Texas Department *of* Motor Vehicles

HELPING TEXANS GO. HELPING TEXAS GROW.

Public Information Request

Audit Report

25-05

Internal Audit Division

July 2025

BACKGROUND

The Texas Public Information Act was adopted in 1973, rooted in the United States Constitutional Principle that government serves the people. The preamble of the Public Information Act is codified at Chapter 552 of the Government Code. It declares the basis for the policy of open government expressed in the Public Information Act. It emphasized that "the principle that government is the servant and not the master of the people."

WHY WE DID THIS AUDIT

The audit was performed to evaluate the Department's processes used to receive, track and fulfill public information requests.

WHAT WE RECOMMEND

IAD made two recommendations in this audit:

- The Department should finalize and publish policies and procedures to reflect current practices for fulfilling Public Information Requests.
- The Department should develop a formal documented monitoring and review process that provides assurance that processes are followed, and regulatory requirements are adhered to.

25-05 PUBLIC INFORMATION REQUESTS AUDIT
EXECUTIVE SUMMARY

The Office of General Counsel (OGC) oversees the Public Information Request (PIR) process of the Texas Department of Motor Vehicles (*TxDMV or the Department,*). The Public Information Coordinator (PIC) ensures that the PIR process runs smoothly, safeguarding confidential information and ensuring compliance with all relevant regulations. To enhance the efficiency that the previous software could not provide, the Department adopted GovQA, a compliance software designed to streamline the management of public records requests for government organizations. The Department received 1600 requests during the review period and, on average, fulfilled each request within five business days of either receiving clarification or receiving payment for records.

WHAT WE FOUND

The audit found that the Office of General Counsel's processes are at a Level 3 – Established. The function achieves its purpose in an organized way, following established processes, but those processes may not be consistently followed, well communicated, or documented. The Internal Audit Division (IAD) issued an observation and a result related to the audit objective.

Observation: The system has assisted in process efficiency.
Result: While the Department did not release confidential information, an area of improvement was identified.

