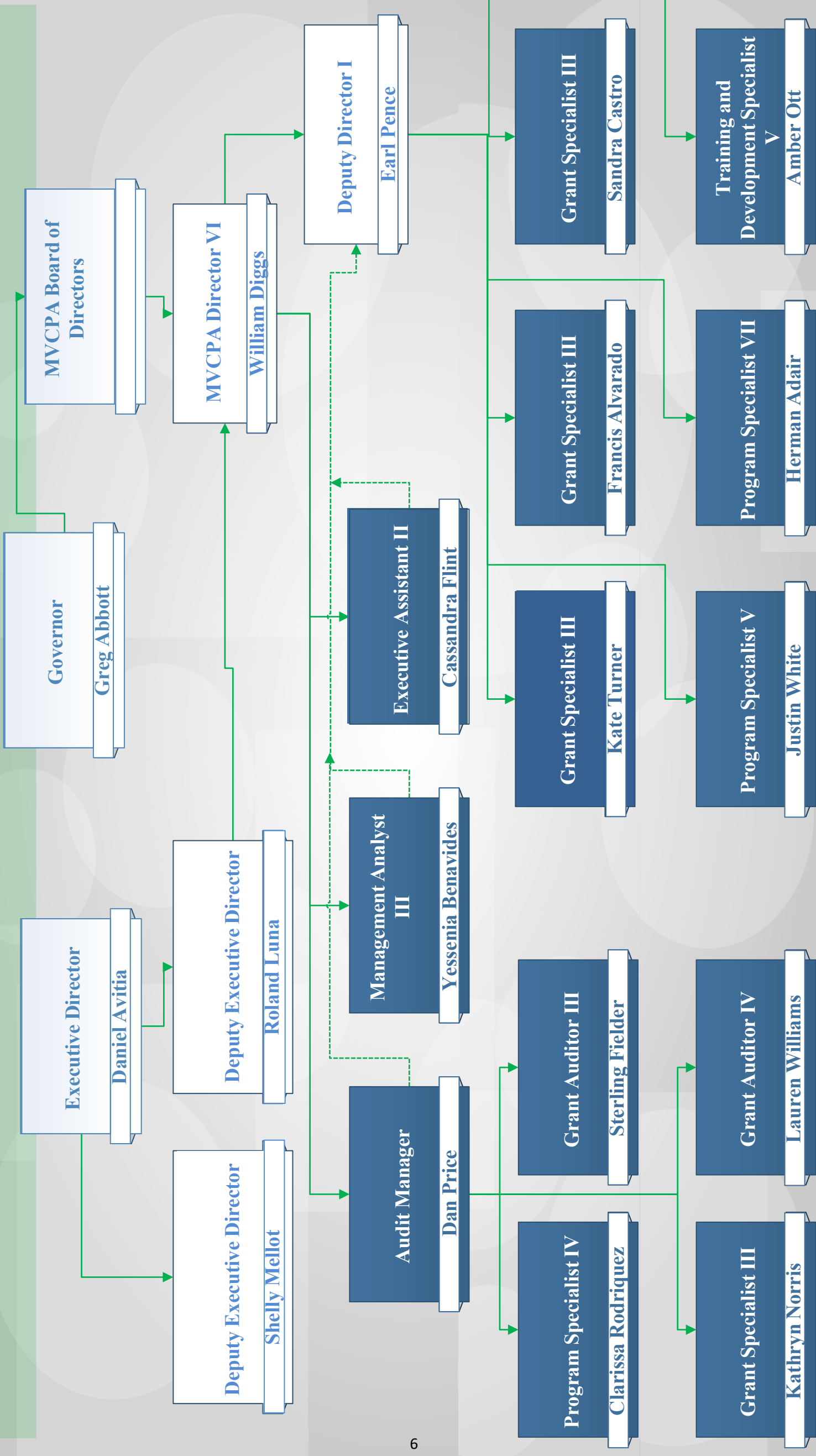
To provide the MVCPA staffing update.

FINANCIAL IMPACT

NA

BACKGROUND AND DISCUSSION

MVCPA currently has a total of 15 of the 15 positions filled.





To: Motor Vehicle Crime Prevention Authority Board
From: William Diggs, Director
Agenda Item: 4. B
Subject: FY2025 Budget Overview

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

Attached is the MVCPA fiscal year (FY) 2025 financial report for September 1, 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-25 for all MVCPA programs is \$64.2 million, which includes:**
 - \$24,949,521 dollars in motor vehicle crime prevention appropriations.
 - \$30,077,145 dollars in catalytic converter program appropriations; and
 - \$6,181,539 dollars in additional insurance collections in FY-2024 for motor vehicle crime prevention budget.
 - \$3,065,136 dollars in additional insurance collections in FY 2024 for catalytic converter program budget.

- **The total estimated budget for the Motor Vehicle Crime Prevention Strategy:**
 - Total estimated FY-25 TF budget is \$31,131,060 as of September 1st, 2024
 - Total FY-25 TF grants awarded including negotiations is \$23,696,455 as of September 30th, 2024.
 - Total Tier Two FY-25 TF grant request equal \$2,235,022.
 - Total FY-25 TF grants equal \$25,931,427.
 - Total Estimated Operating Cost \$1,506,428.
 - Total Remaining Estimated FY-25 TF Budget \$3,693,205.

- **The total estimated budget for the Catalytic Converter Program Strategy:**
 - Total estimated FY-25 Catalytic Converter Program Strategy budget is \$33,142,281
 - Total FY-25 Catalytic Converter grants awarded including negotiations is \$7,216,578 as of September 30th, 2024.
 - A second round Request for Applications (RFA) has been posted, closing November 12th, 2024.
 - Total State Partner Agency Budget is \$5,750,000.
 - Total Estimated Operating Cost \$589,743
 - Total Remaining Estimated FY-25 Catalytic Converter Program Strategy budget \$19,585,960

BACKGROUND AND DISCUSSION

See attached report.

(see next page)



Texas Department of Motor Vehicles

MVCPA and SB224

Fiscal Year 2025 Budget
Status Report

For the Month Ending September 30, 2024



MOTOR VEHICLE CRIME PREVENTION AUTHORITY



Strategy B.2.1. Motor Vehicle Crime Prevention

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.

September 2024

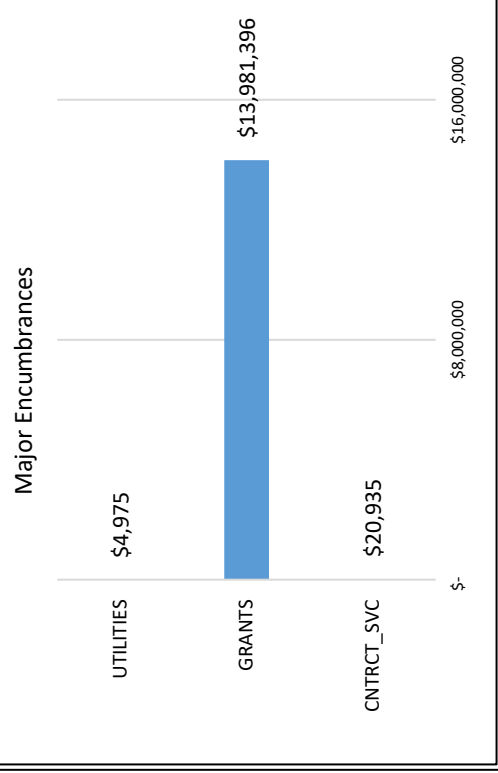
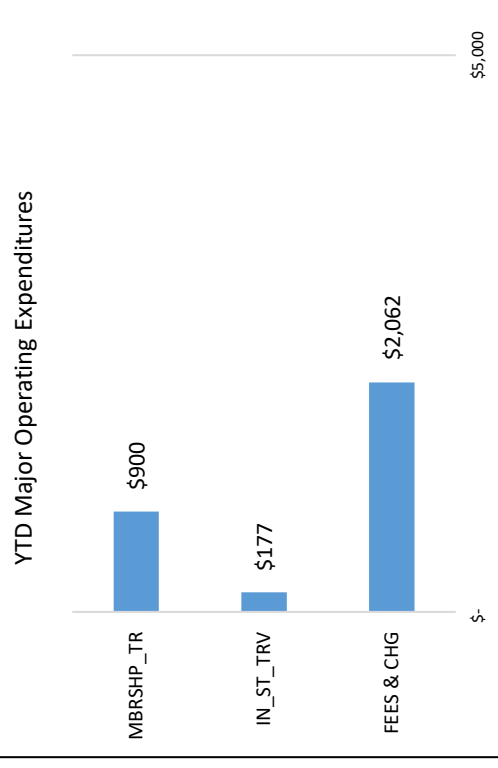
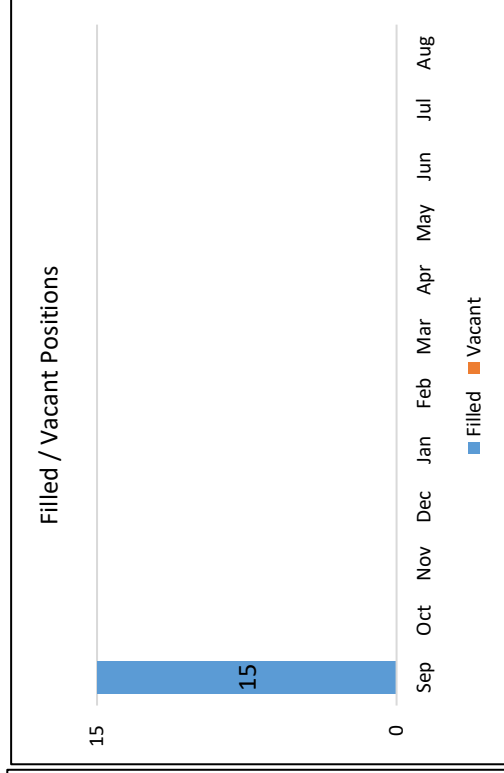
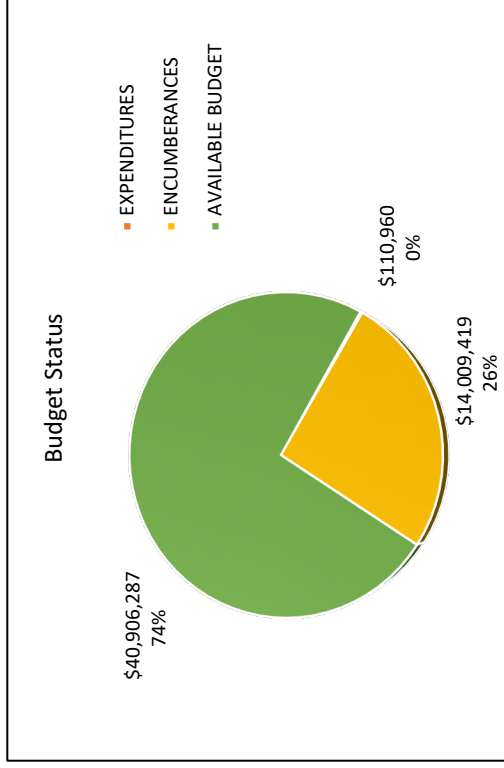
FINANCIAL HIGHLIGHTS

FY 2025 BUDGET		
Original Budget	\$	55,026,666
Adjustments	\$	-
Adjusted Budget	\$	55,026,666

FY 2025 BUDGET STATISTICS		
% of Strategy Budget		99.45%
% of Agency Budget		18.02%
% Available Budget		74.34%
Additional Estimated Insurance Collections		9,246,675

FY 2025 FTE & SALARY DATA		
FTE Allocation		15
Salary & Related Budget ¹	\$	1,349,389
% of Division Budget		2.45%
YTD Lapsed Salary Budget ²	\$	4,628
Division Salary Surplus ³	\$	-

EXPENDITURE DATA		
YTD FY 2025 Expenditures	\$	110,960
YTD FY 2024 Expenditures	\$	40,725
Year-over-Year % variance		172.46%



OPERATIONAL HIGHLIGHTS

The 88th Legislature appropriated \$24,899,500 to MVCPA for FY2025. In addition, the Legislature appropriated funds for Senate Bill 224 to detect and prevent catalytic converter theft in the amount of \$30,099,417, plus four FTEs and \$279,386 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 September, the major expenditures are in Fees and Charges for Workers' Compensation and Risk Management Services; in Memberships & Training for Texas Association of Vehicle Theft Investigators (TAVTI) Seminar Registration fees; and in Travel. Grants are the most significant encumbrance. Contract Services includes a contract with On the Record Reporting and Transcription services and MVCPA SB224 Advisory Committee, Ideal Productions Audio/Visual services for October 17 Board meeting, SB224 Advisory Committee Meeting on 10/2 and 10/3/24, Grants Budget and Reporting (GBR) Committee Meeting on 10/16/24; Utilities includes AT&T Mobility Service for FY25.

