



# MUNICIPAL COURTS DEPARTMENT



# STATE OF TEXAS

# VEHICLE REGISTRATION HOLD

# PROGRAM

# OR

# "SCOFFLAW"



# MUNICIPAL COURTS DEPARTMENT



## SCOFFLAW:

TRANSPORTATION CODE SEC. 702.003 – REFUSAL TO REGISTER VEHICLE

A COUNTY ASSESSOR-COLLECTOR OR THE TEXAS DMV MAY REFUSE TO REGISTER A MOTOR VEHICLE IF THE OWNER OF THE VEHICLE HAS AN OUTSTANDING WARRANT FOR FAILURE TO APPEAR OR FAILURE TO PAY A FINE ON A COMPLAINT THAT INVOLVES THE VIOLATION OF A TRAFFIC LAW.

EFFECTIVE SEPTEMBER 1995


- **MID 1990'S:** COUNCIL APPROVED INTER-LOCAL AGREEMENTS WITH BOTH THE TEXAS DEPARTMENT OF TRANSPORTATION AND HARRIS COUNTY FOR THE COURTS' PARTICIPATION IN THE DENIAL OF VEHICLE REGISTRATION OR "SCOFFLAW" PROGRAM, BUT THE AGREEMENT WAS TERMINATED IN EARLY 1999 BY THE COH DUE TO CONFLICTS BETWEEN THE TRANSPORTATION CODE, FTA GUIDELINES AND THE AGREEMENT. SUBSEQUENTLY, LEGISLATIVE CHANGES INCORPORATED COH SUGGESTED REVISIONS

November 2012



# MUNICIPAL COURTS DEPARTMENT



- **2006:** IN DISCUSSIONS TO REINSTATE THE PROGRAM, COUNTY REPRESENTATIVES EXPRESSED CONCERNS ABOUT THE VOLUME OF CASES THE CITY WOULD SEND OVER AND DATA INTEGRITY DUE TO PRESS ATTENTION ON THE NEW CASE MANAGEMENT SYSTEM.
- **2007:** LEGISLATIVE CHANGES TO PROGRAM NOW RECOMMENDED BUT DID NOT REQUIRE COOPERATION WITH THE LOCAL TAX ASSESSOR.
- **2008:** COUNCIL PASSED ORDINANCE 2008-1050 ON NOVEMBER 19, 2008 APPROVING THE INTERLOCAL AGREEMENT WITH TXDOT (NOW TXDMV), WITH PHASE I BEING THE RED LIGHT CAMERA VIOLATIONS (HPD) AND PHASE II BEING CAPIAS PRO FINES (MCD).  
 SECTION 8 OF ORDINANCE 2008-1050 INCLUDES THE REQUIREMENT THAT MUNICIPAL COURTS DELAY THE SENDING OF FILES TO TXDOT UNTIL FURTHER APPROVAL OF COUNCIL.

November 2012

## FLAGGING PROCESS

LIST OF LICENSE PLATE NUMBERS FOR  
CAPIAS CASES SENT TO TXDMV FOR  
NAMES [PROBE]

NOTICE IS SENT ALERTING CAPIAS CASES  
THAT THEIR REGISTRATION MAY BE HELD

RESULTS OF PROBE ARE COMPARED WITH  
MC RECORDS FOR NAME MATCHES

NOTICE IS SENT TO MATCHES THAT  
THEIR VEHICLE REGISTRATION WILL BE  
HELD

MATCHES ARE SENT TO TXDMV TO BE  
"FLAGGED"

