

By: Lucio III

H.B. No. 3915

A BILL TO BE ENTITLED

1 AN ACT

2 relating to administration and authority of the Automobile Burglary  
3 and Theft Prevention Authority.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1(2), Article 4413(37), Revised  
6 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.  
7 3225), Acts of the 80th Legislature, Regular Session, 2007, is  
8 reenacted to read as follows:

9 (2) "Economic motor vehicle theft" means motor vehicle  
10 burglary or theft committed for financial gain.

11 SECTION 2. Section 1(4), Article 4413(37), Revised  
12 Statutes, is amended to read as follows:

13 (4) "Director" means the [~~executive~~] director of the  
14 authority [~~Texas Department of Transportation~~].

15 SECTION 3. Sections 6(j) and (k), Article 4413(37), Revised  
16 Statutes, are amended to read as follows:

17 (j) The authority shall:

18 (1) develop and use standard performance measures for  
19 each category of grants provided by the authority in order to assess  
20 grantee success in achieving the purposes of this article; and

21 (2) ensure that grants are used to help increase:

22 (A) the recovery rate of stolen motor vehicles;

23 (B) the clearance rate of motor vehicle  
24 burglaries and thefts; [~~and~~]

1 (C) the number of persons arrested for motor  
2 vehicle burglary and theft; and

3 (D) the criminal enforcement of statutes listed  
4 in Section 1001.002(b), Transportation Code.

5 (k) The authority shall allocate grant funds primarily  
6 based on the number of motor vehicles stolen in, [~~or~~] the motor  
7 vehicle burglary or theft rate across, or the need to reduce  
8 criminal violations of statutes listed in Section 1001.002(b),  
9 Transportation Code, throughout the state rather than based on  
10 geographic distribution.

11 SECTION 4. Section 6, Article 4413(37), Revised Statutes,  
12 is amended by adding Subsection (l) to read as follows:

13 (l) The authority shall appoint a director to serve at the  
14 pleasure of the authority. The director shall perform all duties  
15 assigned by the authority.

16 SECTION 5. Section 7(b), Article 4413(37), Revised  
17 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.  
18 3225), Acts of the 80th Legislature, Regular Session, 2007, is  
19 reenacted and amended to read as follows:

20 (b) The plan of operation must include:

21 (1) an assessment of the scope of the problems of motor  
22 vehicle burglary or theft and economic motor vehicle theft,  
23 including particular areas of the state where the problems are  
24 greatest;

25 (2) an analysis of various methods of combating the  
26 problems of motor vehicle burglary or theft and economic motor  
27 vehicle theft;

1           (3) a plan for providing financial support to combat  
2 motor vehicle burglary or theft, ~~and~~ economic motor vehicle  
3 theft, and criminal violations of statutes listed in Section  
4 1001.002(b), Transportation Code; and

5           (4) an estimate of the funds required to implement the  
6 plan of operation.

7           SECTION 6. Section 8(a), Article 4413(37), Revised  
8 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.  
9 3225), Acts of the 80th Legislature, Regular Session, 2007, is  
10 reenacted and amended to read as follows:

11           (a) Money appropriated to the department for authority  
12 purposes shall be used by the authority to pay the department for  
13 administrative costs and to achieve the purposes of this article,  
14 including:

15           (1) establishing and funding the motor vehicle  
16 registration program required by Section 9 of this article;

17           (2) providing financial support to law enforcement  
18 agencies for economic motor vehicle theft enforcement teams;

19           (3) providing financial support to law enforcement  
20 agencies, local prosecutors, judicial agencies, and neighborhood,  
21 community, business, and nonprofit organizations for programs  
22 designed to reduce the incidence of economic motor vehicle theft;

23           (4) conducting educational programs designed to  
24 inform motor vehicle owners of methods of preventing motor vehicle  
25 burglary or theft;

26           (5) providing equipment, for experimental purposes,  
27 to assist motor vehicle owners in preventing motor vehicle burglary

1 or theft; ~~and~~

2 (6) establishing a uniform program to prevent stolen  
3 motor vehicles from entering Mexico; and

4 (7) providing financial support to law enforcement  
5 agencies, local prosecutors, and judicial agencies for the criminal  
6 enforcement of statutes listed in Section 1001.002(b),  
7 Transportation Code.

8 SECTION 7. Section 11(a), Article 4413(37), Revised  
9 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.  
10 3225), Acts of the 80th Legislature, Regular Session, 2007, is  
11 reenacted to read as follows:

12 (a) In this section, "motor vehicle theft rate" means the  
13 ratio of motor vehicle burglaries or thefts in this state to the  
14 number of motor vehicles in this state. The ratio shall be based on  
15 statistical information provided by the Department of Public  
16 Safety's uniform crime reporting division.

17 SECTION 8. Section 201.805(a), Transportation Code, is  
18 amended to read as follows:

19 (a) The department shall annually publish in appropriate  
20 media and on the department's Internet website in a format that  
21 allows the information to be read into a commercially available  
22 electronic database a statistical comparison of department  
23 districts and the following information, calculated on a per capita  
24 basis considering the most recent census data and listed for each  
25 county and for the state for each fiscal year:

26 (1) the number of square miles;

27 (2) the number of vehicles registered;

- 1 (3) the population;
- 2 (4) daily vehicle miles;
- 3 (5) the number of centerline miles and lane miles;
- 4 (6) construction, maintenance, and contracted routine  
5 and preventive maintenance expenditures;
- 6 (7) combined construction, maintenance, and  
7 contracted routine and preventive maintenance expenditures;
- 8 (8) the number of district and division office  
9 construction and maintenance employees;
- 10 (9) information regarding grant programs, including:
  - 11 (A) [~~Automobile Theft Prevention Authority~~  
12 ~~grants,~~
  - 13 [~~(B)~~] Routine Airport Maintenance Program  
14 grants;
  - 15 (B) [~~(C)~~] Public Transportation Grant Program  
16 grants;
  - 17 (C) [~~(D)~~] Medical Transportation Program grants;  
18 and
  - 19 (D) [~~(E)~~] aviation grants or aviation capital  
20 improvement grants;
- 21 (10) approved State Infrastructure Bank loans;
- 22 (11) Texas Traffic Safety Program grants and  
23 expenditures;
- 24 (12) the dollar amount of any pass-through toll  
25 agreements;
- 26 (13) the percentage of highway construction projects  
27 completed on time;

1           (14) the percentage of highway construction projects  
2 that cost:

3                   (A) more than the contract amount; and

4                   (B) less than the contract amount; and

5           (15) a description of real property acquired by the  
6 department through the exercise of eminent domain, including the  
7 acreage of the property and the location of the property.

8           SECTION 9. Sections 6(j) and (k), Article 4413(37), Revised  
9 Statutes, as amended by this Act, apply only in relation to a grant  
10 for which the notice of funds availability or of funding  
11 opportunity is made public on or after the effective date of this  
12 Act.

13           SECTION 10. This Act takes effect September 1, 2017.