

Watch Your Car

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Texas Auto Burglary and Theft Prevention Authority

The Texas Auto Burglary and Theft Prevention Authority (ABTPA) is charged with assessing and combating vehicle burglary and theft problems in Texas.

Since ABTPA's inception 20 years ago, vehicle theft rates in Texas have been reduced by over 70%. This translates into lower automobile insurance rates and a higher level of safety for all Texas drivers.

The ABTPA is funded by a small assessment fee on every vehicle insurance policy purchased in Texas. This money is then distributed in the form of grants to local law enforcement agencies across the state to fund their vehicle theft and burglary task forces and other relevant projects. In addition, each grantee provides at least 20% or more cash match of ABTPA funding.

In FY 2012, ABTPA awarded \$13.8 million to 28 grants across the state.

Recent Legislative Impact

During the 72nd Texas Legislature, House Bill (HB) 1541, the bill related to the funding of ABTPA, was filed without the Governor's signature and automatically became law since the Governor did not sign or veto the bill within a certain period. The bill, effective September 1, 2011, was authored by Representative Ruth McClendon from San Antonio, Texas.

HB 1541, relating to the prevention of automobile burglary and theft, with the amendment to Section 10, Article 4413(37), Revised Statutes:

- amends Subsection (b) to increase the insurer fee to \$2, and
- adds Subsection (e) to require that 50 percent of fees collected under Subsection (b) be appropriated to the authority has become law in the state of Texas.

This bill:

- provides grantees funding to assist with expenses related to the duties associated with investigation and enforcement of automobile burglary crimes, including salaries for officers, and
- supports the extensive statewide auto burglary & theft prevention awareness initiatives to warn Texas drivers about auto burglary and auto theft and its consequences.

If you would like to view HB 1541 in its entirety, please visit the Texas Legislature Online at <http://www.legis.state.tx.us> and search legislation for HB 1541 during the 82nd Regular Legislative Session.

ABTPA Committees

Grantee Advisory Committee considers matters of concern to both grantees and ABTPA and leverages the experience, knowledge, and insight of law enforcement professionals with regard to the motor vehicles crimes.

Border Solutions Committee is a bi-national committee established by the Texas ABTPA in 1992, fosters communication with Mexico to reduce the number of stolen vehicles on both sides of the border.

Insurance Fraud Committee comprises representatives from insurance companies, Office of the Attorney General, Texas Department of Insurance, and law enforcement agencies who address the growing problem of insurance fraud. The Committee identifies goals for addressing issues relating to vehicle theft “give-ups or walk-a-ways,” VIN switches, arson, and insurance fraud.

ABTPA Board Functions

The Governor appoints six individuals to serve as the ABTPA Board. The Board members include two law enforcement representatives, two consumer representatives, two insurance representatives, and the Executive Director of the Texas Department of Public Safety, who serves as ex-officio. Board members serve staggered six-year terms.

ABTPA staff concentrates on the administrative aspects of carrying out the mission of ABTPA while the ABTPA Board provides:

- Oversight of programs operated by the authority
- Approval of funding for projects, subject to continuation of funding through state appropriations and availability of funds
- Oversight of the roles, rules and functions of the authority
- Oversight of the current budget for the authority
- Power to refund insurance fees

ABTPA Grantees/Task Forces

The ABTPA awards money to task forces and various projects that work toward fulfilling the ABTPA’s mission. Some project categories that are eligible for grant funding include: law enforcement, prosecution/adjudication/conviction, prevention, reduction in the sale of stolen parts, and educational/media campaigns.

Task forces are responsible for:

- Recovering stolen vehicles and property
- Apprehending car thieves and vehicle burglars

- Conducting proactive investigations
- Investigating carjackings
- Investigating vehicle arson
- Conducting awareness and education events for the public
- Providing assistance to other law enforcement agencies
- Conducting salvage inspections
- Conducting auto insurance fraud investigations
- Assisting with Homeland Security in protecting the Texas-Mexico border
- Assisting law enforcement agencies with heavy equipment thefts and cargo thefts
- Conducting foreign vehicle inspections

Public Awareness

- The ABTPA was awarded the registered service marks for the “Watch Your Car” mark and design and for the “You Hold the Key” mark as of January 5, 2010 by the United States Patent and Trademark Office (USPTO).
- ABTPA has won multiple awards for its public education efforts, including two 2010 Bronze Telly Awards and the AAMVA PACE Competition Region II Award for “The Shadow” public awareness initiative which focuses on the idea that where Texans go, car thieves are there to burglarize and/or steal their vehicles and belongings.

The Future of ABTPA

The biggest barriers facing prosecutors in Texas are decreased penalties for vehicle crimes and the lack of ability to dedicate prosecutors to vehicle crimes. The most useful tools in recent years have been parts marking, more sophisticated and increased video and audio surveillance, and confessions from thieves.

The Texas penalty for theft of \$1,500 to \$20,000 was reduced in the late 90’s from a third degree felony to a state jail felony, with a reduced internment maximum of two years and lesser fines. In addition, maximum penalties are not imposed until the third conviction. This has been a major hindrance to prosecution.

Penalties for vehicle crimes should be increased, including raising theft of a vehicle to felony classification across the board, regardless of the value. Also, all vehicles should be included in the NHTSA parts-marking requirement.

Sustained funding for the Texas ABTPA presents a consistent challenge. As day-to-day task force operating costs increase and vehicle criminals become more determined, ABTPA’s allocated funding continues to be stressed.

The need to secure additional funds has become pertinent, and ABTPA is exploring a variety of possibilities, including increased insurance assessments. ABTPA is optimistic that solutions can be found and intends to work cooperatively with Texas government to meet future funding and vehicle crimes challenges.