WHEN PAYMENT IS MADE, CLEARANCE  
FILE IS SENT TO TXDMV



**DATA  
VERIFIED  
THROUGH  
TXDMV**

**REQUEST FOR  
FLAG  
SUBMITTED TO  
TXDMV**

**CITIZEN  
ALERTED VIA  
MAIL THAT  
MONEY IS  
OWED**

### **PROCESS FOR SUBMITTAL AND RESOLUTION OF VEHICLE REGISTRATION DENIAL**

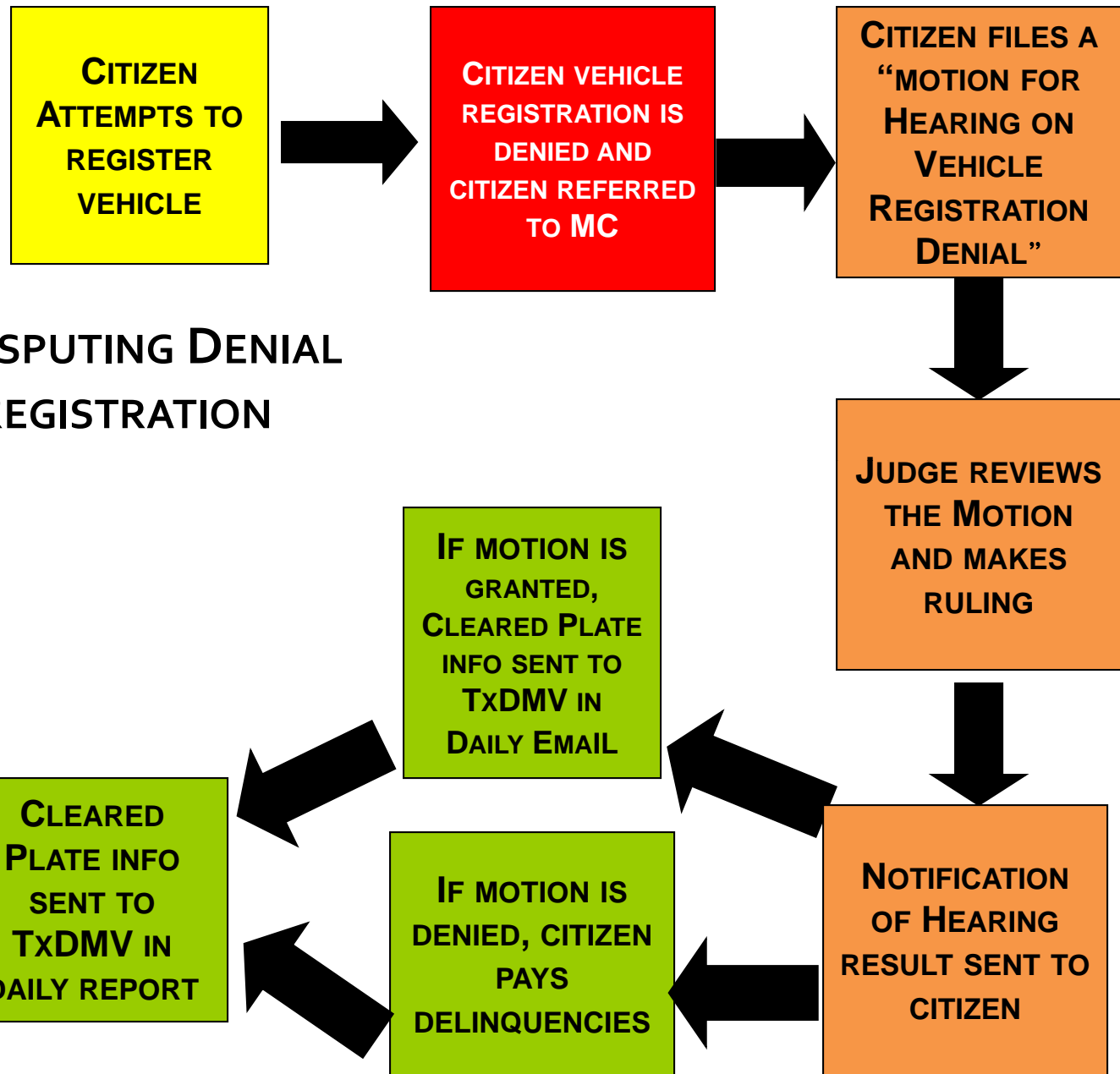
**CITIZEN  
ATTEMPTS  
TO  
REGISTER  
VEHICLE**

**CITIZEN IS  
ABLE TO  
REGISTER  
VEHICLE**

**CLEARED  
PLATE INFO  
SENT TO  
TXDMV IN  
DAILY REPORT**

**CITIZEN PAYS  
OUTSTANDING  
FINES AND  
GIVEN  
CLEARANCE  
LETTER**

**CITIZEN VEHICLE  
REGISTRATION IS  
DENIED AND  
CITIZEN  
REFERRED TO  
MC**



## PROCESS FOR DISPUTING DENIAL OF VEHICLE REGISTRATION



# MUNICIPAL COURTS DEPARTMENT



## ESTIMATED COSTS FOR FLAGGING AND CLEARING CAPIAS CASES

ESTIMATED COSTS – CAPIAS	BACKLOG – TOTAL COSTS	NEW CASES PER FISCAL YEAR	FY13 (BACKLOG + 8 MOS OF NEW CASES)	REMAINING YEARS (4 YRS + 4 MOS)
TxDMV	\$17,413	\$16,984	\$28,735	\$73,596
MAILING*	\$54,727	\$42,401		

\* MAILING COSTS ARE INCLUDED IN CURRENT CONTRACT WITH HOV AND NOT PART OF THIS INTERLOCAL AGREEMENT WITH THE STATE



# MUNICIPAL COURTS DEPARTMENT



## PROJECTED REVENUES FOR CAPIAS CASES

PROJECTED REVENUES – CAPIAS CASES	NO. OF CAPIAS CASES	PROJECTED MATCHES*	PROJECTED REVENUES**
BACKLOG (2008-2012)	55,759	11,152	\$243,589
PER FISCAL YEAR @ 10%	43,200	8,640	\$216,000
PER FISCAL YEAR @ 20%	43,200	8,640	\$432,000

\* BASED ON PREVIOUS SAMPLING, THERE IS TYPICALLY A 20% MATCH WITH CASES SUBMITTED TO TXDMV

\*\* BACKLOG REVENUE ESTIMATES BASED ON A SLIDING SCALE OF RETURN, I.E. 2008 – 2%, 2009 – 4%, 2010 – 8%, 2011 – 10%, 2012 – 20%

November 2012





# MUNICIPAL COURTS DEPARTMENT



## ESTIMATED COSTS AND PROJECTED REVENUES FOR FAILURE TO APPEAR (FTA) CASES

ESTIMATED COSTS - FTA	BACKLOG	NEW CASES PER FISCAL YEAR	PROJECTED REVENUES – FTA **	FTA
TxDMV	\$34,872	\$17,897	BACKLOG (2008-2012)	\$673,948
MAILING	\$136,324	\$46,664	PER FISCAL YEAR @ 10%	\$237,720
TOTAL COST	\$171,196	\$64,561	PER FISCAL YEAR @ 20%	\$475,440

\*\* BACKLOG REVENUE ESTIMATES BASED ON A SLIDING SCALE OF RETURN,  
 I.E. 2008 – 2%, 2009 – 4%, 2010 – 8%, 2011 – 10%, 2012 – 20%



# MUNICIPAL COURTS DEPARTMENT



## QUESTIONS AND COMMENTS



November 2012