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-5% Salary adjustment for \$50,521 included in FY2025 budget

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.

September 2024

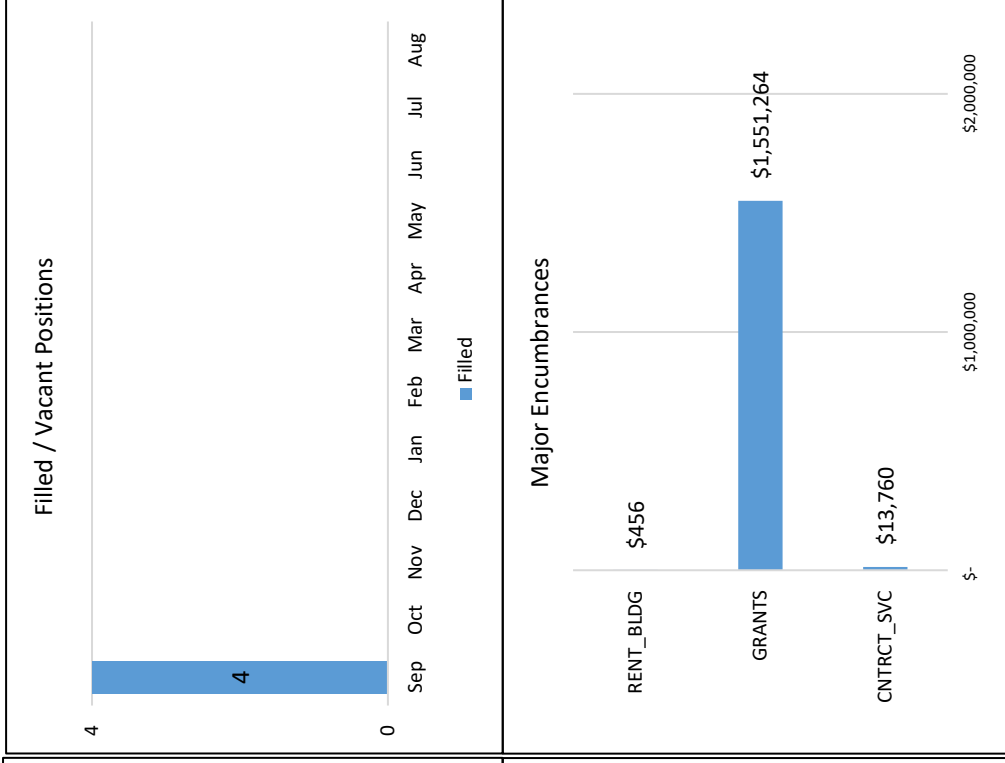
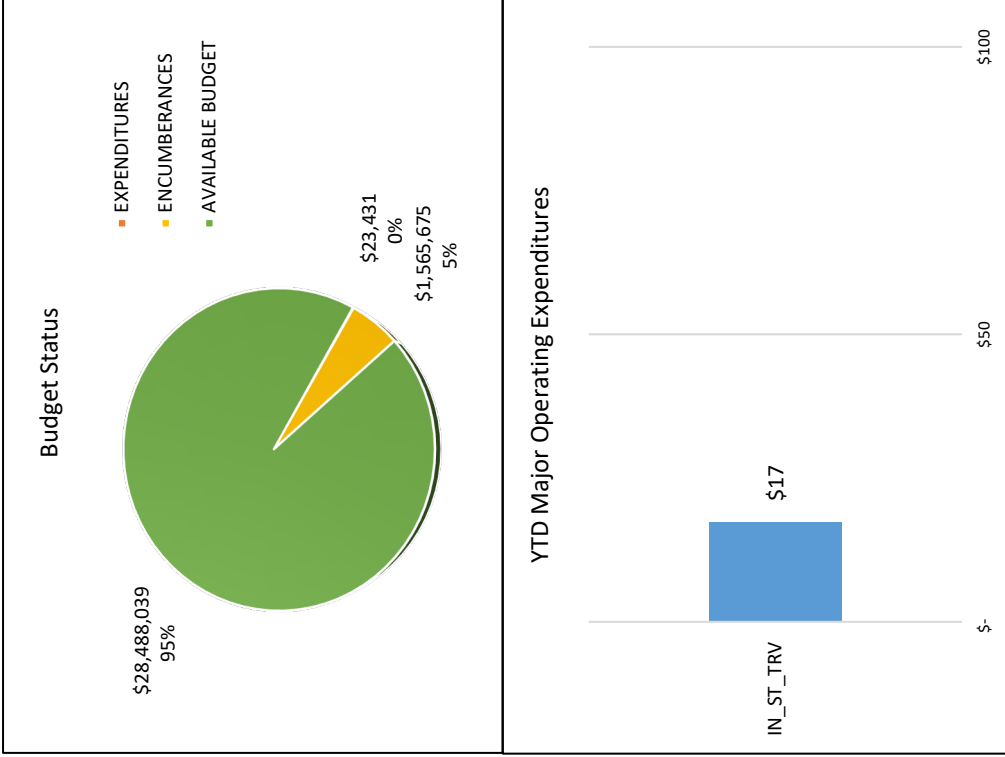
FINANCIAL HIGHLIGHTS

FY 2025 BUDGET	
Original Budget	\$ 30,077,145
Adjustments	\$ -
Adjusted Budget	\$ 30,077,145

FY 2025 BUDGET STATISTICS	
% of Strategy Budget	54.36%
% of Agency Budget	9.85%
% Available Budget	94.72%
Additional Estimated Insurance Collections	3,065,136

FY 2025 FTE & SALARY DATA	
FTE Allocation	4
Salary & Related Budget ¹	\$ 283,824
% of Division Budget	0.94%
YTD Lapsed Salary Budget ²	\$ 459
Division Salary Surplus ³	\$ -

EXPENDITURE DATA	
YTD FY 2025 Expenditures	\$ 23,431



OPERATIONAL HIGHLIGHTS

The 88th Legislature appropriated funds for Senate Bill 224 to detect and prevent catalytic converter theft in FY2025 the amount of \$30,099,417, plus four FTEs and \$279,386 to implement the provisions of bill. Through the end of September, the major expenditures in the Catalytic Converter Program are payroll related expenses, and Travel. Grants are the most significant encumbrance; Contract Services for Transcription & Reporting Services for SB224 Advisory Committee Meeting on 10/2/2024 - 10/3/2024 and Grants Budget and Reporting (GBR) Committee Meeting on 10/16/2024; and Rent, Buildings which includes the rental of meeting spaces and equipment for Laredo SB224 Advisory Committee meeting on 10/3/2024.

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- **transferred out \$301,658 for IT and VTR 4FTEs Salaries.

MOTOR VEHICLE CRIME PREVENTION AUTHORITY



Strategy B.2.1.1. Motor Vehicle Crime Prevention, Crime Prevention Program

The Motor Vehicle Crime Prevention Authority (MVCPPA) 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.

September 2024

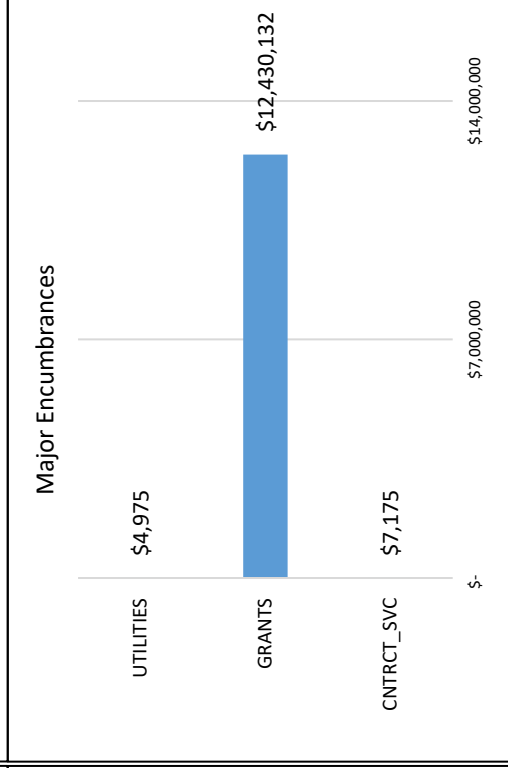
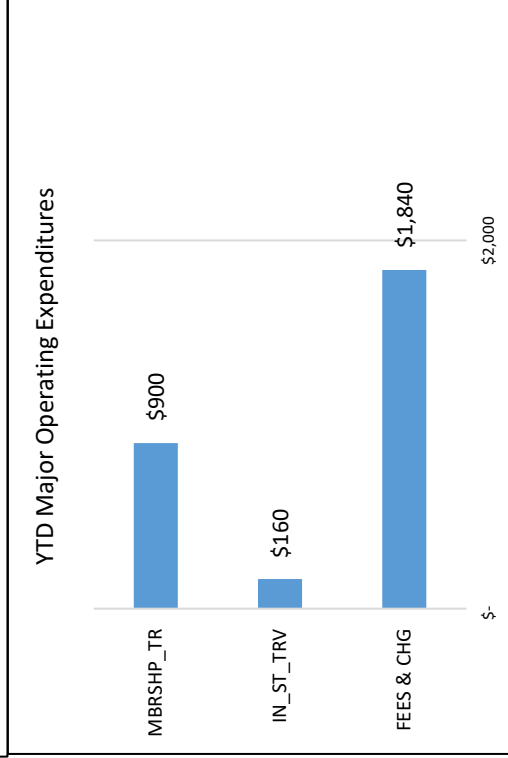
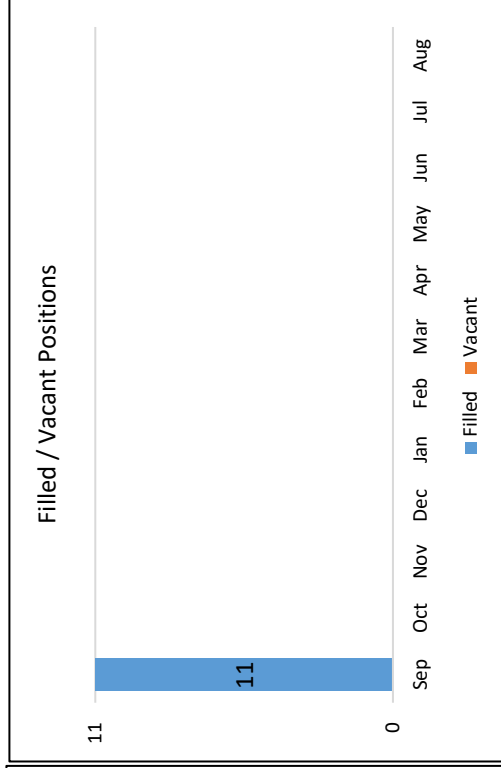
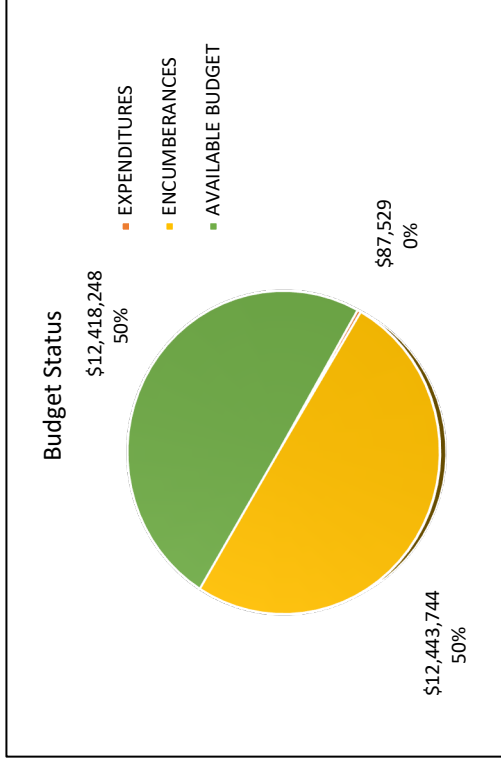
FINANCIAL HIGHLIGHTS

