Questions/Responses from the TACA Conference June 2007

Titles:

1. Are ATVs with Japanese MCOs acceptable?

Yes, as long as the MCO is conforming and all key information is on the MCO.

2. Can Japanese ATVs get a bonded title?

Yes, with U.S. Customs documentation or USDOT form HS-7.

3. What evidence is needed to place a lien on a non-titled farm semi-trailer?

A farm semi-trailer in excess of 4,000 pounds may be issued a title recording a lien supported by a Bill of Sale, a copy of the Texas registration receipt or out-of-state title as evidence of ownership.

4. Are there law enforcement related changes concerning titles coming from the most recent legislative session?

- HB 2931, effective 9/1/2007, with a court order, a lien may be placed on a vehicle which damages a fence.
- SB 350, effective 9/1/2007, public hearings are required only when requested by the owner under junk vehicle nuisance abatement proceedings.
- SB 351, effective immediately, -notice of abatement proceedings must be delivered by the U.S. Postal Service with delivery confirmation.
- HB 195, effective 9/1/2007, abandoned motor vehicles can be transferred to a municipal or county agency, or to school districts for use.

5. Can VTR provide enforcement assistance to the counties when a dealer does not transfer the title in the county the purchaser requests?

No. VTR has no enforcement authority regarding dealers. You should contact the MVD enforcement section at 1-800-687-7846.

6. Is there legislation that exempts military personnel from title fees?

Yes. HB 1260, effective 9/1/2007, states military personnel that are being deployed into combat zones are exempt from certain fees to aid in arranging their personal affairs. Some of the exempted fees are those for:

- transferring title to real or personal property;
- obtaining a birth certificate;
- issuing a marriage license;
- obtaining a duplicate recorded marriage license;
- a divorce decree;
- a child support order;
- · guardianship documents; and
- property tax records.

7. Will there be any restrictions on transfer of ownership if a Child Support Scofflaw (SB 228) remark is on the vehicle record?

No. The Child Support Scofflaw does not prevent the transfer of a motor vehicle that contains the scofflaw remark.

8. Can VTR require motor vehicle dealers to submit the form VTR-136, County of Title Issuance, with title transfers by Rule?

We will take this suggestion into consideration.

Registration:

1. When will HB 310 (plate to owner) take effect?

January 1, 2008. Policies, procedures, and administrative rules regarding the implementation will be provided in a future RTB.

2. Are the counties still registering ATVs?

No. HB 3849, effectively immediately, transfers registration of ATVs to the Texas Parks and Wildlife Department (TPWD). Any requests for registration or renewal should be directed to TPWD.

3. If registration is current at the time of purchase but expired at the time the title is transferred in the tax office, will the new \$25 late transfer penalty fees be charged from the time the registration was current or will there be no penalty because the registration is no longer current?

We will be developing policies, procedures, and administrative rules in the near future that will address many of these situations in a future RTB.

4. What are some of the recent changes related to Military Special Plates?

- HB 191, effective 9/1/2007, standardizes military specialty license plate fees in three categories. (Meritorious Service, Recognition Award, and Service)
- HB 2282, effective 9/1/2007, creates the Legion of Merit specialty plate
- SB 274, effective 9/1/2007, creates the Silver Star specialty plate
- HB 2398, effective immediately, expands the eligibility for the Gold Star Mother specialty plate to spouses and immediate family members for a Gold Star Family specialty plate
- HB 2105 effectively immediately, allows two placards for Disabled Veterans (Ref: RTB 16-07)

5. How will the county know if a disabled veteran's application for a disabled placard is for non-mobility or mobility impaired?

The Disabled Veteran will make the determination on the application for either a Red (non-mobility) or Blue (mobility impaired) placard.

6. Does the disabled symbol (ISA) have to be on a DV plate to allow parking in disabled parking spaces?

No. SB 251, effective 9/1/2007, allows DV plated vehicles to park in spaces previously reserved for "Blue Placard Parking Only."

