



Texas Department of Transportation

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN, TEXAS 78779-0001 • (512) 465-7611

August 17, 2000

Registration and Title Bulletin # 80-00

TO: ALL COUNTY TAX ASSESSOR-COLLECTORS
FROM: QUESTIONS FROM THE 2000 TACA CONFERENCE

PURPOSE

To provide answers to the questions that were asked at the June 2000 TACA Conference in Midland.

VTR CONTACT PERSON(S)

If you have any questions, please contact your local TxDOT Vehicle Titles and Registration Division Regional Office. You may also contact me or Mr. Darrel Hunt, Deputy Director, at (512) 465-7570. Thank you for your continued support.

Sincerely,

for Jerry L. Dike, Director
Vehicle Titles and
Registration Division

Attachments

2000 TACA Conference Questions and Answers

Registration Issues

- 1. The next time the general issue license plates are changed, could VTR possibly consider shipping an appropriate one-time percentage of plates based upon prior allotment amounts? Yes, with the consideration of limited storage space in some counties.**
- 2. When will the old stock of plates be depleted?**
TxDOT has depleted its stock of old plates. However, it is our understanding that some of the counties still have a supply of the old plates.
- 3. If the customer renewing the registration advises that he/she has borrowed the vehicle from the owner, does the proof of financial responsibility need to be in the name of the recorded owner?**
No, the financial responsibility does not have to be in the name of the recorded owner. The proof of financial responsibility must be current and identify the vehicle.
- 4. The VIN is not complete on the insurance card. It only indicates the last 4 digits of the VIN. What can be done?**
The vehicle identification number is not a required item on the insurance card. The Texas Department of Insurance prescribes at Section §601.081 of the Transportation Code what is required on the standard proof of motor vehicle liability insurance form.
- 5. In cases of late registration renewal, the registrants are asked whether or not they have been ticketed for expired registration. If they respond "No," a late fee is not charged. The registration fees are paid, and new windshield validation stickers are issued. Frequently, the registrants are not being truthful. In some cases, the registrants have actually been ticketed. Once the registration fees are paid, they then proceed to take care of the tickets. Once the tickets are paid, they are directed to contact the county tax office. Should the counties handle these situations any differently?**
Transportation Code §502.176, provides that a registrant is subject to the 20% penalty if a citation for expired registration was issued. If there is no proof of a citation, no penalty can be charged.
- 6. Frequently, counties are noticing that the renewal county number is incorrect. What can be done?**
To avoid this problem, deputies should be reminded to always verify and input the correct "resident" county number on registration and title transactions. Dealers using the DTA system should also be reminded to input the county code for residence of owner. This will help ensure the renewal notice is printed with the correct renewal county information.
- 7. Counties are noticing that renewal notices are indicating an address for the registrant that is different from the one indicated on the motor vehicle record. Why?**
As a high volume mailer, TxDOT VTR is required by the United States Postal Service to use the National Change of Address (NCOA) software application when renewal notices are generated. Change of address complications can and do occur. At some point in the near future, an RTB will provide details on the NCOA software and how it is used in the renewal mailing process.

8. **What is needed to take credit cards in the county?**
Approval of the commissioner's court is required for a county to engage in credit card transactions. Further information is available in Sections 130.002 and 132.002 of the Local Government Code.
9. **Some counties reported having problems completing the new temporary registration license plates.**
Some counties use rubber stamps to stamp the expiration dates on the temporary permits. These stamps may be purchased through several different vendors.
10. **How often can a county issue a 30-day permit to the same vehicle?**
A county can issue a 30-day permit every 30 days to the same vehicle; however, if the county believes the customer is purchasing a 30-day permit to circumvent another law (such as transferring title), the county can refuse to issue the permit.
11. **What is the preferred payment method for accepting customer payments on special plate fees for VTR by county tax offices? Past guidance for many years has been money order and or cashier's check only. Is this still so? Recent misunderstandings on this matter have caused customer confusion and or dissatisfaction. Please clarify.**
Personal checks, money orders, and cashier's checks are accepted. Cash is accepted but is discouraged for transactions through the mail.
12. **Why do some personalized plate (PLP) customers receive notices that their plates are at the county tax office when in fact they are not?**
All customer notices are mailed when the Texas Department of Criminal Justice (TDCJ) informs VTR that the plates have been shipped. On occasion, scheduling errors occur whereby customer letters are mailed early and in advance of shipping notification from TDCJ. We will monitor mailing more closely and attempt to minimize such occurrences.
13. **Counties advise that in some cases it is taking two weeks to receive new special plates for their customers. Could this time frame be improved?**
As indicated in RTB#25-00, the customer service expectation for special plate delivery is for the application to be processed within 72 hours of acceptance and for the plates to be delivered to the county within two weeks. Two weeks therefore is at the outside, but still within the stated timeline for customer service.
14. **Can VTR develop a listing of special plates complete with pictures of the special plates, official plate names and abbreviations (if any), and correct application numbers? Can a quick reference chart be created that would identify each special plate by title and associated application form?**
The Registration Manual at Figure 129, Quick Facts for Special License Plates provides many details pertaining to this issue. The TxDOT web page also provides information in the form of particular requirements for given plates and a graphic of each type of special plate. Go to www.dot.state.tx.us/insdot/orgchart/vtr/reginfo/spplates/specplat.htm to see an inventory of plates for nonprofit organizations, colleges, universities, military branches and veterans categories, among others.