FY 2025 BUDGET	
Original Budget	\$ 24,949,521
Adjustments	\$ -
Adjusted Budget	\$ 24,949,521

FY 2025 BUDGET STATISTICS	
% of Strategy Budget	45.09%
% of Agency Budget	8.17%
% Available Budget	49.77%
Additional Estimated Insurance Collections	6,181,539

FY 2025 FTE & SALARY DATA	
FTE Allocation	11
Salary & Related Budget ¹	\$ 1,065,565
% of Division Budget	4.27%
YTD Lapsed Salary Budget ²	\$ 4,168
Division Salary Surplus ³	\$ -

EXPENDITURE DATA	
YTD FY 2025 Expenditures	\$ 87,529



OPERATIONAL HIGHLIGHTS

The 88th Legislature appropriated \$24,899,500 for FY2025. The program's operations primarily involve monitoring grants and assessing requests for reimbursement from grantees. Through the end of September, the major expenditures are in Fees and Charges for Workers' Compensation and Risk Management Services; in Memberships & Training for Texas Association of Vehicle Theft Investigators (TAVTI) Seminar Registration fees; and in Travel. Grants are the most significant encumbrance. Contract Services includes a contract with On the Record Reporting and Transcription services, Ideal Productions Audio/Visual services for October 17 Board meeting, and Utilities includes AT&T Mobility Service for FY25.

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. *5% Salary adjustment for \$50,521 included in FY2025 budget



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

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update related to both the TXDPS and TDLR SB224 Inter-Agency Contracts (IAC).

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

Both the TXDPS and TDLR have fully executed Inter-Agency Contracts with the MVCPA/TXDMV in the following amounts for FY-25:

TXDPS - \$1,746,686

TDLR - \$522,807



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

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update related to the Senate Bill 224 Advisory Committee activities.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The SB224 Advisory Committee continues to meet quarterly. Major Jones will provide a verbal update as it relates to all activities since she provided her last update to the MVCPA Board.



To: Motor Vehicle Crime Prevention Authority Board
From: Sharon Jones, Major
Agenda Item: 5C
Subject: Consideration of the Continuation of SB 224 Advisory Committee under Transportation Code Section 1006.103.

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide a recommendation for the MVCPA Boards consideration to continue the Senate Bill 224 Advisory Committee activities.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The SB224 Advisory Committee conducted four meetings in FY-24. The MVCPA Board should consider the continuation of the committee in FY-25.



To: Motor Vehicle Crime Prevention Authority Board
From: Sharon Jones, Major, GBR Committee Chair
Agenda Item: 6
Subject: Grants, Budget, and Reporting Committee Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an overview of the October 16, 2024 the Grants Budget and Reporting Committee outcome.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The GBR Committee heard the following topics:

- MVCPA FY-25 Budget Overview – Director Diggs
- Tier Two FY-25 Taskforce Grant Applicant Recommendation – Director Diggs
- Insurance Fee Collection Update – Audit Manager Price



To: MVCPA Board
From: William Diggs, Director
Agenda Item: 7
Subject: FY-25 Tier Two Taskforce Grant Award Recommendations

RECOMMENDATION

Action Item.

PURPOSE AND EXECUTIVE SUMMARY

To consider prospective Tier Two grantees request for FY25 Taskforce grant funding.

FINANCIAL IMPACT

TBD

BACKGROUND AND DISCUSSION

The FY25 MVCPA Crime Prevention Program Strategy budget is now estimated to be \$31,131,060. Additional Insurance Collection deposits through the State Comptroller have now been realized estimated to be over \$6.1 million dollars. The following agencies have submitted their justification for FY25 Taskforce Grant funding.

Tier Two Request	Grant Type	Amount	FTE's	Equipment
Hidalgo County	FY25 TF	\$1,114,348	X	X
Maverick County	FY25 TF	\$642,623	X	X
City of San Marcos	FY25 TF	\$177,401	X	X
Town of Prosper	FY25 TF	\$286,400		X
City of Cedar Hill	FY25 TF	\$14,250		X

I encouraged the MVCPA Board to approve the Tier Two Request above totaling \$2,235,022.



To: Motor Vehicle Crime Prevention Authority Board
From: David Richards, General Counsel
Agenda Item: 8
Subject: Rule Review Proposals under Government Code, §2001.039: Chapter 57, Motor Vehicle Crime Prevention Authority

RECOMMENDATION

Action Item. Approval to publish the proposed rule review in the Texas Register for public comment.

PURPOSE AND EXECUTIVE SUMMARY

The Authority proposes to review 43 Texas Administrative Code, Chapter 57, Motor Vehicle Crime Prevention Authority. This review is being conducted under Texas Government Code §2001.039.

FINANCIAL IMPACT

None.

BACKGROUND AND DISCUSSION

Texas Government Code, §2001.039 requires the Authority to review and consider for readoption each of its rules every four years. The Authority has not reviewed or readopted Texas Administrative Code, Chapter 57 since 2019.

The Texas Government Code requires the department to determine through the rule review whether the reasons for initially adopting these rules continue to exist and whether these rules should be repealed, readopted, or readopted with amendments. Necessary repeals and amendments identified during the review of these rules will be presented to the Board separately for proposal and publication in the *Texas Register* in accordance with the Administrative Procedure Act, Texas Government Code, Chapter 2001.

Intention to Review

The Texas Department of Motor Vehicles (department) will review and consider whether to readopt, readopt with amendments, or repeal 43 Texas Administrative Code, Chapter 57, Motor Vehicle Crime Prevention Authority. This review is being conducted pursuant to Government Code, §2001.039.

The board of the Motor Vehicle Crime Prevention Authority will assess whether the reasons for initially adopting these rules continue to exist and whether the rules should be repealed, readopted, or readopted with amendments.

If you want to comment on this rule review proposal, submit your written comments by 5:00 p.m. CDT on X, XX, 2024. 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.

Any proposed changes to sections of this chapter will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period.



To: Motor Vehicle Crime Prevention Authority Board
From: David Richards, General Counsel
Agenda Item: 9
Subject: Chapter 57, Motor Vehicle Crime Prevention Authority; Amendments, §§ 57.9, 57.14, 57.27, 57.29, 57.48, 57.49, 57.50, 57.51, and 57.52

RECOMMENDATION

Action Item. Approval to publish the posed rule review in the Texas Register for public comment. .

PURPOSE AND EXECUTIVE SUMMARY

The Authority is conducting a review of its rules under 43 Texas Administrative Code, Chapter 57, Motor Vehicle Crime Prevention Authority in compliance with Government Code §2001.039. The proposed amendments would clean up the language in Chapter 57.

FINANCIAL IMPACT

None.

BACKGROUND AND DISCUSSION

The proposed amendments are necessary to bring the rules into alignment with statute; to remove language that is redundant with statute; clarify the purpose of the rule by amending the title and language; to clarify existing requirements; to modernize language and improve readability through the use of consistent terminology; to clarify or delete unused, archaic, or inaccurate definitions, terms, and references; and to more specifically describe the authority's methods and procedures.

1 **PROPOSAL OF REVISIONS TO**

2 **43 TAC §§57.9, 57.14, 57.27, 57.29, 57.48, 57.49, 57.50, 57.51, AND 57.52**

3 **INTRODUCTION.** The Motor Vehicle Crime Prevention Authority (authority) proposes amendments to 43
4 Texas Administrative Code (TAC) Chapter 57, new §57.9(f); §57.14(b)(4), (b)(6); §57.27(a)(1), (a)(2), and
5 (d)); §57.29(d), and (e); §57.48(b); §57.49(c); §57.50; §57.51(a), (b), and (c); §57.52, (a), (a)(1), (a)(2), and
6 new (b); and re-lettered (c)(1).

7 The proposed amendments in Chapter 57 are necessary to bring the rules into alignment with
8 statute; remove language that is redundant with statute; to clarify existing requirements; to modernize
9 language; to improve readability through the use of consistent terminology; to clarify or delete unused,
10 archaic, or inaccurate definitions, terms, and references or other language; to clarify existing
11 requirements; and more specifically describe the authority’s methods and procedures.

12 **EXPLANATION.** The authority is conducting a review of its rules in Chapter 57 in compliance with
13 Government Code, §2001.039. Notice of the department’s plan to review Chapter 57 is published in this
14 issue of the *Texas Register*. As a part of the rule review, the authority is proposing necessary amendments
15 as detailed in the following paragraphs.

16 New proposed §57.9(f) would clarify that grantees who are in violation of the MVCPA’s non-
17 supplanting requirement may be required by the Board to return supplanted funds to the MVCPA. A
18 proposed amendment to §57.14(b)(4) would clarify that a reduction in stolen auto parts include catalytic
19 converters in furtherance of SB 224, 89th Legislature, Regular Session (2023). Proposed new §57.14(b)(6)
20 would align the rule with the statute.

21 Proposed amendments to §57.29(d) and (e) would modernize language and improve readability.

1 A proposed amendment to §57.48(b) would update the titles of two Comptroller of Public
2 Accounts forms used by insurers to pay the MVCPA fee with correct language and would clarify that the
3 forms may be obtained in electronic format on the Comptroller’s website.

4 A proposed amendment to §57.49(c) would modernize language, improve readability, and align
5 the rule with the statute.

6 A proposed amendment to §57.50 would update the section title to reflect the official agency
7 name of the Texas Department of Insurance, as well as align the section with the statute.

8 Proposed amendments to §57.51(a),(b),(c) would add “designee,” “MVCPA,” and
9 “MVCPA board” in several places to clarify the initial submission procedures for insurers requesting refund
10 determinations. The refund recommendations made by the MVCPA Director and MVCPA Board designee
11 will be presented to the MVCPA Board in an open meeting for a final decision. Additionally, the
12 amendments improve readability through the use of consistent terminology.

13 Proposed amendments to §57.52 would update the section title to clarify that both penalties and
14 interest may be assessed for a late payment of the fee. Additionally, the amendment would add the word
15 “late” to the section title to clarify that a violation of the section can also occur for the late filing of the
16 report of the fee and result in a penalty being assessed against an insurer.

17 A proposed amendment to §57.52(a) and (a)(1) would remove language concerning the late filing
18 of the report of the fee from subsection (a) and place it in new subsection (b). The amendments made to
19 subsection (a) clarify that an insurer shall be assessed a penalty for the late payment of the fee in
20 accordance with Tax Code §111.061(a). New subsection (b) clarifies that a penalty of \$1000 will be
21 assessed against an insurer for the late filing of the report of the fee.

