

Santos Castilleja

From: Erin Thorn [erin.thorn@da.co.hidalgo.tx.us]
Sent: Wednesday, May 18, 2016 11:03 AM
To: Santos Castilleja
Cc: Victor Garza
Subject: Re: FW: Request to Adopt Motor Vehicle Title Service Rules

Hello Santos,

Please find below a revised caption and background item related to this program.

Should you have any further questions, please do not hesitate to reach out to our office.

Caption Item 1:

A. Presentation, discussion, consideration, and approval to adopt and publish new rules that will regulate motor vehicle title services pursuant to Title 7 of the Texas Transportation Code, Subtitle A, Chapter 520.

Background:

Transportation Code 520.052(2) states this subchapter applies to any motor vehicle title service operating in a county: (2) in which the commissioners court by order has adopted this subchapter. Transportation code 520.054(a) also states that an applicant for a motor vehicle title service license must apply on a form prescribed by the county tax assessor-collector. The application form must be signed by the applicant and accompanied by the application fee. This program is a tool to investigate and prosecute auto theft cases. It will prevent the passing of false titles, insurance documents and supporting documentation that allow fraudulent registration and transfer of stolen vehicles. This will allow our office to provide a transaction trail that is readily available for law enforcement. We will be able to better identify who authorized, prepared, and presented the paperwork to the tax office. The tax collectors office will be collecting License Fees remitted at the time a license application is submitted. The fee for a Motor Vehicle title service license shall be \$500 for initial application and \$200.00 for each annual renewal. The fee for a Motor Vehicle title service runner license shall be \$100 for initial application and \$100 for each annual renewal. The fee for replacement of lost licenses is \$20. Notification of adoption of new rules at 43 TAC §§401.1 - 401.13 will be provided to the Secretary of State. These rules will be published in the Texas Register and incorporated into the Texas Administrative Code.

Thank you,

Erin

Erin D. Thorn
Assistant District Attorney
Civil Division
Office of the Criminal District Attorney Hidalgo County, Texas
100 N. Closner RM 303
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On Tue, May 17, 2016 at 10:23 AM, Santos Castilleja <santos.castilleja@hidalgocountytax.org> wrote:

Hello Mr. Garza,

I would also like to place the item below on the commissioner's court agenda. I will need legal approval to proceed. Mr. Villarreal would like to get the Title Service program off the ground as soon as possible.

Thanks,

Santos Castilleja III

Motor Vehicle Manager

From: Santos Castilleja

Sent: Wednesday, April 27, 2016 10:21 AM

To: 'Erin D. Thorn'

Cc: 'Victor Garza'; 'josephine.ramirez@da.co.hidalgo.tx.us'; Paul Villarreal; 'Paul Villarreal, Jr'; Guillermo Palacios; Martin Cepeda; Marlen Trevino

Subject: Request to Adopt Motor Vehicle Title Service Rules

Erin Thorn

Assistant District Attorney

Civil Division

Office of Hidalgo County Criminal District Attorney

Subj: Request to Adopt Motor Vehicle Title Service Rules

Hello Erin Thorn,

As mentioned in prior conversations, title service rules have been proposed and published with the Secretary of State. We are now ready to adopt the new Chapter 401 rules pursuant to Transportation Code Subchapter E. Sec 520.051. This provides the county tax assessor-collector the authority to adopt rules regarding motor vehicle title services. Transportation Code 520.052(2) states this subchapter applies to any motor vehicle title service operating in a county: (2) in which the commissioners court by order has adopted this subchapter. Transportation code 520.054(a) also states that an applicant for a motor vehicle title service license

must apply on a form prescribed by the county tax assessor-collector. The application form must be signed by the applicant and accompanied by the application fee.

At this time, we would like to request legal approval to proceed with the adoption of new sections pursuant to Transportation Code, Subchapter E, Sec. 520.051 which provides the county tax assessor-collector the authority to adopt rules regarding motor vehicle title services. We believe this will allow us to create the revenue account needed to transfer over any fees received by applicants for the motor vehicle title service licenses.

Caption Item 1:

Presentation for discussion, consideration, acceptance and approval to adopt and publish new rules that will regulate motor vehicle title services pursuant to Texas Transportation Code Sub-Chapter E Section 520.051. Notification to adopt new rule 43 TAC §§401.1 - 401.13 will be provided to the Secretary of State. These rules will be published in the Texas Register and incorporated into the Texas Administrative Code.

Background:

This program is a tool to investigate and prosecute auto theft cases. It will prevent the passing of false titles, insurance documents and supporting documentation that allow fraudulent registration and transfer of stolen vehicles. This will allow our office to provide a transaction trail that is readily available for law enforcement. We will be able to better identify who authorized, prepared, and presented the paperwork to the tax office. The tax collectors office will be collecting License Fees remitted at the time a license application is submitted. The fee for a Motor Vehicle title service license shall be \$500 for initial application and \$200.00 for each annual renewal. The fee for a Motor Vehicle title service runner license shall be \$100 for initial application and \$100 for each annual renewal. The fee for replacement of lost licenses is \$20.