15. Is the Disabled Veteran (DV) staggered registration conversion program going well and is it on schedule?

Yes, all customer notification letters were mailed to all Disabled Veteran registrants by June 30, as stated in RTB #42-00 on this subject. We have assigned staggered registration expiration to 1/3 of all disabled veterans during July.

16. If the county uses the Internet for vehicle registration, how will the insurance and the tax Form 2290 (heavy vehicles) be verified?

Tax assessor-collectors will use their existing business processes.

17. Must the counties have Internet registration?

No. Internet registration is not mandatory. RTB #19-00 and RTB #62-00 discuss the topic of Internet registration. Internet registration provides an option for counties to enhance customer service by offering an additional means of registration.

Title Issues

18. How long is it taking VTR to issue "Title Only?"

After receiving the title transactions from the counties, it is taking approximately 2 weeks to issue these titles.

NOTE: A recent request for tracking this activity found that no more than 5 days had elapsed before the date title was issued. Many transactions are already a month old or older prior to being received by TxDOT.

19. Are salvage notations going to be carried forward on title only vehicles?

Yes.

20. Can you question a selling price of a vehicle? For example, the Form 130-U shows the selling price of \$250 for a \$20,000 vehicle.

Please contact Curt Swenson at the Comptroller Office of Public Accounts, Tax Policy, Motor Vehicle Division.

21. Is VTR going to incorporate the selling price on the back of the title in the transfer box at any time?

Referred to TxDOT Liaison Committee for consideration. TxDOT has no plans to do so.

22. Can the title application form (Form 130-U) be incorporated on the back of the title?

There are no plans to combine the Form 130-U, Application for Texas Certificate of Title, with the VTR Forms 30-C and 30-CCO title documents at this time.

23. When joint ownership is involved and no lien is recorded, can only one of the owners execute the Form 34?

No. Both signatures are required.

24. **A minor executed a Rights of Survivorship Agreement. The title transaction was accepted and processed by the county. Should the county have rejected the transaction, because it lacked the signature of a guardian and guardian documentation?**
 Yes. A minor may only sign transfer documents that are not associated with heirship.
25. **A county advised that, due to legislative amendments effective September 1, 1999, family members only may execute the Rights of Survivorship Agreement. Why was VTR allowing anyone to execute a Rights of Survivorship Agreement?**
 House Bill 381, which amended the rights of survivorship statute, allows anyone to execute a Rights of Survivorship Agreement.
26. **One county indicated that the customers were confused about the "Rights of Survivorship." It was suggested that another RTB be published to clarify the confusion.**
 RTB #90-99 discusses the Rights of Survivorship matter. Contact your regional office if further clarification is needed.
27. **If the customer completes the vehicle transfer notification tab on the top of the title instead of signing the back of the title for the assignment, is this acceptable?**
 While some counties may accept a signature in the wrong location of the title, the position of VTR is that the title transfer has not been properly completed.
28. **Is VTR going to revise the vehicle transfer notification tab to make it more understandable to the customers? Is it possible to move the location of the tab to the bottom of the title?**
 A recent revision was made. It is found on Original Texas Certificate of Title with a revision date of 12-99, which was not put in circulation (actually issued) until March 2000. We will examine the results of the recent change this fall and then decide what action may be needed.
29. **Counties are receiving rejections for incorrect assignments of MSOs by dealers with DBAs. What is correct?**
 The entity named on the front of the MSO must match the seller indicated in the assignment. If those names do not match, an assignment from one entity to the other will be required before assignment to a retail purchaser may be executed. However, if the entities are not separate entities, the assignment should be corrected and a statement of fact explaining the correction should be attached to the transaction. For example, John Public Ford, Inc. may be on the front of the MSO. The seller in the first assignment is Public Ford Sales. Although Public Ford Sales may be a DBA of John Public Ford, Inc., the facts would have to be established by contacting the Motor Vehicle Division since VTR does not have access to this information. Thus, in order for the transaction to be acceptable, there would need to be an assignment from John Public Ford, Inc. to Public Ford Sales. However, if John Public Ford, Inc. and Public Ford Sales are not the same entity, the assignment should be corrected and a statement of fact explaining the correction should be attached to the transaction.
30. **What are the real title packaging procedures?**
 RTB #1-98 outlines the prescribed process for counties to submit title reports, transactions and payments to TxDOT. RTB #130-99 explains the proper handling of "Title Only" transactions. RTB #35-00 addresses new rejection procedures.

