



AGENDA MEMORANDUM

Action Item for the City Council Meeting December 17, 2019

DATE: November 4, 2019

TO: Peter Zanoni, City Manager

FROM: Lauren Balko, Assistant Director of Municipal Courts
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Resolution authorizing an interlocal governmental agreement with the Texas Department of Motor Vehicles for five years relating to motor vehicle registration refusal for failure to appear or failure to pay.

CAPTION:

Resolution authorizing an interlocal governmental agreement with the Texas Department of Motor Vehicles for five years relating to motor vehicle registration refusal for failure to appear or failure to pay a fine on a traffic law violation; and authorizing an agreement with Linebarger Goggan Blair & Sampson, LLP to assist with the implementation of a Motor Vehicle Registration Refusal Program.

SUMMARY:

This resolution authorizes an interlocal agreement with the Texas Department of Motor Vehicles to refuse motor vehicle registration for individuals who failed to appear for or pay a traffic law violation.

BACKGROUND AND FINDINGS:

The Motor Vehicle Registration Refusal program (Scofflaw) is an additional tool available to Courts to help violators in resolving their violations. Linebarger, the current Collection Agency, has offered to submit the data on cases already referred to them for collections and reached out to the Court regarding this Scofflaw program. They will use their resources and time to fund the project.

Scofflaw is a program authorized by Transportation Code Chapter 706 of the Code of Criminal Procedure which enables the Texas Department of Motor Vehicles to deny motor vehicle registrations of those who have outstanding cases, failed to appear, or have failed to comply with judicial orders.

The program works by Courts submitting data to the State after it meets certain criteria. The Department of Motor Vehicles then places a hold on vehicles registered under the absconded offenders anywhere in the State of Texas. When the offenders attempt to register any vehicle in their name online or by mail, the department will deny their registration.

In addition, Linebarger will include collection notifications and language notifying offenders that they may be denied vehicle registration by the State as a first step measure to encourage compliance.

When violators appear in court and resolve their violations, the registration holds will be lifted.

Resolution number 028810 was signed on October 19, 2010 for an Interlocal agreement with The Texas Department of Motor Vehicles for the same purpose, but the Motor Vehicle Registration Refusal was never implemented. The reason for this is unknown.

ALTERNATIVES:

An alternative to approving this program would be to continue using the current tools of using the Collection Agency to work the collections only of delinquent cases.

This action benefits the City as it provides another means to help the court resolve cases and bring them to finality. There is no added cost to the customer (fees) or to the City to be involved in this program.

FISCAL IMPACT:

No financial impact to the City or customers is expected.

Funding Detail:

Fund:

Organization/Activity:

Mission Element:

Project # **(CIP Only)**:

Account:

RECOMMENDATION:

Staff recommends that the Council approve the motion.

LIST OF SUPPORTING DOCUMENTS:

Resolution - TxDMV Interlocal

ILA_Agreement_with TxDOT

Agreement - Registration Refusal

Authorization for Linebarger to submit Files