

SUBJECT: Automobile Theft Prevention Authority revisions

COMMITTEE: Transportation — committee substitute recommended

VOTE: 6 ayes — Alexander, Bosse, Alonzo, Edwards, Price, Siebert

0 nays

3 absent — Clemons, Moreno, Uher

WITNESSES: For — None

Against — None

On — Bill Burnett, Texas Department of Transportation

BACKGROUND: The Automobile Theft Prevention Authority (ATPA) was established in the criminal justice division of the Governor's Office in 1991 to assess the impact of automobile theft and analyze the various methods of combating the problem in Texas. The authority makes auto theft prevention grants to local law enforcement agencies, prosecutors, courts, community and business groups.

The governor appoints six members, with the advice and consent of the Senate: two representatives of motor vehicle insurance consumers; two representatives of insurance companies writing motor vehicle insurance in this state; and two representatives of law enforcement. The director of the Texas Department of Public Safety or the director's designee serves as an ex officio member of the authority.

Insurance companies writing any form of motor vehicle insurance in Texas must pay for the operation of the authority through a \$1 fee on vehicle insurance policies issued during the preceding calendar year.

The authority was instructed to determine the automobile theft rate for the state when a majority of the board members were appointed and report the rate to the lieutenant governor and the speaker of the House. The authority is to recalculate the rate as of July 1, 1997, and report again. If the auto

theft rate as of July 1997 is higher than the rate first reported by the authority, the authority is abolished and all contracts entered by the authority are terminated effective August 31, 1997. The authority is scheduled for sunset review in 1997.

DIGEST:

CSHB 2845 would transfer the operation and management of the Automobile Theft Prevention Authority from the criminal justice division of the Governor's Office to the Texas Department of Transportation (TxDOT). The authority would not be an advisory body to the department, but the department would be directed to implement authority decisions.

The authority could contract for various services with other state agencies as needed to carry out its duties including legal, fiscal, administrative and personnel services. The authority could refund overpayments by insurers to the state.

Should the authority be abolished through the sunset process, the comptroller would be required to deposit to the general revenue fund any money in the automobile theft prevention fund.

CSHB 2845 would eliminate the requirement that the authority be abolished if the automobile theft rate was higher on the second calculation in 1997 than on the first.

NOTES:

The dates in CSHB 2845 intended to refer to current law regarding the sunset date and the deadlines for the second theft rate report differ from those actually in the law.