



## Legislation Details (With Text)

<b>File #:</b>	16-1261	<b>Version:</b>	1	<b>Name:</b>	Scofflaw Program
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	9/10/2016	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	9/27/2016	<b>Final action:</b>		<b>Final action:</b>	9/27/2016
<b>Title:</b>	Consider and take action to approve a resolution suspending participation in the scofflaw program for the collection of fines arising from the League City municipal court and terminating the interlocal agreements with the Texas Department of Motor Vehicles and Galveston County (Assistant City Manager)				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Data Sheet, 2. Proposed Resolution, 3. Interlocal Agreement Genty, 4. Interlocal Agreement-TXDMV

Date	Ver.	Action By	Action	Result
9/27/2016	1	City Council	Approved	Pass

Consider and take action to approve a resolution suspending participation in the scofflaw program for the collection of fines arising from the League City municipal court and terminating the interlocal agreements with the Texas Department of Motor Vehicles and Galveston County (Assistant City Manager)

Approval of this item will suspend the City's participation in the scofflaw program. In January 2013, in an effort to enhance the collection of municipal court fines, the City entered into interlocal agreements with Galveston County and the Texas Department of Motor Vehicles in order to participate in the Galveston County Tax Assessor Collector's office scofflaw program as allowed under the Texas Transportation Code, Section 702.003. This program allows the City to transmit information related to individuals with outstanding warrants for traffic violations to the County Tax Assessor Collector. When that person attempts to register or re-register a vehicle, that transaction cannot take place until the warrant is cleared. The agreement with the County is set to renew for a successive two-year term on October 2, 2016.

### Municipal Court Collection Process

This program was established to supplement the municipal court's collection processes. Individuals with unpaid warrants receive notifications from the City by mail and automated phone call. In addition, the City has contracted with the Texas Department of Public Safety (TDPS). An individual with failure to appear warrants outstanding will not be able to renew their driver's license. A \$30 administrative fee for each complaint or citation reported to TDPS is assessed to the defendant; the City of League City retains \$4 of this fee, with \$26 remitted to TDPS. The City also enters warrant information into Southeast Texas Crime Information Center (SETCIC), which allows agencies in Southeast Texas to share information regarding individuals with outstanding warrants. Further, the City has contracted with Linebarger Goggan Blair & Sampson, LLP, a private law firm, to collect unpaid fines, fees and court costs; the firm's fees are paid via a 30 percent collection fee added to all cases referred to the firm (under state law, this collection fee must be used to pay the collection firm).

Under the scofflaw program the Galveston County Tax Assessor-Collector refuses to register a motor vehicle, if they receive information from the Texas Department of Motor Vehicles (DMV) that the owner of the vehicle has outstanding warrants for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law. The City pays the County \$3 for each refusal to register or re-register, pursuant to the agreement.

This arrangement also required an interlocal agreement with the DMV, which is responsible for receiving information on outstanding warrants from the City and sharing that information with the County. The City pays the DMV \$23 per file transmission plus \$0.12 for each transaction in the file; we have transmitted that file monthly, resulting in a \$23 monthly charge plus a charge of 12 cents for each outstanding warrant referenced in the transmission. The City collects an additional \$20 fee on a person who has outstanding warrants for failure to appear or failure to pay fine on a complaint that involves the violation of traffic law. The additional fee may be used only to reimburse the Texas Department of Transportation or the County Assessor-Collector for their expenses in providing services under this contract. Because vehicles are registered based on the owner's county of residence, the agreement with Galveston County will address only scofflaws attempting to register or re-register a vehicle in Galveston County. Harris County does not intend to participate in the scofflaw program.

#### Assessment of results

Based upon the outcome experienced, staff recommends suspending this program at this time. The City has expended more on this program than collected through this process. To date, the City has spent \$11,000, for computer system modifications, maintenance and processing costs. The City has collected \$7,654 in additional fees, and only one vehicle registration has been stopped. Cheryl Johnson, County Tax Assessor-Collector concurs with this recommendation as a cost savings for the League City taxpayer. City staff appreciates our relationship with the County and their willingness to support the City in these and other efforts to contain costs through cooperative efforts.

#### Attachments

1. Data Sheet
2. Proposed Resolution
3. Interlocal Agreement with Galveston County
4. Interlocal Agreement with Texas Department of Motor Vehicles