

SCOFFLAW



Office of Court Administration

Jim Lehman

Collection Improvement Program

DEFINITIONS



© **Scoff-law**

n. One who habitually violates the law or fails to answer court summonses

Source: dictionary.com

© **Scoff-law**

n. Vehicle owner deemed delinquent in paying a fine, fee or tax to a City

Source: Texas Trans. Code

© **Scoff-law**

n. Vehicle registration denial for non-payment of fines or taxes

Source: Office of Court Administration

KEY STATUTES



© **Transportation Code provides 3 statutes for dealing with "scofflaws"**

- County statute 502.185 (1997)
- City statute 702.003 (1995) (home rule cities only) (warrant issued)
- Red light camera violations 707.017 (2007)

© **Vehicle owners deemed delinquent in paying a fine, fee or tax to a city or county.**

KEY ELEMENTS

(Transportation Code 702)



- Outstanding Warrant
 - Includes FTA's
- Provide notice to registered owner
 - Can be on citation
 - No specific language

STATE CONTRACT

- ◎ Contract directly with DMV via Inter-local agreement
 - Contract should be approved by City Council
 - Contract with County TAC no longer required.
- ◎ Resolution approved by City Council
- ◎ \$500 deposit with TxDOT / DMV or pay as you go
 - \$23.00 per computer run (file submission)
 - 12¢ for each transaction (probe, flag, clear)



COST & RETURN

- ◎ \$500 deposit with DMV
 - \$23.00 per computer run (file submission)
 - 12¢ for each transaction (probe, flag, clear)



CD of data = \$23.00
 100 LPs (@ 12¢ each) = \$12.00
 Total cost = \$35.00
 Price per LP = 35¢

Done 3 times per LP (probe, flag, clear) = \$1.05
 Average Class C warrant = \$250.00
 Return On Investment = 23,709%

Scofflaw Submissions

•**Media Format:** CD, e-mail file attachments, etc. are supplied to Technology Support Branch (TSB) by government entity

•**Probe** – data scrub to appropriately match vehicle registration with defendant

•**Flag** – place flag on appropriate vehicle registration

•**Clear** – remove flag from appropriate vehicle registration





PARTICIPATION TxDOT / DMV Contracts

30 Cities - 10 Counties

City of Amarillo
City of Arlington
City of Austin
City of Balcones Heights
City of Bastrop
City of Baytown
City of Brownsville
City of Cleveland
City of Corpus Christi
City of Dallas
City of Dilboll
City of El Paso
City of Ferris
City of Fort Worth
City of Garland
City of Harlingen
City of Horizon

City of Houston (Muni/RLC)
City of Humble
City of Jersey Village
City of Lewisville
City of Lubbock
City of Lufkin
City of Progreso
City of San Angelo
City of San Antonio
City of Sanger
City of Socorro
City of Trophy Club
City of White Settlement

Dallas County
El Paso County
Ector County
Fort Bend County
Galveston County
Harris County (Toll)
Kaufman County
Llano County
McLennan County
Nacogdoches County



PARTICIPATION LEVEL

Why is there not more participation in the Scofflaw program?

- Lack of education about the process
- Flag is only a "soft-stop"
- Only one flag per LP at a time
- Lack of publication and dissemination
- Lack of support from some local tax offices



PARTICIPATION LEVEL

- Flag is only a "soft-stop"
 - Tax office decides to deny or renew registration
 - Subcontractors are not suppose to process
 - Does not effect transfer of title or sale of vehicle
 - Flag not applicable to new purchasers or dealers

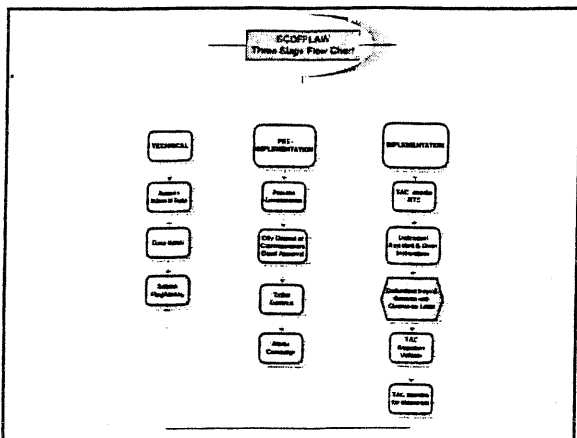
- Only one City flag per LP at a time
 - TxDOT / DMV system restriction
 - Flag rejected if LP already flagged by other city



TAX OFFICE RESISTANCE

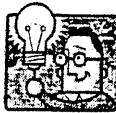
- Security
- Loss of Tax Revenue
- Increased Workload
- Lack of Details on Records
- Indigent Financial Hardship



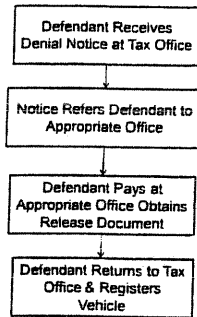


PRE-IMPLEMENTATION

- ⊙ Process Development
 - Develop a procedure for managing the denial process.

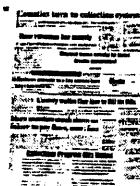


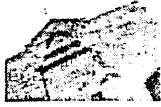
Denial & Release Process



Media Campaign

- ⊙ Designed to prepare and inform the Public.
- ⊙ Designed to secure compliance before the process begins.





El Paso County Scofflaw

January YR04 – July YR08
Collections
\$1,681,940.00

Warrants Cleared
9400



DMV CONTACT INFO

Linda Williams
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THE JUSTICE TEAM

- Melissa Williamson – North Region (melissa.williamson@courts.state.tx.us)
- Karolyn Williams – Houston Region (karolyn.williams@courts.state.tx.us)
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