31. What is the proper method to ensure that titles marked for rejection by a county are not released for issuance?
RTB # 35-00 addresses the new procedures for the handling of title rejections.

32. Customers continue to contact us in reference to titles issued on March 22, 2000.
We have thoroughly researched the title process for March 22, 2000. There was no evidence of a VTR system failure at any point in the title process. All indications are that a United States Postal Service problem may have affected no more than 30 titles. Our balancing/inventory sheets do not indicate there were any problems reported or noted for March 22, 2000.

Regarding insert problems, the fact that we insert up to four titles per envelope has always left us vulnerable to occasional machine mal-functions. On a small scale this is impossible to detect. On a large scale we can detect this when we balance our processes. We had no indication of a large scale problem on this day in question.

33. Why is a title transaction microfilmed when the title is not released for issuance?
The following are reasons why a transaction is microfilmed but not released:

- (1) a keying error is made when releasing workstation;
- (2) title package report is missed by the person releasing batches; and
- (3) county fails to include title package report for a workstation or is left in the middle of a batch.

34. Some counties advised that they were having problems with VTR receiving their Title Package Reports. Additionally, title transactions were being sent to microfilm and not released for title issuance. Customers have also complained about receiving other than their titles in the same envelopes.

An invoice receipt is being considered in addition to the Title Package Report (TPR). Upon completion of the audit of the TPR, the invoice receipt could then be acknowledged and returned to the appropriate county by fax/mail. This would assure the tax office that the TPR has been received.

The processes associated with releasing for title issuance and boxing title transactions for microfilming will again be reviewed to ensure that the release activity has occurred prior to boxing for microfilming.

For the time being, VTR has stopped multiple inserting of titles into one envelope until this problem can be resolved. Therefore, each title is mailed separately. However, if you are receiving complaints regarding multiple titles, please request the envelope. Either mail or fax it to your respective Regional Office. They in turn will submit it to our Headquarters for further research.

35. Owner-retained vehicles are presenting problems to dealers. The insured that accepts an adjusted settlement and retains the vehicle sells it to a dealer, who in turn sells it to a retail purchaser. When the title transaction is presented for filing, the owner-retained remark is discovered. What can be done?

Current statute prohibits the owner of an owner-retained vehicle from transferring ownership prior to obtaining the appropriate salvage or nonrepairable certificate of title. However, enforcement of this provision is difficult. The buyer may consider checking the vehicle record for remarks.

RTS Issues

36. **Why doesn't VTR utilize the (RTS) broadcast function to make counties aware of known problems? This would eliminate all the phone inquiries on the same problems.**
We use the broadcast function very conservatively since we have very few RTS-related issues that affect all 254 counties.
37. **Will counties be able to verify the payment of the special plate fee in RTS?**
We are considering improvements to the special plate renewal process and will log as an RTS enhancement.
38. **Counties are experiencing problems with customers that apply for title and purchase apportioned registration. Then, at a later date (less than one year), turn in the apportioned plate and go to the tax office to secure combination plates. The county would like RTS to indicate the title application date so the determination can be made as to whether sales tax is due.**
The county can look at title issuance date on the title or call the region and have them check film for application date.
39. **Will programming for "Title Only" be completed?**
A project to accommodate "Title Only" processing in RTS has been approved but will not be included with version 4.2. A release date has not yet been projected.
40. **A request was received to make the Form 31-RTS accessible in RTS. This would eliminate the need to inventory the form.**
At this time, there are no plans to make the Form 31-RTS accessible in RTS.
41. **One county indicated that they want a check box on the rights of survivorship moved to the left on the RTS screen.**
Moving the rights of survivorship field, like any other suggestion should be passed along to the Regional Managers. All suggestions are given due consideration.
42. **Why doesn't RTS allow same-day multiple transactions on the same motor vehicle record?**
RTS operates on a 24-hr. cycle for both updates and back up of data. In addition, RTS allows for only one change per field per cycle. The capacity to make numerous changes is unnecessary because records are changed with relative infrequency. The deputy should take care to be certain the inputs are correct before the screen or file is closed since the changes will be irrevocable until at least the next day.
43. **Is VTR going to program RTS to incorporate the issuance of the ATV sticker in RTS?**
No. A project to ensure the titles issued for ATVs are all annotated "OFF-HIGHWAY USE ONLY" is in progress. A project to issue ATV decals (stickers) has not yet been defined.
44. **The purchaser of a titled trailer wishes to utilize the vehicle as a farm trailer. How should this be handled?**
Process the transaction in the title event under "Non-titled." When the titled record is found, select "Record Not Applicable." For renewal of the farm trailer registration, process the transaction in the title event under "Non-titled." Renew the registration for the existing "non-titled" motor vehicle record.