7. Will additional information be required on Disabled Parking Placards?

Yes. HB 1781, effective 9/1/2007, requires the county number be added to the disabled person placard, along with the first four digits of applicant's driver's license and applicant's initials.

8. When specialty plates is fully implemented at the county, will the customer's specialty plates still be mailed to the county or will the plates be mailed directly to the customer?

We are currently working on a Request for Proposal (RFP) to contract with a vendor to mail the plates directly to the customer when appropriate. Specialty plates that are ordered at the time of registration will be mailed directly to the customer. Those ordered without registration, such as internet sales, will be mailed to the county.

9. When will the Specialty Plates Program be released to the counties?

We anticipate implementation to begin October 16 and be complete (implemented statewide) by November 1, 2007.

10. How can the counties receive more money for issuing Specialty Plates?

Legislatively.

11. Are there any new Scofflaw regulations we should know about?

Yes. SB 228, effective 9/1/2007, - motor vehicle registration, driver's license, or other license may be suspended for failure to pay child support. SB 1119, effective 9/1/2007, - local authorities are given the authority to implement a photographic traffic signal enforcement system (red light cameras).

12. Why did VTR change the plate age in RTS?

Since the inception of RTS, plate age was incremented (recorded) upon completion of annual renewal. As a result, replacement was actually occurring after 8 years rather than 7 years (for general issue plates; 5 years for Specialty Plates). RTS now captures a plate's "birth date" and each year the plate age is calculated prior to producing the renewal notice. This ensures that the plates are replaced every 7 years for safety reasons relating to reflectivity (Ref: RTB 19-07).

Forms:

1. How will customers who do not have internet capabilities obtain the new e-forms?

Customers without access to the internet may call our Customer Help Desk at (512) 465-7611 to have any VTR form mailed to them. Faxed copies of forms may be obtained by calling toll-free (888) 232-7033, enter the form number and a return fax number when prompted, or visit their County Tax Assessor-Collector's office. Most public libraries also have computers with internet access for use by the general public.

2. Will VTR continue to provide printer cartridges to support the printing of e-forms and RTS receipts?

This is a funding decision that will have to be evaluated annually based on the VTR budget. We will notify the counties in sufficient time to budget accordingly.

3. Will VTR continue to provide counties with a hard copy supply of frequently used forms?

We realize there are forms that must continue to be provided in hard copy and we will work closely with the TAC Liaison Committee to identify these forms. However, we are trying to reduce quantities of preprinted forms to reduce waste, storage space and ensure the most current form is being utilized. Our intent is to use electronic forms as much as possible, which is the same approach being taken by other large state agencies, including the Texas Comptroller of Public Accounts and the Texas Parks and Wildlife Department.

TxIRP:

1. Why is it taking so long for us to receive IRP funds? (Sometimes it takes 3-4 weeks before the money is deposited).

It should take approximately 3 to 4 weeks for a payment by warrant (check) to reach the counties, or approximately 3 to 4 days for a payment by Electronic Funds Transfer (EFT). For this reason we encourage EFT. We are unaware of any county using EFT that is not receiving funds in 3 to 4 days. If problems occur, please contact (512) 374-5250.

2. Do we have to pay the IRP Funds that are reflected on the Registration Report, if we haven't received the IRP Funds?

Yes.

Miscellaneous:

1. Can the classification "Apportion Trailer plates" be removed from RTS?

Apportion trailer plate classification cannot be removed until there is no database record that reflects this classification. We understand the problem caused by this showing up as the first choice in RTS. We have added moving the classification to the bottom of the list as a RTS enhancement request.

2. Can RTS equipment maintenance be scheduled around busy times including after hours and on weekends.

All software program/systems maintenance is now scheduled overnight after normal work hours. Hardware is serviced/repaired when it breaks. The maintenance vendor Cadence is required to respond to maintenance calls within 4 "business" hours. Issues involving construction or rewiring can get more complicated and may require work being done during office hours.

3. TACA History, who has the files?

These historical files and photos were shipped to John Ramsey in Grayson County in March 2007.