1 A proposed amendment to new §57.52(c)(1) would increase the time period in which an insurer
2 may submit a prescribed form to the MVCPA director to appeal the assessment of penalties and/or interest
3 against an insurer from thirty days to sixty days.

4 Additional non-substantive amendments are proposed throughout Chapter 57 to correct
5 punctuation, grammar, and capitalization.

6 **FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT.** Glenna Bowman, Chief Financial Officer,
7 has determined that for each year of the first five years the amendments as proposed are in effect, there
8 will be no significant fiscal impact to state or local governments as a result of the enforcement or
9 administration of the proposed amendments.

10 Director William Diggs has determined that there will be no measurable effect on local
11 employment or the local economy as a result of the proposal.

12 **PUBLIC BENEFIT AND COST NOTE.** Mr. Diggs has also determined that for each year of the first five years
13 the proposed amended sections are in effect, the anticipated public benefit as a result of enforcing or
14 administering the amendments will be the simplification, clarification, and streamlining of agency rules.

15 Anticipated Cost to Comply with the Proposal. Mr. Diggs anticipates that there will be no costs to
16 comply with the proposed amendments.

17 **ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.** As required by Government
18 Code, §2006.002, the authority has determined that the proposed amendments will not have an adverse
19 economic impact on small businesses, micro-businesses, and rural communities because there are no
20 anticipated economic costs for persons required to comply with the proposed amendments. Therefore,

1 the authority is not required to prepare a regulatory flexibility analysis under Government Code,
2 §2006.002.

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

7 **GOVERNMENT GROWTH IMPACT STATEMENT.** The authority has determined that each year of the first
8 five years the proposed amendments are in effect, no government program would be created or
9 eliminated. Implementation of the proposed amendments would not require the creation of new
10 employee positions or elimination of existing employee positions. Implementation would not require an
11 increase or decrease in future legislative appropriations to the authority or an increase or decrease of fees
12 paid to the authority. The proposed amendments do not create a new regulation. Lastly, the proposed
13 amendments do not affect the number of individuals subject to Chapter 57's applicability and will not
14 affect this state's economy.

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

21 **STATUTORY AUTHORITY.** The amendments are proposed under Transportation Code, §1006.101, which
22 requires the authority to adopt rules to implement the authority's duties and powers.

- 1 **CROSS REFERENCE TO STATUTE.** Art. 4413 (37), Revised Civil Statutes.

1 Text.

2 §57.9. Nonsupplanting Requirement.

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

4 (b) Supplanting means the replacement of other funds with Motor Vehicle Crime Prevention
5 Authority (MVCPA) grant funds. It shall also include using existing resources already available to a
6 program activity as cash match.

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

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

13 (e) Each grantee shall certify that MVCPA funds have not been used to replace state or local
14 funds that would have been available in the absence of MVCPA funds. The certification shall be
15 incorporated in each grantee's expenditure report.

16 (f) Grantees found in violation of the nonsupplanting requirement may be required by the Board
17 to return supplanted funds to the MVCPA.

18

19 §57.14. Approval of Grant Projects.

1 (a) The MVCPA board will approve funding for projects on an annual basis, subject to
2 continuation of funding through state appropriations and availability of funds.

3 (b) To be eligible for consideration for funding, a project must be designed to support one of the
4 following MVCPA program categories:

5 (1) Law Enforcement, Detection and Apprehension;

6 (2) Prosecution, Adjudication and Conviction;

7 (3) Prevention, Anti-Theft Devices;

8 (4) Reduction of the Sale of Stolen Vehicles or Parts, including catalytic converters; and

9 (5) Educational Programs and Marketing; and[-]

10 (6) Preventing stolen motor vehicles from entering Mexico.

11 (c) Grant award decisions by the MVCPA are final and not subject to judicial review.

12

13 §57.27. Withholding Funds from Grantees.

14 (a) The MVCPA may withhold funds from a grantee or projects operated by the grantee when:

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

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

18 (B) submit required reports on time;

- 1 (C) provide a response to audit or monitoring findings on time;
- 2 (D) return any unused grant funds remaining on the expired grant within the
- 3 required timeframe;
- 4 (E) use funds appropriately; or
- 5 (F) commence project operations within 45 days of the project start date; or

6 (2) a determination is made that the grantee has submitted reports or records with

7 deficiencies, irregularities, or are delinquent.

8 (b) The MVCPA may reduce or withhold grant funds when MVCPA allocations are depleted or

9 insufficient funds are allocated.

10 (c) The MVCPA will notify grantees of deficient conditions prompting the [for] withholding of grant

11 funds and the period of time within which to cure any deficiency.

12 (d) Grantees have 15 days after receiving a deficiency [deficient] notification to request an appeal.

13 (e) The MVCPA director or MVCPA board designee will determine the outcome of the grant

14 appeal.

15 (f) Grant funds [Funds] will be released to a grantee when the MVCPA director or MVCPA board

16 designee is provided with satisfactory evidence that the deficient conditions have been [are] corrected.

17 (g) An appeal under this section is not a contested case under Government Code, Chapter 2001.

18

19 §57.29. Termination for Cause.

20 (a) The MVCPA may terminate any grant for failure to comply with any of the following:

21 (1) applicable federal or state laws, rules, regulations, policies, or guidelines;

22 (2) terms, conditions, standards, or stipulations of grant agreements; or

1 (3) terms, conditions, standards, or stipulations of any other grant awarded to the
2 grantee.

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

4 (1) deficient conditions make it unlikely that the objectives of the grant will be
5 accomplished;

6 (2) deficient conditions cannot be corrected within a period of time adjudged acceptable
7 by the MVCPA; or

8 (3) a grantee has acted in bad faith.

9 (c) The MVCPA shall notify grantees of the conditions and findings constituting grounds for
10 termination.

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

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

15
16 §57.48. Motor Vehicle Years of Insurance Calculations.

17 (a) Each insurer, in calculating the fees established by Transportation Code §1006.153, shall
18 comply with the following guidelines:

19 (1) The single statutory fee of \$5 is payable on each motor vehicle for which the insurer
20 provides insurance coverage during the calendar year regardless of the number of policy renewals; and

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

1 (3) "Motor vehicle insurance" as referred to in Transportation Code, Chapter 1006, means
2 motor vehicle insurance as defined by the Insurance Code, Article 5.01(e). This definition shall be used
3 when calculating the fees under this section.

4 (4) All motor vehicle or automobile insurance policies as defined by Insurance Code,
5 Article 5.01(e), covering a motor vehicle shall be assessed the \$5 fee except mechanical breakdown
6 policies, garage liability policies, non-resident policies and policies providing only non-ownership or hired
7 auto coverages.

8 (b) The Insurance Motor Vehicle Crime Prevention Authority Semiannual Fee Report form and
9 Insurance [tructions for the Computation of the] Motor Vehicle Crime Prevention Authority Semiannual
10 Fee Report-July through December [of the Comptroller of Public Accounts are adopted by reference. The
11 form and instructions are available from the Comptroller of Public Accounts, Tax Administration, P.O. Box
12 149356, Austin, Texas 78714-9356. Each insurer shall use this form and follow those instructions when
13 reporting assessment information to the Comptroller].

14
15 §57.49. Audit.

16 (a) The MVCPA may employ or retain the services of auditors for the purpose of assisting the
17 MVCPA to determine an insurer's compliance with the requirements of Transportation Code, §1006.153.

18 (b) All insurers subject to Transportation Code, §1006.153, shall make their books and records
19 reflecting motor vehicle years of insurance available to the auditors upon request during normal business
20 hours.

21 (c) The MVCPA may recover from an [assess charges for audit to] insurance company [companies]
22 costs associated with a denied or improperly requested refund [in cases where the companies' assertion
23 of Refund Due was determined to be unfounded].

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§57.50. Report to Texas Department of Insurance.

If the MVCPA determines that an insurer failed to pay or intentionally underpaid the fee required by Transportation Code, §1006.153, the MVCPA shall notify the Texas Department of Insurance, and the Texas Department of Insurance may for that reason ~~[with the request that the department]~~ revoke the insurer's certificate of authority.

§57.51. Refund Determinations.

(a) An insurer that seeks a determination of the sufficiency or a refund of a semi-annual payment must file an amended report for each period and submit a written claim to the MVCPA director or the MVCPA board designee requesting ~~[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 MVCPA director or the MVCPA 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 MVCPA determination. If an insurer refuses to provide the requested information, the refund shall be denied in whole or in part.

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

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

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

3
4 §57.52. Assessment of Penalty and/or Interest for Late Payment of the Fee, Late Filing of Report; Appeal
5 Procedures.

6 (a) Penalty for Late Payment of Fee [~~or Filing of Report~~].

7 (1) A penalty shall be assessed against an insurer for the delinquent payment of the fee
8 required under Transportation Code §1006.153(b-1) [~~or the delinquent filing of any report of the fee~~
9 ~~required~~].

10 (2) The penalty for the delinquent payment of the fee [~~or late filing of the report~~] shall be
11 assessed in accordance with Tax Code §111.061(a).

12 (3) Interest accrues in the manner described in Tax Code §111.060 on any fee paid after
13 the due date.

14 (b) Penalty for Late Filing of the Report. A \$1,000 penalty shall be assessed against an insurer for
15 the delinquent filing of any report of the fee.

16 (c)[~~(b)~~] Appeal Procedures.

17 (1) An insurer that is assessed a penalty or interest by the MVCPA under Transportation Code
18 §1006.153 may appeal the assessment by submitting an MVCPA prescribed form to the MVCPA Director
19 within sixty [~~thirty~~] (60)[~~30~~] days of the date of the assessment.

20 (2) An insurer shall provide the MVCPA with any written documentation or evidence
21 demonstrating the reasons for the late payment of the fee or late filing of the report.

1 (3) The MVCPA shall make a final decision on an insurer's appeal at a regularly scheduled
2 open meeting of the MVCPA board. A final decision on the appeal shall be made by a majority vote of the
3 MVCPA board.

4 (4) An appeal under this section is not a contested case under Government Code, Chapter
5 2001.

6

DRAFT



To: MVCPA Board
From: Herman Adair, MVCPA Senior Trainer
Agenda Item: 10
Subject: MVCPA Logo Redesign review and selection

RECOMMENDATION

Action Item.

PURPOSE AND EXECUTIVE SUMMARY

To provide an opportunity for the MVCPA Logo to be redesigned.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

Below are three recommendations for your consideration from MVCPA Staff and MVCPA Taskforces throughout the state.

MVCPA Logo Redesign



Watch Your Car.
Motor Vehicle Crime Prevention Authority



MOTOR VEHICLE CRIME
PREVENTION AUTHORITY



MVCPA Logo Redesign



During the March 28th 2024 MVCPA Board Meeting, held in Houston, Tx, Chairman Mike Rodriguez asked that we look at redesigning our Current logo:





MVCPA Logo Redesign



On April 18th 2024, MVCPA Director William Diggs sent out an email to all the Task Force Commanders:

Taskforce Commanders

During our March 28th MVCPA Board Meeting in Houston, our Chairman asked that we look at redesigning our current logo below. I feel strongly that this is your logo, and you should play a role in its redesign.



Please work with your folks and consider submitting a redesigned MVCPA Logo. We will then take the recommendations to the MVCPA Board for consideration and adoption of a new logo in July. Your submissions should be sent to Herman Adair at herman.adair@txdmv.gov no later than **June 15, 2024**. Only one submission per taskforce please.



MVCPA Logo Redesign



By June 15th 2024, 7 Logos total were received. All 7 Logos were presented at the July 2024 MVCPCA Board Meeting during the MVCPCA Training Conference in Houston, Tx.

The top 3 Logos were chosen by the MVCPCA Board and asked to give the Designers a chance to “revamp” their Logos.