Texas Department of Motor Vehicles

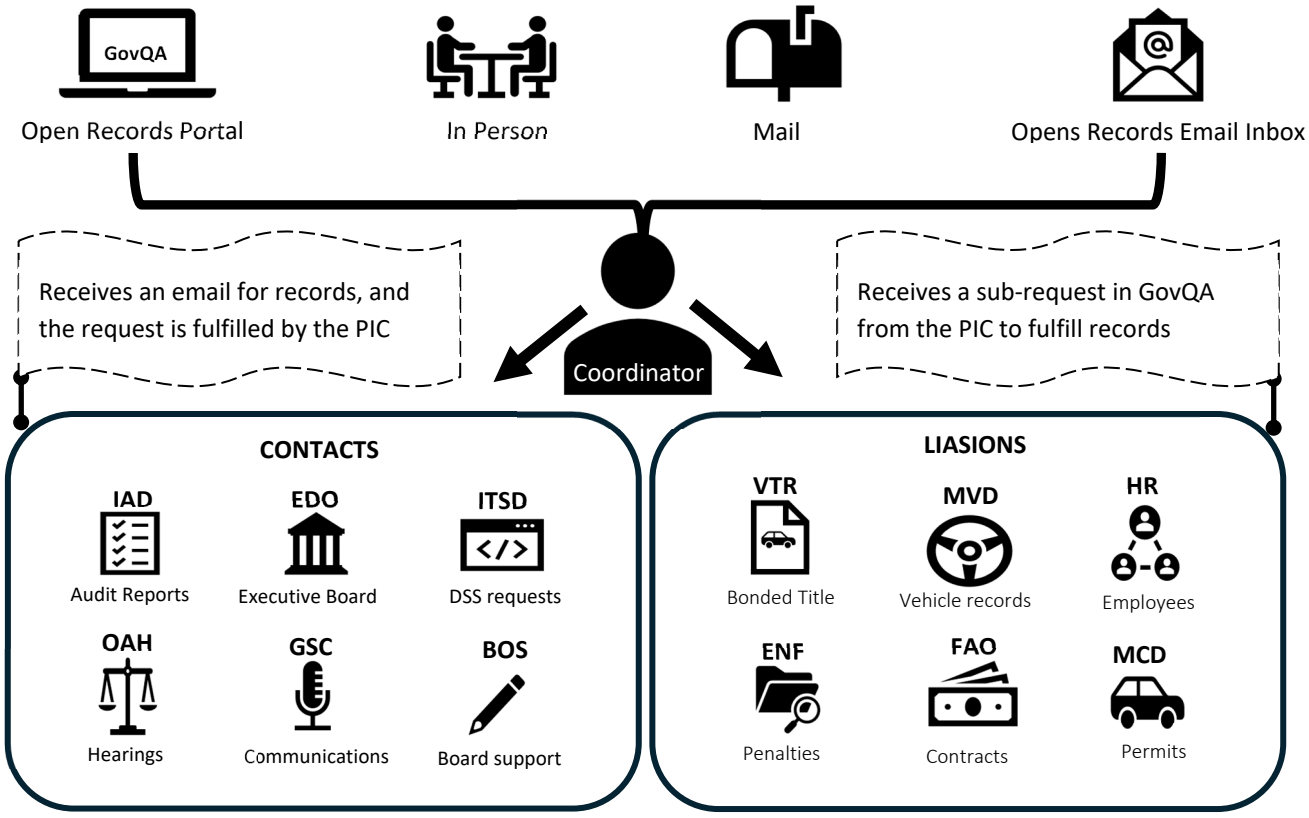
TABLE CONTENTS

Figure 1: Results Graphic

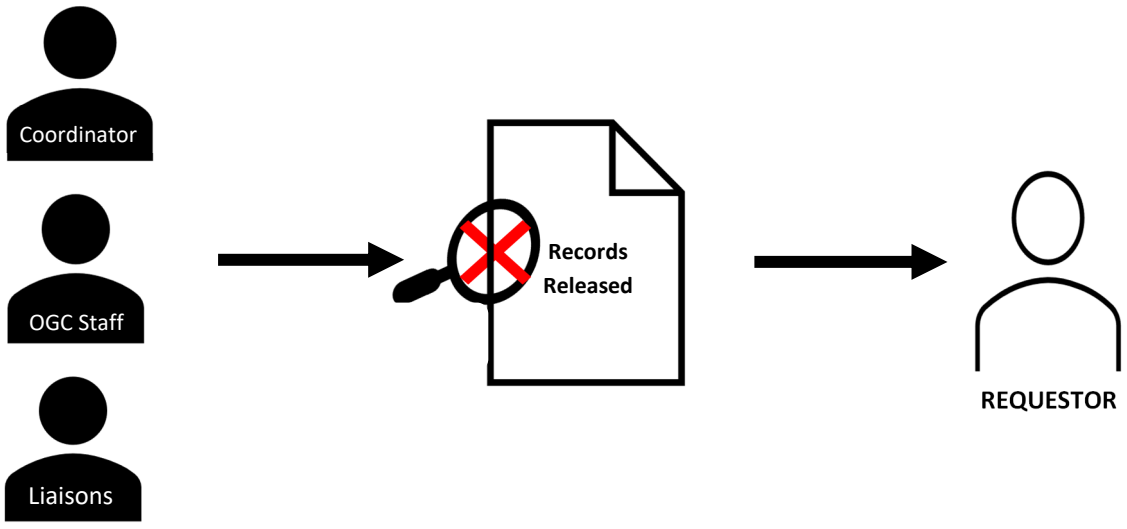
25-05 Public Information Request Audit

Objective: To evaluate the Department's processes used to receive, track and fulfill public information requests.