45. Will the counties be able to continue to emulate with their other computer programs when RACER is active?
Yes.

46. What are the criteria used for consideration in order for a county to get another workstation?
VTR looks at Finance reports and county allocations as well as the number of transactions performed in each county. If a county believes there has been substantial growth to justify another workstation, an additional station can be requested through their regional office manager. Each request will be evaluated on its merits and transaction volume.

47. Will programming for the new seasonal permit plate be in release 4.1.4?
No. This project has not yet been assigned to a version release. Extensive programming is required and other projects have been assigned higher priority at this time.

Americans With Disabilities Act (ADA) Issues

48. The counties indicated that there needs to be a better way to distinguish between permanent and temporary disabled person placards.
The newest design of the placard will have a "Perm" or a "Temp" that must be punched out and the words "Perm" or "Temp" written on the placard. Revised procedures for issuance of a disabled person placard are described in RTB #60-00.

49. How long must the counties maintain the hard copies of the disabled person applications, VTR-214s?
Retention of disabled person applications at least until resolution of the disabled person's class action lawsuit, discussed in TAC #49-98, would be desirable. Also consult with your County Auditor.

50. What are other counties doing if a doctor checks the wrong type of disability on the Form VTR-214.
Many of the counties remedy this particular situation through a call to the physician to request a fax with the prescription attached to the Form VTR-214.

51. Counties are finding that physicians are not wording disabled person certifications properly; thus, they cannot discern whether to issue a permanent or temporary placard. Is VTR considering a mail out to educate the medical community?
We have recently completed a mail out to the medical community. You will receive an RTB very soon that describes the mail-out. The solution outlined at #50 might be considered as a possible solution.

52. Will disabled person placards ever be an RTS item? Will there ever be a VTR database for placards?
Disabled person placards are an RTS inventory item. In reference to the question regarding the database for placards, the TACA TxDOT Liaison Committee would need to provide a statement of need and a point of contact.

53. What is the law for buildings having to have the new color-coded (handicapped access) spaces?
House Bill 1032 is the enabling legislation for color-coding of handicapped parking places. TxDOT VTR functions as a regulatory agency and as an agency of record, and as such has no authority to enforce compliance with the Americans With Disabilities Act. For further information contact Curtis D. Edmonds of the Governor's Committee for People with Disabilities at 512/463-5741 or see the web page at www.governor.state.tx.us/disabilities.

An information specialist at the Texas Department of Licensing and Regulation, Architectural Barriers, phone 512/463-3211, can speak on the subject of Texas Accessibility Standards. The web page for the Texas Department of Licensing and Regulation, Architectural Barriers is www.license.state.tx.us.

(Other RTB's on ADA related issues are: # 103-99, # 104-99, # 123-99, # 140-99, and # 151-99, # 61-00 and # 60-00.)

Other Issues

54. Tax appraisers need owner identification for trucks in order to collect personal property taxes. Owners are moving their businesses and trucks to OK often without properly titling and registering them in Texas. Other vendors can get titling information. Can other county officials also request it?

Yes. A completed Request for Motor Vehicle Information, Form VTR-275, should be submitted to either the Austin address indicated on the form or the nearest Regional Office. If there is no Texas record, you may wish to contact your local law enforcement to see whether or not they can access the National Law Enforcement Telecommunication System (NLETS). At a minimum, the state of record for title/registration information can possibly be established so title and registration verification could be requested.

55. Is any county recycling the laser printer cartridges?

In practice the question of using remanufactured cartridges for RTS related equipment is beside the point, because the lease terms of RTS equipment prohibit the use of remanufactured cartridges. To address the question, however, the following can be offered:

Some counties indicated that they were recycling the cartridges by returning via UPS (United Parcel Service) to the manufacturer. According to TxDOT's General Services Division most toner cartridges are packaged with recycling instructions.

56. Where does the state purchase the laser printer cartridges and what is the cost?

TxDOT's General Services Division purchases the cartridges at an approximate price of \$70.00 per cartridge. Depending on the type of printer, though, the cost of a new toner cartridge is as high as \$189.15.