2 Logos were resubmitted with no changes and 1 with changes to come.



MVCPA Logo Redesign



During the September Commanders Teams Meeting, the Top 3 Logos were presented to all the Commanders for their input on their top choice.



Logo1 – 2 votes

Logo2 – 17 votes

Logo3 – 1 vote

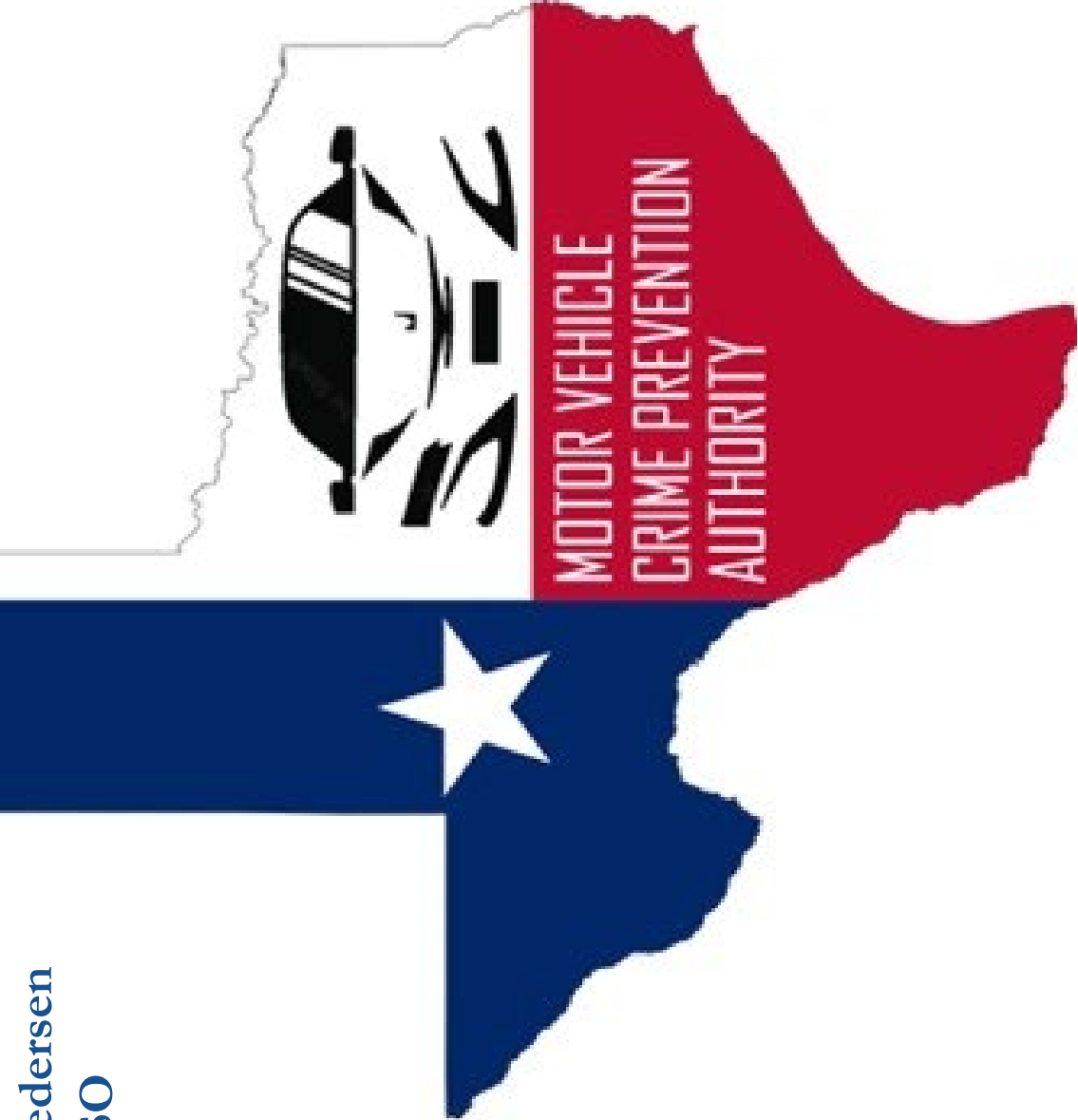
MVCPA
Staff



Torrance Clemmons
Dallas County SO



Commander Matt Pedersen
Tarrant County SO





To: MVCPA Board
From: Herman Adair, Lead Trainer
Agenda Item: 11
Subject: MVCPA Training Section Update

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide awareness of all activities related to the MVCPA Training Section.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

Herman Adair will provide an update related to training, social media outreach, major purchase's, and advertising.



To: Motor Vehicle Crime Prevention Authority Board
From: Sharon Jones, Major
Agenda Item: 12
Subject: MVCPA 2025 Conference Venue recommendation and selection

RECOMMENDATION

Action Item.

PURPOSE AND EXECUTIVE SUMMARY

To provide a recommendation for the MVCPA 2025 Conference Venue.

FINANCIAL IMPACT

TBD

BACKGROUND AND DISCUSSION

Major Jones, Director Diggs along with other MVCPA Staff, as well as Taskforce Members in the North Texas area toured the Historic Downtown Hilton in Fort Worth, Texas on September 25th. There are many things for conference attendees to do in the downtown area after hours. The hotel itself is an exceptional property with above average accommodations, spacious ballrooms and meeting rooms. I believe the hotel provides everything we need to have a successful MVCPA Conference in July 2025. I would ask the board to provide direction to the MVCPA Staff to acquire a contract with the hotel to be the MVCPA Conference venue in July 2025.



To: Motor Vehicle Crime Prevention Authority Board
From: William Diggs, Director
Agenda Item: 13
Subject: MVCPA Taskforce 68A Inspection Updates for FY23 & FY24

RECOMMENDATION

Briefing Only.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update concerning 68A Inspections conducted by MVCPA Taskforces.

FINANCIAL IMPACT

TBD

BACKGROUND AND DISCUSSION

The following PowerPoint provides insight into MVCPA Taskforce 68A Inspection activities and collection of funds for the inspections conducted in FY-23 and FY-24.

68a Activity FY23 & FY24

October 2024 MVCPA Board Meeting

46

Prepared by Dan Price
Lauren Williams
and Justin White



Texas Department of Motor Vehicles

HELPING TEXANS GO. HELPING TEXAS GROW.

68a Summary

- In FY2023 27,365 68a's completed.
- In FY2024 28,281 68a's completed.
- In FY2023 \$661,260 was reported as collected.
- In FY2024 \$526,939 was reported as collected. (reporting incomplete)
- In FY2023 \$433,340 was not realized.
- In FY2024 \$614,301 was not realized.



68a Select Grantee Policies



- Austin – “We have never charged for 68a’s”
- Corpus Christi – Waived for “Active military personnel and veterans, governing entities, and titled/registered owners who are bringing a vehicle or trailer they already own but require the VTR-68A form for reasons such as titling in a new state, correcting errors on the title, or obtaining a vehicle identification number for their homemade trailer.”
- Dallas County - Fee “may be applicable”
- Eagle Pass – “Beginning August 9, 2024” (per website)
- Paris – “We do NOT charge first responders, school AG shops (building trailers for school projects), or for re-inspections (form expired before they could get bonded title process done - we still do another full inspection, just don’t charge for it) ”