TYPES OF REQUESTS



MONITORING & REVIEW ACTIVITES

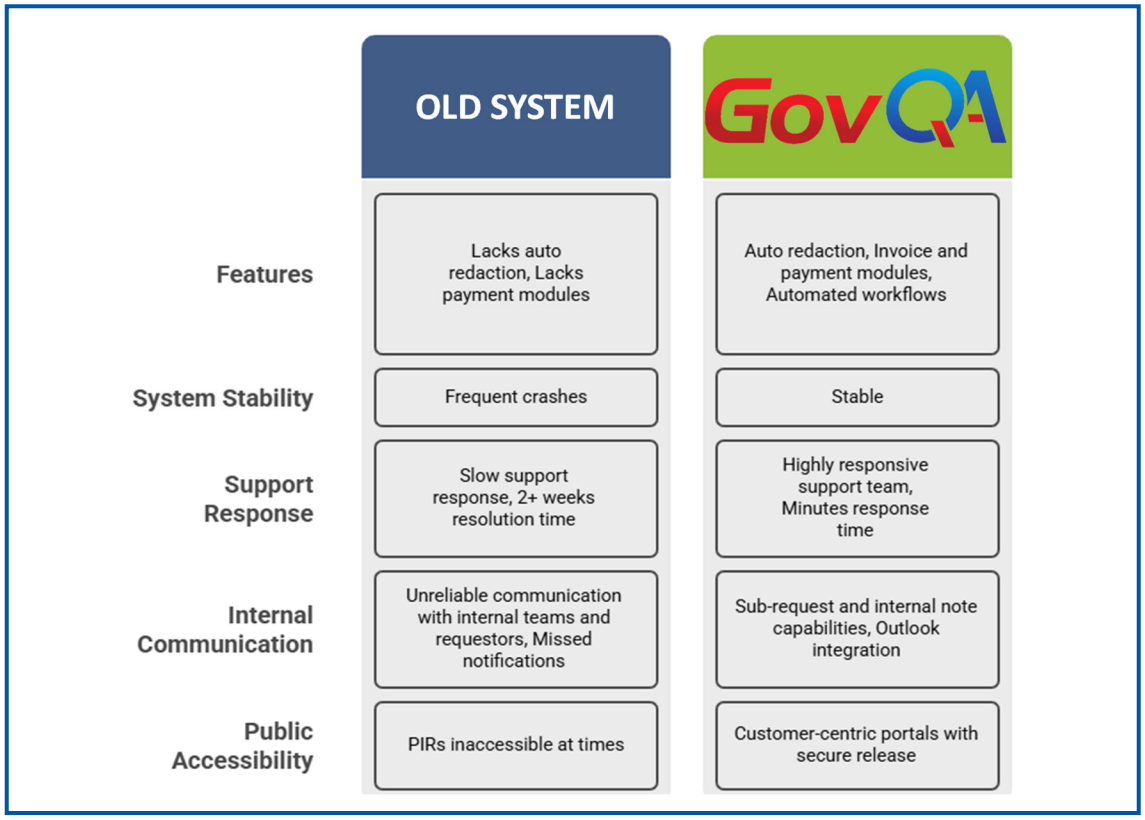


Audit Results

OBSERVATION: THE NEW SYSTEM HAS ASSISTED IN PROCESS EFFICIENCY

Prior to implementing the Department's current case management system (GovQA), in September 2024, the Department experienced several issues. For example, the old system did not have the ability to redact the same type of information simultaneously, which resulted in confidential information being missed. Frequent system crashes sometimes took two or more weeks to resolve. The system's internal communication feature, which allowed staff to communicate with requestors, worked inconsistently. Further, the system's communication issues caused missed notifications when requestors would provide a response, leading to delays in fulfilling requests. To address these issues, the Public Information Request Coordinator used Microsoft Outlook to communicate with requesters; however, this required manual entry of all communications into the previous public information management system for record keeping. Additionally, invoicing and the feature that allowed PIRs to be posted and viewed by the public also did not work as designed.

Figure 2: System Comparison



Since transitioning to GovQA, the Department has seen improvements. Staff identified features like workflow automation, batch information redaction, configurable templates, and email tracking as notable improvements. Additionally, staff can now perform essential tasks more easily. For example, they can search requests for specific data, such as social security numbers, and simultaneously redact each occurrence, which helps ensure confidential information is not disclosed in error. As shown in Figure 2 above, GovQA case management allows staff to monitor requests and track fulfillment progress, while communication tracking organizes all related communications. Other features include customizable dashboards, role-based access controls, customer-centric public portals, estimates, invoicing and payment modules. Lastly, the new system assists with monitoring cybersecurity compliance with Criminal Justice Information Services (CJIS), Health Insurance Portability and Accountability Act (HIPPA), National Institute of Standards and Technology (NIST), and Federal Information Security Modernization Act (FISMA) standards.

Auditors evaluated a sample of 81 records requests and identified the following:

- No confidential information was erroneously released
- All requests were fulfilled within five business days
- Requestors were properly identified when applicable
- All requestors were given the appropriate number of days (61 calendar days) to respond to a request for clarification before the request was closed, which ensures customers have sufficient time to clarify their request as required by statute.

The decision to adopt GovQA was influenced by its widespread use among local and state agencies, its compliance with price requirements, and its provision of necessary redaction licenses. Despite some issues, such as workflows not functioning properly after system updates, GovQA has helped streamline the PIR process and provided efficiencies.