Please call me if you have any questions or concerns.

Thanking you,

Santos Castilleja III

Motor Vehicle Manager



Hidalgo County Tax Office

Department of Auto License & Registration

PO Box 2099, 2804 S. Bus. Hwy. 281

Edinburg, TX 78540-2099

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From: Santos Castilleja
Sent: Tuesday, March 22, 2016 5:12 PM
To: 'Erin D. Thorn'
Cc: Guillermo Palacios; 'Aline.Aucoin@txdmv.gov'; 'josephine.ramirez@da.co.hidalgo.tx.us'; 'victor.garza@da.co.hidalgo.tx.us'
Subject: FW: Request to Adopt Motor Vehicle Title Service Rules

Hello Erin Thron,

I hope everything is going well. I wanted to inquire towards the email below requesting legal approval to adopt motor vehicle title service rules. Since I first sent you this email, we have met with the County Auditor who has notified us that commissioners court approval would not be needed in order to create the revenue accounts needed to forward the collected license fees. We would need to request it from the Auditor's office with the supporting statute that allows for it. Proving to him how that amount is determined and the process to come up with the amounts has been difficult. I have done some research but have not come up with anything that is concrete. I will be reaching out to the Associate General Counsel Aline Aucoin for TXDMV for guidance. I hope to have this item presented to the Commissioners Court soon and hope that we can use the suggested fee costs that were published for comment with the Secretary of State. A link to the code follows below.

<http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.520.htm#520.001>

<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2054.htm#2054.2591>

Please Advise,

Santos Castilleja III

Motor Vehicle Manager



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From: Santos Castilleja

Sent: Monday, March 14, 2016 10:13 AM

To: 'Erin D. Thorn'

Cc: 'ricardo.rodriguez@da.co.hidalgo.tx.us'; 'josephine.ramirez@da.co.hidalgo.tx.us'; 'victor.garza@da.co.hidalgo.tx.us'; Paul Villarreal; Paul Villarreal; Eva Mireles; Marlen Trevino; Martin Cepeda; Guillermo Palacios; 'Ray Eufrazio'; 'linda.fong@auditor.co.hidalgo.tx.us'; Cesar Solis; 'alejandra.santaana@auditor.co.hidalgo.tx.us'

Subject: Request to Adopt Motor Vehicle Title Service Rules

March 14, 2016

The Honorable Ricardo Rodriguez

Hidalgo County District Attorney

100 N. Closner Rm. 303

Edinburg, TX 78539

Attn: Erin Thorn

Subj: Request to Adopt Motor Vehicle Title Service Rules

Dear Erin Thorn,

As you know, proposed rules have been published and presented to the Secretary of State. The Secretary of State required 30 days notice of our intentions before we could adopt any proposed rules. The rules once adopted will be added to the Texas register and will begin to take effect after the date on which the adopted rules are published in the Texas Administrative Code. A copy of the latest rules is enclosed.

At this time, we would like to request legal approval to proceed with the adoption of new sections pursuant to Transportation Code, Chapter 520, Subchapter E, which provides the county tax assessor-collector the authority to adopt rules regarding motor vehicle title services. We would also like legal approval to create the revenue account needed to transfer over any fees received by applicants for the motor vehicle title service licenses.

Caption Item 1:

Presentation for discussion, consideration, acceptance and approval to adopt and publish new rules that will regulate motor vehicle title services. Notification to adopt new rule 43 TAC §§401.1 - 401.13 will be provided to the Secretary of State. These rules will be published in the Texas Register and incorporated into the Texas Administrative Code.

Background:

This program is a tool to investigate and prosecute auto theft cases. It will prevent the passing of false titles, insurance documents and supporting documentation that allow fraudulent registration and transfer of stolen vehicles. This will allow our office to provide a transaction trail that is readily available for law enforcement. We will be able to better identify who authorized, prepared, and presented the paperwork to the tax office.

Caption Item 2:

Request to create a revenue account in order to deposit and forward all collected fees from those applying for a motor vehicle title service license and/or motor vehicle title service runner license. These funds will be forwarded to the Hidalgo County Treasurer for proper reporting.

Background:

The tax collectors office will be collecting License Fees remitted at the time a license application is submitted. The fee for a Motor Vehicle title service license shall be \$500 for initial application and \$200.00 for each annual renewal. The fee for a Motor Vehicle title service runner license shall be \$100 for initial application and \$100 for each annual renewal. The fee for replacement of lost licenses is \$20.

If legal approval is received, we will add the above captions to the Commissioner's Court Agenda,

Attached is our request to the Secretary of State to adopt the Title Service Rules:

Please let me know if you have any questions.

Thanking you,

Pablo (Paul) Villarreal Jr. PCC

Hidalgo County Tax Assessor Collector

By:

Santos Castilleja III

Motor Vehicle Manager



Hidalgo County Tax Office

Department of Auto License & Registration

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