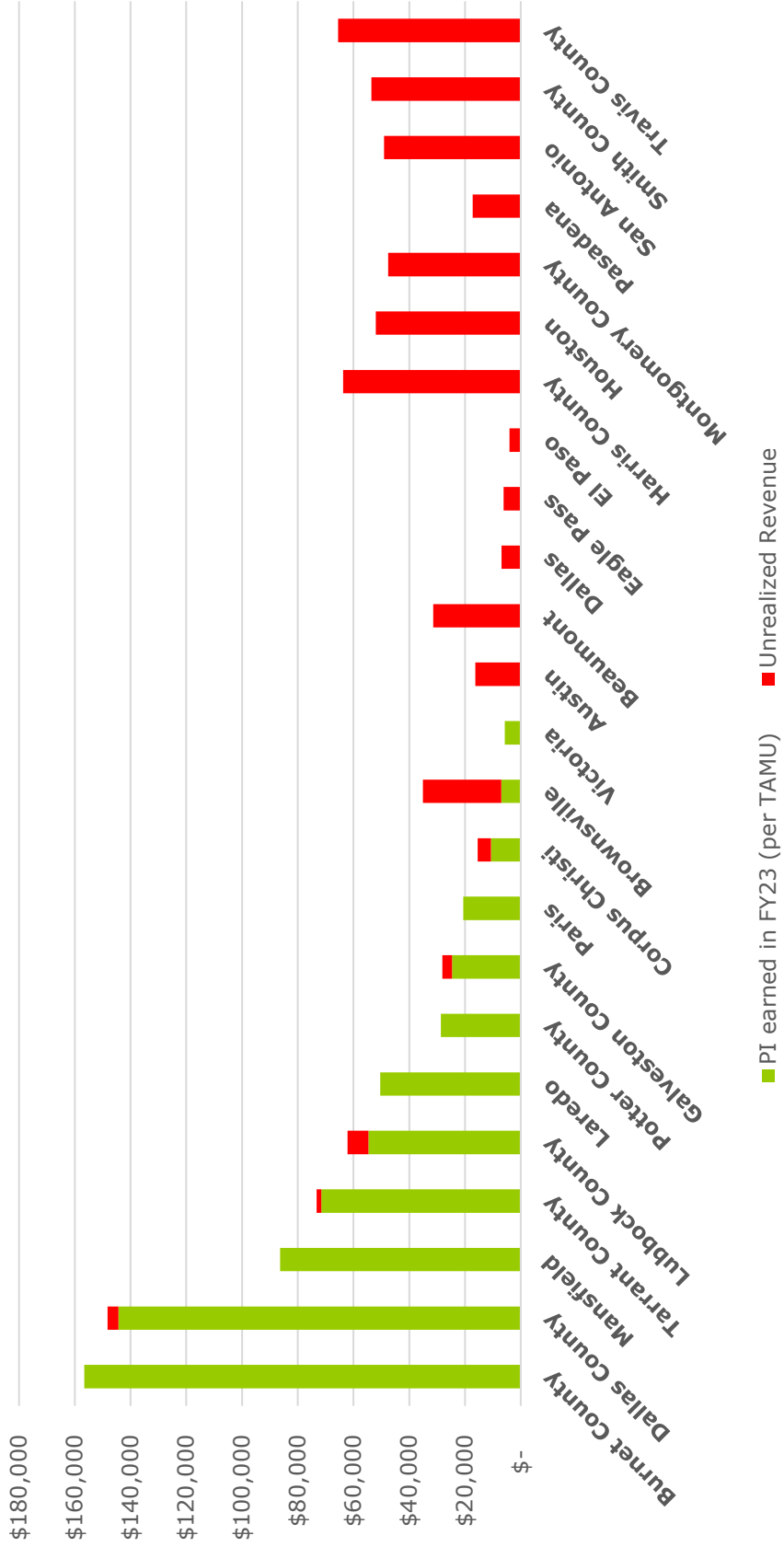
Number of 68a Inspections FY23-FY24





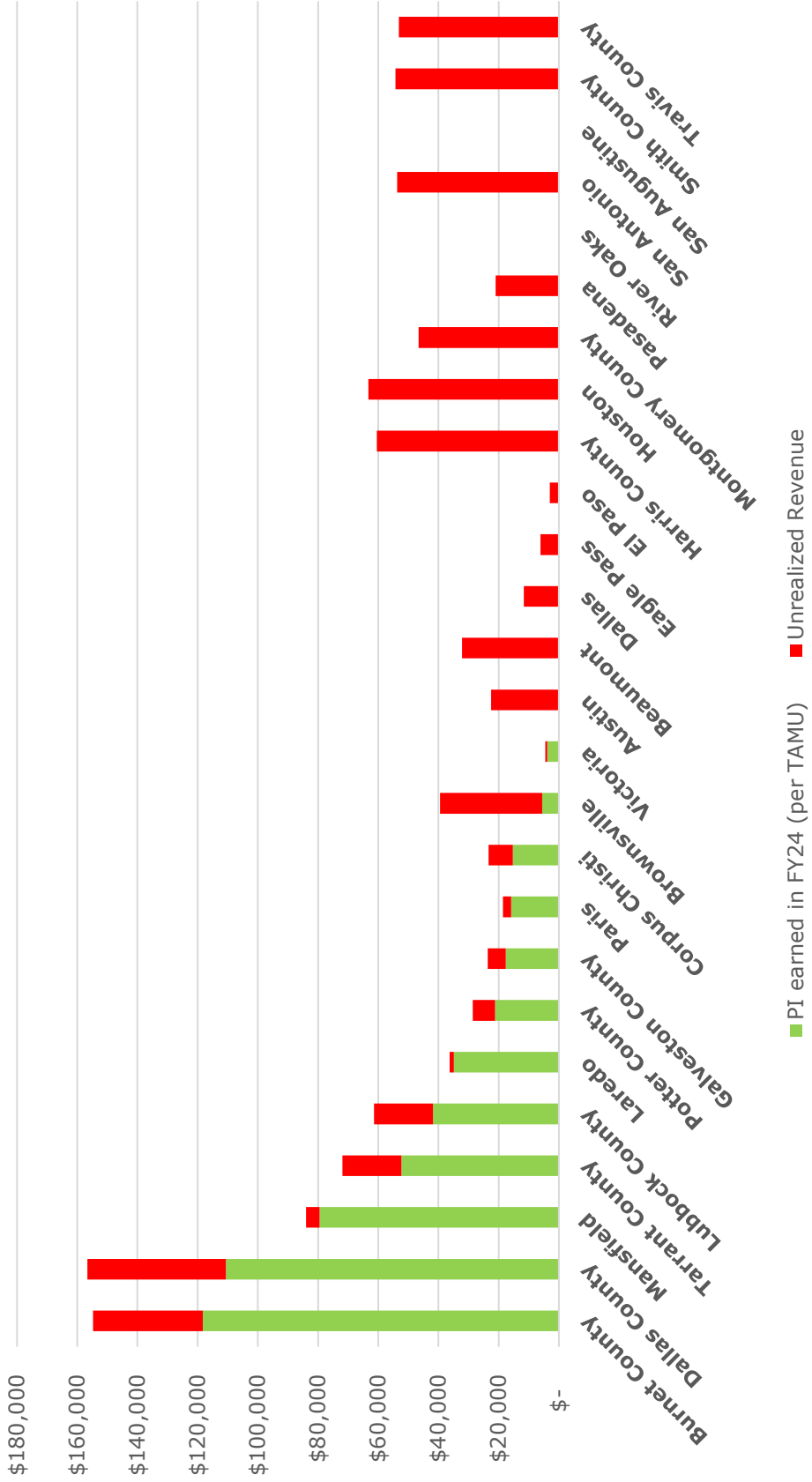
Realized / Unrealized 68a Income FY 2023

Realized / Unrealized 68a Income FY 2023





Realized / Unrealized 68a Income FY 2024





To: MVCPA Board
From: Lauren Williams, MVCPA Auditor
Agenda Item: 14
Subject: FY-24 Supplanting report conducted by MVCPA Audit Section

RECOMMENDATION

Action Item.

PURPOSE AND EXECUTIVE SUMMARY

To provide an update related to the Supplanting Report presented during the July 19th MVCPA Board Meeting.

FINANCIAL IMPACT

TBD

BACKGROUND AND DISCUSSION

Mrs. Williams will provide an overview of her findings and provide the MVCPA Board with possible remedies.

MVCPA Supplanting Update

October 2024



Texas Department of Motor Vehicles

HELPING TEXANS GO. HELPING TEXAS GROW.

Overview



- On July 19, 2024, seven grantees presented to The Board their supplanting position.
 - Three of these grantees, Burnet County, The City of Beaumont and The City of Pasadena, had repayment amounts decided upon that day. All three of these grantees have indicated their payment plans to the MVCPA.
 - Four of these grantees, The City of Brownsville, The City of Eagle Pass, Galveston County and Harris County, presented information that required further evaluation, per the Board.
- We have analyzed the presentations, documentation and verbal cases made by each of the four remaining grantees with unresolved supplanting concerns.
- We have responded to the information presented at the 7/19 Board Meeting by each grantee and included rationale and calculations to support our final recommendation to The Board.

City of Brownsville



- Original FY22 supplanting calculation as of 7/19 = \$141,035.66
- Original FY23 supplanting calculation as of 7/19 = \$178,648.64
 - These are the same figures presented in the handout provided by Brownsville on 7/19
 - The case made verbally and in the handout is that the supplanting amount would have been lower if the reimbursement rate would have been the same in FY22 and FY23 as it was in FY21
 - The reimbursement rate is calculated as a result of an approved application (MVCPA expenditures/total expenditures)
 - The reimbursement rate was higher in FY22 and FY23 than it was in FY21 because Brownsville applied for more grant money while reducing their cash match commitment.
 - The reimbursement rate is a product of the contributions made by the grantee and the MVCPA, respectively, and is not a determining factor in the supplanting calculation
 - The local contribution was reduced, resulting in the supplanting violation
 - The investigator hired in 2022 was filling a previously existing position, in which the previous employee was paid more
 - If we were to include the salary of the current investigator in FY22 & FY23, we would need to add that of the old investigator to the baseline of FY21, increasing the supplanting amounts for FY22 & FY23
 - There were 8 investigators listed on the grant in FY21, FY22 and FY23
- No information presented that altered calculations
- Equals: \$319,684.30 total FY22 & FY23 supplanting amount
- Times: repayment percentage (25%)
- Equals: City of Brownsville supplanting repayment amount of \$79,921.08

City of Eagle Pass



- Original FY22 supplanting calculation as of 7/19 = \$11,592.47
- Eagle Pass provided \$1,677 of previously unreported expenditures at 7/19 Board meeting
 - We verified that these amounts were not reported in any prior periods in GMTS, and have been accepted by the MVCPA audit team
- Less: Previously unreported expenditures (\$1,677)
- Equals: \$9,419.70 adjusted FY22 supplanting amount
- Times: repayment percentage (25%)
- Equals: City of Eagle Pass supplanting repayment amount of \$2,354.93

Galveston County



- ❑ Original FY22 supplanting calculation as of 7/19 = \$19,251.06
- ❑ Original FY23 supplanting calculation as of 7/19 = \$5,257.17
- ❑ No information presented that altered calculations
 - Galveston County explained that program income was utilized to support The Taskforce in FY21, increasing the match amount for that year.
 - No program income was used in FY22 or FY23, resulting in a lower cash match than FY21. No additional in-kind funds were expended to account for this difference, meaning there was a reduction in local expenditures from FY21 to FY22 and FY23.
 - Galveston County acknowledged the occurrence and will ensure future compliance
- ❑ Equals: \$24,508.23 total FY22 & FY23 supplanting amount
- ❑ Times: repayment percentage (25%)
- ❑ Equals: Galveston County supplanting repayment amount of \$6,127.06

Harris County



- ❑ Original FY22 supplanting calculation as of 7/19 = \$473,859.82
- ❑ Original FY23 supplanting calculation as of 7/19 = \$450,489.43
- ❑ No information presented that altered calculations
 - There was a reduction of over \$450,000 in local expenditures between both FY21 and FY22 and FY21 and FY23
 - MVCPA expenditures increased over \$115,000 from both FY21 to FY22 and FY21 to FY23
 - Harris County explained that their reduction in expenditures was due to an increase in vacant positions, which were not filled
 - In these cases, it is important that these available funds are used elsewhere within the taskforce, contributing to the goal of reducing motor vehicle crime, OR that grant funding is reduced in proportion to the reduction in local spend
- ❑ Equals: \$924,349.25 total FY22 & FY23 Supplanting amount
- ❑ Times: repayment percentage (25%)
- ❑ Equals: Harris County supplanting repayment amount of \$231,087.31

Supplanting Analysis – Moving Forward



- By the conclusion of today, October 17th, we anticipate that all supplanting concerns for FY22 and FY23 will be addressed, and repayment amounts (if any) will be decided.
- Moving forward, based on the request by Chairman Rodriguez, the MVCPA audit team will monitor supplanting on an ongoing basis. MVCPA leadership has recommended using the preceding fiscal year as the baseline for our supplanting calculations.
 - Based on this recommendation, the supplanting calculations in FY24 would be completed by comparing local expenditures in FY24 to those in FY23
 - This same pattern would continue in perpetuity as long as there is a need for supplanting testing



To: Motor Vehicle Crime Prevention Authority Board
From: Daniel Price
Agenda Item: 15
Subject: Insurance Refund Berkley Casualty Company 1st Half 2023

RECOMMENDATION

Action tem. Approval of refund for MVCPA fee overpayment in 1st half of 2023 in the amount of 29,471.

PURPOSE AND EXECUTIVE SUMMARY

Report on the MVCPA fee penalty and interest waivers, and requests for refund.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The Berkley companies assert they made a clerical error when transferring numbers to our Fee Report from a spreadsheet. A wrong column was selected resulting in an overpayment of the MVCPA fee.

“These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

- Berkley Casualty Company
- Berkley Regional Insurance Company
- Riverport Insurance Company
- StarNet Insurance Company
- Berkley National Insurance Company”



**Texas Motor Vehicle Crime Prevention Authority
Application for Refund Claim for
January through June 2023 ONLY**



Company Name: Berkley Casualty Company Date: 9/11/2024
 Address: PO Box 9190, Des Moines, IA 50306 NAIC No.: 15911
 Comptroller's Taxpayer Number: 16308666904 TDI License No: 96452
 Street Address: 11201 Douglas Ave
 City: Urbandale State: IA Zip: 50322
 Company Contact Person: Deena Wilde Contact Phone Number: (515) 473-3422
 Contact Email: dwilde@wrberkley.com

Refund Requested: \$ 29,471.00

As provided in Title 43 Texas Administrative Code, §57.51, the authority will consider all information provided to determine if a refund request is valid, and may require that additional information is provided before a final determination can be made.

Complete the information requested below and forward to the MVCPA along with supporting documentation and proof of overpayment.

Policy Term	Motor Vehicle Years Originally Reported	Less: Amended Motor Vehicle Years	Motor Vehicle Years Over Reported	Refund
1 Year - \$4.00	8,192	2,048	6,144	24,576.00
1 Year - \$5.00	1,224	245	979	4,895.00
6 Months - \$4.00	_____	_____	0	0.00
6 Months - \$5.00	_____	_____	0	0.00
30 Day - \$4.00	_____	_____	0	0.00
30 Day - \$4.00	_____	_____	0	0.00
	Total - \$4.00 MVY Over Reported	_____	6,144	_____
	Total - \$5.00 MVY Over Reported	_____	979	29,471.00

Along with this form, you must include the following:

1. An explanation of the reason(s) for the refund. If a request is due to duplicate payments from multiple entities for the same policies then proof of the duplicate payments must be provided along with this request for refund.
2. A copy of the original report.
3. Documentation of original payment.
4. A signed copy of the amended return; do not file with Comptroller's office.

By submitting this application for refund, I certify that I have been designated by my corporation as the authorized official to apply for refunds of the MVCPA fee. 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.