AUDIT RESULT: WHILE CONFIDENTIAL INFORMATION WAS NOT RELEASED, AN AREA OF IMPROVEMENT WAS IDENTIFIED.

Internal Audit evaluated a sample of Public Information Requests (PIR) and while confidential information was not released; IAD determined that in 31 of 81 (38%) requests, the information was not reviewed prior to release as current processes do not require review of certain divisional information requests such as motor carrier permitting information.

As shown in Figure 1 above, requests can be submitted to the Public Information Coordinator (PIC, the Coordinator) through the following methods:

- GovQA Portal
- Email (openrecords@txdmv.gov)
- Mail
- In Person (directly to the PIC)

Once a request is received, the Coordinator will analyze the request to determine which division owns the requested information. If the request is for a Contact (a staff member **without** access to GovQA), the Coordinator emails the designated contact to request the records. Upon receiving the records, the Coordinator finishes fulfilling the request.

If the request is for a Liaison (a staff member **with** access to GovQA), the Coordinator will either create a sub request in GovQA or assign the request to the appropriate division's Liaison. The Liaison will complete the steps to fulfil the request and, if redactions are made, request that the Coordinator review the redactions for compliance with the Public Information Act or Texas Administrative Code Chapter 552. However, the review is not formally documented. While segregating requests to reduce the likelihood of releasing confidential information has assisted with adherence with compliance requirements, we should consider adopting the COSO framework to further enhance our internal controls and align our processes with industry standards.

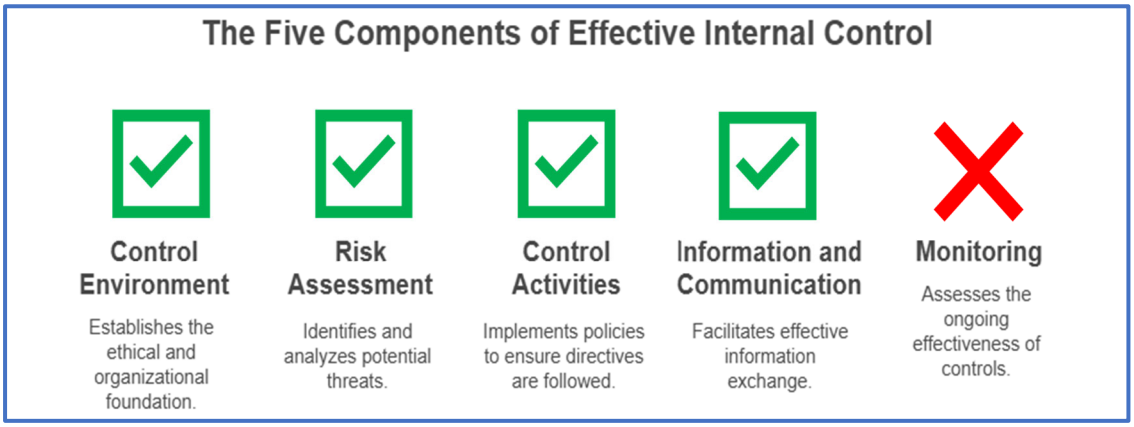
The Committee of Sponsoring Organizations of the Treadway Commission (COSO) framework defines internal controls as a process that is affected by various people, designed to provide reasonable assurance (not absolute assurance) regarding the achievement of objectives. The benefits of following the COSO framework are that it:

- Establishes processes so employees know how to perform their job duties
- Improves operational efficiency – removing unnecessary or duplicate steps
- Keeps duties separated to avoid conflicts of interest
- Mitigates business risks – compliance with mandatory requirements
- Organizes Information

- Improves accountability – key members are responsible for certain areas

Per COSO, there are five components of effective internal control, shown in Figure 3. OGC had four of five elements implemented. COSO advocates ongoing monitoring of the internal control system. This involves assessing the quality of the system's performance over time and making necessary adjustments.

Figure 3: Elements of an Effective Control



By not having a documented review and monitoring component as part of internal control, the Department may not be able to identify issues in time for corrective action, which could result in operational inefficiencies and non-compliance with regulatory requirements.

RECOMMENDATIONS

1. The Department should finalize and publish policies and procedures to reflect current practices for fulfilling Public Information Requests.

2 The Department should develop a formal documented monitoring and review process that provides assurance that processes are followed, and regulatory requirements are adhered to.