4. Why aren't all Regional Managers attending TACA and V.G. Young conferences?

We have budget limitations just like most government and business entities. Our efforts have been to staff each of the conferences with a mix of personnel; even though your regional staff may not be present we have someone in attendance who will gladly address any issues you have.

5. How often is the SPV data updated?

SPV data is updated every Friday.

6. Can the Replacement Event be added to the Title Event in RTS? Currently, if we find out a replacement plate is needed after we have processed a title we must void the title event and start the transaction over, doing the replacement first.

We will look at this as either an enhancement to RTS or as part of Vision 21. We have recorded this request.

7. What are the new Dealer Temporary Tags requirements?

Both SB 11 and SB 1786, effective 9/1/2007, require TXDOT to develop a system to gather vehicle-specific and owner-specific data and create unique temporary tags for newly sold vehicles. The database also must be available for law enforcement to verify vehicle and owner data. The bills include dealer's, buyer's and converter's temporary tags. With limited exceptions, the dealers must provide the database information before they may use the temporary tags. We are working with two other TxDOT divisions to accomplish these goals as quickly as possible.

8. Is there anything related to towing or storage facilities that we need to know?

Yes. HB 2094, effective 9/1/2007, transferred regulation of towing and storage of vehicles to the Department of Licensing and Regulation.

TACA LIAISON MEETING NOTES

Sherman Krause (TAC Comal County) requested the Legislative Committee meeting be combined with the TxDOT Liaison Meeting.

Legislation

Mike Craig opened the meeting with a brief review of passed and enrolled legislative bills affecting VTR & TxDOT. Copies of the bill numbers, effective date and a brief summary were provided to participants. The following bills were mentioned:

- HB 310 Plate to Owner
- HB 1781 Disabled parking placard information is amended
- HB 481 Increased penalties for transfer applications and electronic notification of vehicle transfer notification
- HB 2992 5-Year Token trailer plates
- SB 11 Dealer temporary tag database
- HB 261 SPV not applicable to vehicles sold at auction by a government agency
- HB 2105 Disabled veterans allowed two disabled parking placards
- HB 1887 Burglary added to ATPA, now ABTPA

Special Plates

Implementation of specialty plates processing in the counties will begin November, 2007. A handout of the "Estimated Number of Specialty License Plates by County" was provided to all participants (see attachment). With the exception of one or two counties, the additional work would be minimal according to estimated new and renewed applications.

Rebecca Davio also mentioned the legislators had approved HB 191 which places Military specialty plates into 3 categories (Meritorious, Recognition, and Service), and standardizes fees for each category.

Financial Responsibility Verification Program

We continue to work with the other agencies involved in the program. We are encouraged that even the initial "match rate" between insurance company data and our motor vehicle records exceeded 90%, and has now risen to 95% or higher for most all insurance companies.

Database Cleanup

We are doing an intensive data record clean-up in preparation for the Financial Responsibility Verification Program, Special Plates, etc. The goal is to minimize county contact by affected customers. We will correct as many records as possible "in house".

Vision 21

We have completed quite a bit of required background work, including legislation to pursue a Request for Proposal (RFP) that will encompass segments for future enhancements. There are some components that will be initiated under RTS but will easily transition to V-21, such as the National Motor Vehicle Title and Information System. We will continue to identify enhancements that can be implemented in this manner.

VTR Listserv

We appreciate TACA allowing VTR to use their Listserv while completing our own. We will notify you soon on how you can subscribe to the VTR Listserv. Any motor vehicle county employee may enroll. We plan to complete by July, 2007.

Electronic Forms

The department is planning on discontinuing printing of hard copy forms. Instead they will be available on RTS and the internet. TACs advised this would inhibit their ability to assist customer in a timely fashion if they must print forms individually for each customer. They strongly recommended we reconsider, at a minimum providing the most often used forms, specifically the form 130-U.

Training for Counties

VTR has hired Martha Jacobson, who has professional training background, to develop training modules that can be used by the TACs for their staff. Rebecca cautioned that county-specific training modules will not be available for approximately 2-3 years. Prior to that, there will likely be training modules developed for VTR staff that will be of benefit to the counties as well.