Authorized Signature and Title: *Deena M Wilde* Date: 9/11/2024



Berkley Financial and Statutory Services
A W.R. Berkley Company

September 11, 2024

Texas Department of Motor Vehicles
4000 Jackson Ave
Austin TX, 78731

To Whom It May Concern:

I am the person who files Forms 25-106 and 25-107 for the WR Berkley Corp Group NAIC number 0098. As preparation for these filings, I am required to ask our Business Units for their vehicle counts for each time period and aggregate the data per legal entity company.

One of the individuals reporting these numbers to me for the period of Jan-June 2023 provided me with the incorrect data to me. His comment was that he reported the incorrect column of his spreadsheet. This error lead me to report the same incorrect data without knowing it. These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

Berkley Casualty Company
Berkley Regional Insurance Company
Riverport Insurance Company
StarNet Insurance Company
Berkley National Insurance Company

If you have any questions, please reach out to me by phone or email.

Thank you for taking the time to help us correct this error.

All the best,

Deena Wilde, Financial Analyst



PO Box 9190
Des Moines, IA 50306
515.473.3422 (office)
877.724.3690 (toll free)
844.231.1049 (fax)
Email: dwilde@wrberkley.com

Motor Vehicle Crime Prevention Fee

Original Return for period ending 06/30/2023

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

Print this page for your records.

Reference Number: 21223086047

Date and Time of Filing: 07/31/2023 02:15:57 PM

Taxpayer ID: 16308666904

Taxpayer Name: BERKLEY CASUALTY COMPANY

Taxpayer Address: PO BOX 660847 BIRMINGHAM, AL 35266 - 0847

Entered by: Deena Wilde

Email Address: dwilde@wrberkley.com

Telephone Number: (515) 473-3422

IP Address: 104,225,199,213

Return Summary	Entries	Fee Rate	Fee Due
Calculation			
Total number of motor vehicle years for policies effective January 1 - May 28	8,192	x 4,0000	32,768.00
Total number of motor vehicle years for policies effective May 29 - June 30	1,224	x 5,0000	6,120.00
Summary			
Total Fee Due			38,888.00

Total Fee Due 38,888.00

Balance Due = 38,888.00

Pending Payments - 0.00

Total Amount Due and Payable = 38,888.00

Payment Summary

Amount to Pay: \$38,888.00

Electronic Check: \$38,888.00

Payment Reference Number: 21223086043

Trace Number: 73039217

Type of Bank Account: CHECKING

Accountholder Name: BIC STAT Iowa

Bank Routing Number: 121000358

Bank Account Number: *****7259

Payment Effective Date: 07/31/2023

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To: Motor Vehicle Crime Prevention Authority Board
From: Daniel Price
Agenda Item: 16
Subject: Insurance Refund Berkley National Insurance Company 1st Half 2023

RECOMMENDATION

Action tem. Approval of refund for MVCPA fee overpayment in 1st half of 2023 in the amount of 141.093.

PURPOSE AND EXECUTIVE SUMMARY

Report on the MVCPA fee penalty and interest waivers, and requests for refund.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The Berkley companies assert they made a clerical error when transferring numbers to our Fee Report from a spreadsheet. A wrong column was selected resulting in an overpayment of the MVCPA fee.

“These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

- Berkley Casualty Company
- Berkley Regional Insurance Company
- Riverport Insurance Company
- StarNet Insurance Company
- Berkley National Insurance Company”



**Texas Motor Vehicle Crime Prevention Authority
Application for Refund Claim for
January through June 2023 ONLY**



Company Name: Berkley National Insurance Company Date: 9/11/2024
 Address: PO Box 9190, Des Moines, IA 50306 NAIC No.: 38911
 Comptroller's Taxpayer Number: 17521914535 TDI License No: 93765
 Street Address: 11201 Douglas Ave
 City: Urbandale State: IA Zip: 50322
 Company Contact Person: Deena Wilde Contact Phone Number: (515) 473-3422
 Contact Email: dwilde@wrberkley.com

Refund Requested: \$ 141,093.00

As provided in Title 43 Texas Administrative Code, §57.51, the authority will consider all information provided to determine if a refund request is valid, and may require that additional information is provided before a final determination can be made.

Complete the information requested below and forward to the MVCPA along with supporting documentation and proof of overpayment.

Policy Term	Motor Vehicle Years Originally Reported	Less: Amended Motor Vehicle Years	Motor Vehicle Years Over Reported	Refund
1 Year - \$4.00	39,395	9,863	29,532	118,128.00
1 Year - \$5.00	5,740	1,147	4,593	22,965.00
6 Months - \$4.00			0	0.00
6 Months - \$5.00			0	0.00
30 Day - \$4.00			0	0.00
30 Day - \$4.00			0	0.00
			Total - \$4.00 MVY Over Reported	29,532
			Total - \$5.00 MVY Over Reported	4,593
				141,093.00

Along with this form, you must include the following:

1. An explanation of the reason(s) for the refund. If a request is due to duplicate payments from multiple entities for the same policies then proof of the duplicate payments must be provided along with this request for refund.
2. A copy of the original report.
3. Documentation of original payment.
4. A signed copy of the amended return; **do not** file with Comptroller's office.

By submitting this application for refund, I certify that I have been designated by my corporation as the authorized official to apply for refunds of the MVCPA fee. 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.

Authorized Signature and Title: *Deena M Wilde* Date: 9/11/2024



Berkley Financial and Statutory Services

A W.R. Berkley Company

September 11, 2024

Texas Department of Motor Vehicles
4000 Jackson Ave
Austin TX, 78731

To Whom It May Concern:

I am the person who files Forms 25-106 and 25-107 for the WR Berkley Corp Group NAIC number 0098. As preparation for these filings, I am required to ask our Business Units for their vehicle counts for each time period and aggregate the data per legal entity company.

One of the individuals reporting these numbers to me for the period of Jan-June 2023 provided me with the incorrect data to me. His comment was that he reported the incorrect column of his spreadsheet. This error lead me to report the same incorrect data without knowing it. These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

Berkley Casualty Company
Berkley Regional Insurance Company
Riverport Insurance Company
StarNet Insurance Company
Berkley National Insurance Company

If you have any questions, please reach out to me by phone or email.

Thank you for taking the time to help us correct this error.

All the best,

Deena Wilde, Financial Analyst



PO Box 9190
Des Moines, IA 50306
515.473.3422 (office)
877.724.3690 (toll free)
844.231.1049 (fax)
Email: dwilde@wrberkley.com

Motor Vehicle Crime Prevention Fee

Original Return for period ending 06/30/2023

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

Print this page for your records.

Reference Number: 21223086662

Date and Time of Filing: 07/31/2023 02:20:02 PM

Taxpayer ID: 17521914535

Taxpayer Name: BERKLEY NATIONAL INSURANCE COMPANY

Taxpayer Address: PO BOX 9190 ATTN: WSS-STAT IA DES MOINES , IA 50306 - 9190

Entered by: Deena Wilde

Email Address: dwilde@wrberkley.com

Telephone Number: (515) 473-3422

IP Address: 104.225.199.213

Return Summary	Entries	Fee Rate	Fee Due
Calculation			
Total number of motor vehicle years for policies effective January 1 - May 28	39,395	x 4.0000	157,580.00
Total number of motor vehicle years for policies effective May 29 - June 30	5,740	x 5.0000	28,700.00
Summary			
Total Fee Due			186,280.00

Total Fee Due 186,280.00

Balance Due = 186,280.00

Pending Payments - 0.00

Total Amount Due and Payable = 186,280.00

Payment Summary

Amount to Pay: \$186,280.00

Electronic Check: \$186,280.00

Payment Reference Number: 21223086659

Trace Number: 73039278

Type of Bank Account: CHECKING

Accountholder Name: BIC STAT Iowa

Bank Routing Number: 121000358

Bank Account Number: *****7259

Payment Effective Date: 07/31/2023

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To: Motor Vehicle Crime Prevention Authority Board
From: Daniel Price
Agenda Item: 17
Subject: Insurance Refund Berkley Regional Insurance Company 1st Half 2023

RECOMMENDATION

Action tem. Approval of refund for MVCPA fee overpayment in 1st half of 2023 in the amount of 93,478.

PURPOSE AND EXECUTIVE SUMMARY

Report on the MVCPA fee penalty and interest waivers, and requests for refund.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The Berkley companies assert they made a clerical error when transferring numbers to our Fee Report from a spreadsheet. A wrong column was selected resulting in an overpayment of the MVCPA fee.

“These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

- Berkley Casualty Company
- Berkley Regional Insurance Company
- Riverport Insurance Company
- StarNet Insurance Company
- Berkley National Insurance Company”



**Texas Motor Vehicle Crime Prevention Authority
Application for Refund Claim for
January through June 2023 ONLY**



Company Name: Berkley Regional Insurance Company Date: 9/11/2024
 Address: PO Box 9190, Des Moines, IA 50306 NAIC No.: 29580
 Comptroller's Taxpayer Number: 14314325862 TDI License No: 5155
 Street Address: 11201 Douglas Ave
 City: Urbandale State: IA Zip: 50322
 Company Contact Person: Deena Wilde Contact Phone Number: (515) 473-3422
 Contact Email: dwilde@wrberkley.com

Refund Requested: \$ 93,478.00

As provided in Title 43 Texas Administrative Code, §57.51, the authority will consider all information provided to determine if a refund request is valid, and may require that additional information is provided before a final determination can be made.

Complete the information requested below and forward to the MVCPA along with supporting documentation and proof of overpayment.

Policy Term	Motor Vehicle Years Originally Reported	Less: Amended Motor Vehicle Years	Motor Vehicle Years Over Reported	Refund
1 Year - \$4.00	19,264	4,847	14,417	57,668.00
1 Year - \$5.00	8,952	1,790	7,162	35,810.00
6 Months - \$4.00			0	0.00
6 Months - \$5.00			0	0.00
30 Day - \$4.00			0	0.00
30 Day - \$4.00			0	0.00
		Total - \$4.00 MVY Over Reported	14,417	
		Total - \$5.00 MVY Over Reported	7,162	93,478.00

Along with this form, you must include the following:

1. An explanation of the reason(s) for the refund. If a request is due to duplicate payments from multiple entities for the same policies then proof of the duplicate payments must be provided along with this request for refund.
2. A copy of the original report.
3. Documentation of original payment.
4. A signed copy of the amended return; **do not** file with Comptroller's office.

By submitting this application for refund, I certify that I have been designated by my corporation as the authorized official to apply for refunds of the MVCPA fee. 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.

Authorized Signature and Title: Deena M Wilde Date: 9/11/2024



Berkley Financial and Statutory Services
A W.R. Berkley Company

September 11, 2024

Texas Department of Motor Vehicles
4000 Jackson Ave
Austin TX, 78731

To Whom It May Concern:

I am the person who files Forms 25-106 and 25-107 for the WR Berkley Corp Group NAIC number 0098. As preparation for these filings, I am required to ask our Business Units for their vehicle counts for each time period and aggregate the data per legal entity company.

One of the individuals reporting these numbers to me for the period of Jan-June 2023 provided me with the incorrect data to me. His comment was that he reported the incorrect column of his spreadsheet. This error lead me to report the same incorrect data without knowing it. These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

Berkley Casualty Company
Berkley Regional Insurance Company
Riverport Insurance Company
StarNet Insurance Company
Berkley National Insurance Company

If you have any questions, please reach out to me by phone or email.

Thank you for taking the time to help us correct this error.

All the best,

Deena Wilde, Financial Analyst



PO Box 9190
Des Moines, IA 50306
515.473.3422 (office)
877.724.3690 (toll free)
844.231.1049 (fax)
Email: dwilde@wrberkley.com

Motor Vehicle Crime Prevention Fee

Original Return for period ending 06/30/2023

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

Print this page for your records.