THE OFFICE OF GENERAL COUNSEL DIVISION PROVIDED THE FOLLOWING RESPONSE:

1. Management agrees and acknowledges that written Standard Operating Procedures (SOPs) have not yet been finalized since it began using GovQA as its Public Information Request (PIR) management system on September 30, 2024.

Action Plan and Implementation Date: December 1, 2025

Written SOPs that detail the processes and procedures for fulfilling PIR have been drafted and are in the process of user testing to ensure they are complete and easy to understand. We anticipate that user testing will be completed and the written SOPs will be finalized on or before December 1, 2025.

2. Management agrees and notes that the department currently has a review process for documents that contain confidential information requiring redaction. As noted on page 4, the Coordinator reviews all redactions to ensure that no confidential information is released. The Coordinator does not, however, review documents identified for production when no confidential information was requested or contained in the responsive documents. Management understands the audit recommendation for a new monitoring and review process to pertain to these non-confidential requests in particular, and has designed its action plan accordingly.

Action Plan and Implementation Date: December 1, 2025

An SOP will be drafted that details and updates the current, informal monitoring and review process to review documents identified for release in response to public information requests, regardless of whether they have been identified as containing confidential information. The new process will consist of regular, random sampling audits of requests to verify that only information that was requested is identified for release and that all confidential information has been identified and redacted appropriately. The SOP will be finalized on or before December 1, 2025.

Appendix 1: Audit Team, Objectives, Scope, Methodology, and Rating Information

AUDIT ENGAGEMENT TEAM

The audit was performed by Sonja Murillo (Senior Internal Auditor), Erica Evans (Internal Auditor), and Jason Gonzalez (Internal Audit Director).

OBJECTIVES

The objective of this audit was to evaluate the Department's processes used to receive, track, and fulfill public information requests.

SCOPE AND METHODOLOGY

The scope of the audit included all public information requests processed since the implementation of GovQA to present day, September 27, 2024 through March 24, 2025.

Methodology in this audit included the following:

- Conducted interviews with OGC staff, Department Liaisons and Contacts
- Reviewed Texas Administrative Code Chapter 552
- Reviewed Granicus GovQA system manual
- Reviewed COSO framework
- Accessed OGC resource email box (openrecords@txdmv.gov)
- Accessed GovQA IT system
- Obtained and analyzed report of all records requests fulfilled
- Selected a sample of 81 Public Information Requests
- Performed walkthroughs of IT system and PIR processes
- Obtained list of designated Department Liaisons and Contacts.

This audit was included in the Fiscal Year 2025 Internal Audit Plan. IAD conducted this performance audit in accordance with Generally Accepted Government Auditing Standards and in conformance with the Internal Standards for the Professional Practice of Internal Auditing. Those standards require that IAD plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based on our audit objectives. IAD believe that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

REPORT DISTRIBUTION

In accordance with the Texas Internal Auditing Act, this report is distributed to the Board of the Texas Department of Motor Vehicles, Governor's Office of Budget, Planning, and Policy, Legislative Budget Board, and the State Auditor's Office.

RATINGS INFORMATION

MATURITY ASSESSMENT RATING DEFINITION

IAD derived the maturity assessment ratings and definitions from the Control Objectives of Information and Related Technologies (COBIT) 5 IT Governance Framework and Maturity Model, the Enterprise Risk Management (ERM) Maturity Model, and the ISACA Maturity Model. The model was adapted for assurance audit purposes and does not provide a guarantee against reporting misstatement and reliability, non-compliance, or operational impacts. The ratings and definitions are provided in Table 1.

Table 1. Maturity Assessment/Process Capability Rating Definitions

Rating	Name	Definition
1	Minimal	The function may have policies and procedures established for some activities but relies on intuition and handles issues on an ad-hoc basis.
2	Informal and Reactive	The function achieves its purpose with basic processes and activities that are not very organized or followed.
3	Established	The function achieves its purpose in an organized way, following established processes, but those processes may not be consistently followed or well communicated.
4	Predictable	The function fully achieves its purpose, is well-defined, and its performance is quantitatively measured. The function is fully integrated within the Department, the function has full resources to achieve business objectives, and policies and procedures are regularly improved.
5	Optimized	The function fully achieves its purpose, is well-defined, and its performance is quantitatively measured. There is continuous improvement that is pursued, and technology is heavily leveraged to automate workflow and improve quality and effectiveness of processes.