Reference Number: 21223083487

Date and Time of Filing: 07/31/2023 01:59:22 PM

Taxpayer ID: 14314325862

Taxpayer Name: BERKLEY REGIONAL INSURANCE COMPANY

Taxpayer Address: PO BOX 9190 ATTN: WSS-STAT IA DES MOINES , IA 50306 - 9190

Entered by: Deena Wilde

Email Address: dwilde@wrberkley.com

Telephone Number: (515) 473-3422

IP Address: 104.225.199.213

Return Summary	Entries	Fee Rate	Fee Due
Calculation			
Total number of motor vehicle years for policies effective January 1 - May 28	19,264	x 4.0000	77,056.00
Total number of motor vehicle years for policies effective May 29 - June 30	8,952	x 5.0000	44,760.00
Summary			
Total Fee Due			121,816.00

Total Fee Due = 121,816.00

Balance Due = 121,816.00

Pending Payments = 0.00

Total Amount Due and Payable = 121,816.00

Payment Summary

Amount to Pay: \$121,816.00

Electronic Check: \$121,816.00

Payment Reference Number: 21223083486

Trace Number: 73039024

Type of Bank Account: CHECKING

Accountholder Name: BIC STAT Iowa

Bank Routing Number: 121000358

Bank Account Number: *****7259

Payment Effective Date: 07/31/2023

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To: Motor Vehicle Crime Prevention Authority Board
From: Daniel Price
Agenda Item: 18
Subject: Insurance Refund Riverport Insurance Company 1st Half 2023

RECOMMENDATION

Action tem. Approval of refund for MVCPA fee overpayment in 1st half of 2023 in the amount of 19,255.

PURPOSE AND EXECUTIVE SUMMARY

Report on the MVCPA fee penalty and interest waivers, and requests for refund.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The Berkley companies assert they made a clerical error when transferring numbers to our Fee Report from a spreadsheet. A wrong column was selected resulting in an overpayment of the MVCPA fee.

“These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

- Berkley Casualty Company
- Berkley Regional Insurance Company
- Riverport Insurance Company
- StarNet Insurance Company
- Berkley National Insurance Company”



**Texas Motor Vehicle Crime Prevention Authority
Application for Refund Claim for
January through June 2023 ONLY**



Company Name: Riverport Insurance Company Date: 9/11/2024
 Address: PO Box 9190, Des Moines, IA 50306 NAIC No.: 36684
 Comptroller's Taxpayer Number: 14116541120 TDI License No: 96186
 Street Address: 11201 Douglas Ave
 City: Urbandale State: IA Zip: 50322
 Company Contact Person: Deena Wilde Contact Phone Number: (515) 473-3422
 Contact Email: dwilde@wrberkley.com

Refund Requested: \$ 19,255.00

As provided in Title 43 Texas Administrative Code, §57.51, the authority will consider all information provided to determine if a refund request is valid, and may require that additional information is provided before a final determination can be made.

Complete the information requested below and forward to the MVCPA along with supporting documentation and proof of overpayment.

Policy Term	Motor Vehicle Years Originally Reported	Less: Amended Motor Vehicle Years	Motor Vehicle Years Over Reported	Refund
1 Year - \$4.00	4,949	1,919	3,030	12,120.00
1 Year - \$5.00	2,002	575	1,427	7,135.00
6 Months - \$4.00			0	0.00
6 Months - \$5.00			0	0.00
30 Day - \$4.00			0	0.00
30 Day - \$4.00			0	0.00
		Total - \$4.00 MVY Over Reported	3,030	19,255.00
		Total - \$5.00 MVY Over Reported	1,427	

Along with this form, you must include the following:

1. An explanation of the reason(s) for the refund. If a request is due to duplicate payments from multiple entities for the same policies then proof of the duplicate payments must be provided along with this request for refund.
2. A copy of the original report.
3. Documentation of original payment.
4. A signed copy of the amended return; **do not** file with Comptroller's office.

By submitting this application for refund, I certify that I have been designated by my corporation as the authorized official to apply for refunds of the MVCPA fee. 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.

Authorized Signature and Title: Deena M Wilde Date: 9/11/2024



Berkley Financial and Statutory Services
A W.R. Berkley Company

September 11, 2024

Texas Department of Motor Vehicles
4000 Jackson Ave
Austin TX, 78731

To Whom It May Concern:

I am the person who files Forms 25-106 and 25-107 for the WR Berkley Corp Group NAIC number 0098. As preparation for these filings, I am required to ask our Business Units for their vehicle counts for each time period and aggregate the data per legal entity company.

One of the individuals reporting these numbers to me for the period of Jan-June 2023 provided me with the incorrect data to me. His comment was that he reported the incorrect column of his spreadsheet. This error lead me to report the same incorrect data without knowing it. These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

Berkley Casualty Company
Berkley Regional Insurance Company
Riverport Insurance Company
StarNet Insurance Company
Berkley National Insurance Company

If you have any questions, please reach out to me by phone or email.

Thank you for taking the time to help us correct this error.

All the best,

Deena Wilde, Financial Analyst



PO Box 9190
Des Moines, IA 50306
515.473.3422 (office)
877.724.3690 (toll free)
844.231.1049 (fax)
Email: dwilde@wrberkley.com

Motor Vehicle Crime Prevention Fee

Original Return for period ending 06/30/2023

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

Print this page for your records.

Reference Number: 21223081577

Date and Time of Filing: 07/31/2023 01:47:00 PM

Taxpayer ID: 14116541120

Taxpayer Name: RIVERPORT INSURANCE COMPANY

Taxpayer Address: PO BOX 1594 DES MOINES , IA 50306 - 1594

Entered by: Deena Wilde

Email Address: dwilde@wrberkley.com

Telephone Number: (515) 473-3422

IP Address: 104.225.199.213

Return Summary	Entries	Fee Rate	Fee Due
Calculation			
Total number of motor vehicle years for policies effective January 1 - May 28	4,949	x 4.0000	19,796.00
Total number of motor vehicle years for policies effective May 29 - June 30	2,002	x 5.0000	10,010.00
Summary			
Total Fee Due			29,806.00

Total Fee Due = 29,806.00

Balance Due = 29,806.00

Pending Payments - 0.00

Total Amount Due and Payable = 29,806.00

Payment Summary

Amount to Pay: \$29,806.00

Electronic Check: \$29,806.00

Payment Reference Number: 21223081575

Trace Number: 73038878

Type of Bank Account: CHECKING

Accountholder Name: BIC STAT Iowa

Bank Routing Number: 121000358

Bank Account Number: *****7259

Payment Effective Date: 07/31/2023

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To: Motor Vehicle Crime Prevention Authority Board
From: Daniel Price
Agenda Item: 19
Subject: Insurance Refund StarNet Insurance Company 1st Half 2023

RECOMMENDATION

Action tem. Approval of refund for MVCPA fee overpayment in 1st half of 2023 in the amount of 16,917.

PURPOSE AND EXECUTIVE SUMMARY

Report on the MVCPA fee penalty and interest waivers, and requests for refund.

FINANCIAL IMPACT

N/A

BACKGROUND AND DISCUSSION

The Berkley companies assert they made a clerical error when transferring numbers to our Fee Report from a spreadsheet. A wrong column was selected resulting in an overpayment of the MVCPA fee.

“These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

- Berkley Casualty Company
- Berkley Regional Insurance Company
- Riverport Insurance Company
- StarNet Insurance Company
- Berkley National Insurance Company”



**Texas Motor Vehicle Crime Prevention Authority
Application for Refund Claim for
January through June 2023 ONLY**



Company Name: StarNet Insurance Company Date: 9/11/2024
 Address: PO Box 9190, Des Moines, IA 50306 NAIC No.: 40045
 Comptroller's Taxpayer Number: 12235904518 TDI License No: 95370
 Street Address: 11201 Douglas Ave
 City: Urbandale State: IA Zip: 50322
 Company Contact Person: Deena Wilde Contact Phone Number: (515) 473-3422
 Contact Email: dwilde@wrberkley.com

Refund Requested: \$ 16,917.00

As provided in Title 43 Texas Administrative Code, §57.51, the authority will consider all information provided to determine if a refund request is valid, and may require that additional information is provided before a final determination can be made.

Complete the information requested below and forward to the MVCPA along with supporting documentation and proof of overpayment.

Policy Term	Motor Vehicle Years Originally Reported	Less: Amended Motor Vehicle Years	Motor Vehicle Years Over Reported	Refund
1 Year - \$4.00	5,085	1,272	3,813	15,252.00
1 Year - \$5.00	416	83	333	1,665.00
6 Months - \$4.00			0	0.00
6 Months - \$5.00			0	0.00
30 Day - \$4.00			0	0.00
30 Day - \$4.00			0	0.00
	Total - \$4.00 MVY Over Reported		3,813	16,917.00
	Total - \$5.00 MVY Over Reported		333	

Along with this form, you must include the following:

1. An explanation of the reason(s) for the refund. If a request is due to duplicate payments from multiple entities for the same policies then proof of the duplicate payments must be provided along with this request for refund.
2. A copy of the original report.
3. Documentation of original payment.
4. A signed copy of the amended return; do not file with Comptroller's office.

By submitting this application for refund, I certify that I have been designated by my corporation as the authorized official to apply for refunds of the MVCPA fee. 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.

Authorized Signature and Title: Deena M Wilde Date: 9/11/2024



Berkley Financial and Statutory Services
A W.R. Berkley Company

September 11, 2024

Texas Department of Motor Vehicles
4000 Jackson Ave
Austin TX, 78731

To Whom It May Concern:

I am the person who files Forms 25-106 and 25-107 for the WR Berkley Corp Group NAIC number 0098. As preparation for these filings, I am required to ask our Business Units for their vehicle counts for each time period and aggregate the data per legal entity company.

One of the individuals reporting these numbers to me for the period of Jan-June 2023 provided me with the incorrect data to me. His comment was that he reported the incorrect column of his spreadsheet. This error lead me to report the same incorrect data without knowing it. These current forms with this letter are to correct the error for the following for five of our Legal Entity companies I report on:

Berkley Casualty Company
Berkley Regional Insurance Company
Riverport Insurance Company
StarNet Insurance Company
Berkley National Insurance Company

If you have any questions, please reach out to me by phone or email.

Thank you for taking the time to help us correct this error.

All the best,

Deena Wilde, Financial Analyst



PO Box 9190
Des Moines, IA 50306
515.473.3422 (office)
877.724.3690 (toll free)
844.231.1049 (fax)
Email: dwilde@wrberkley.com

Motor Vehicle Crime Prevention Fee

Original Return for period ending 06/30/2023

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

Print this page for your records.

Reference Number: 21223080388

Date and Time of Filing: 07/31/2023 01:39:13 PM

Taxpayer ID: 12235904518

Taxpayer Name: STARNET INSURANCE COMPANY

Taxpayer Address: PO BOX 9190 ATTN: WSS-STAT IA DES MOINES , IA 50306 - 9190

Entered by: Deena Wilde

Email Address: dwilde@wrberkley.com

Telephone Number: (515) 473-3422

IP Address: 104.225.199.213

Return Summary	Entries	Fee Rate	Fee Due
Calculation			
Total number of motor vehicle years for policies effective January 1 - May 28	5,085	x 4.0000	20,340.00
Total number of motor vehicle years for policies effective May 29 - June 30	416	x 5.0000	2,080.00
Summary			
Total Fee Due			22,420.00

Total Fee Due 22,420.00

Balance Due = 22,420.00

Pending Payments - 0.00

Total Amount Due and Payable = 22,420.00

Payment Summary

Amount to Pay: \$22,420.00

Electronic Check: \$22,420.00

Payment Reference Number: 21223080386

Trace Number: 73038795

Type of Bank Account: CHECKING

Accountholder Name: BIC STAT Iowa

Bank Routing Number: 121000358

Bank Account Number: *****7259

Payment Effective Date: 07/31/2023

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