

**USED AUTOMOTIVE PARTS RECYCLERS ADVISORY BOARD**  
**Licensing Staff Report**  
**September 9, 2019**

**Licensing Statistics**

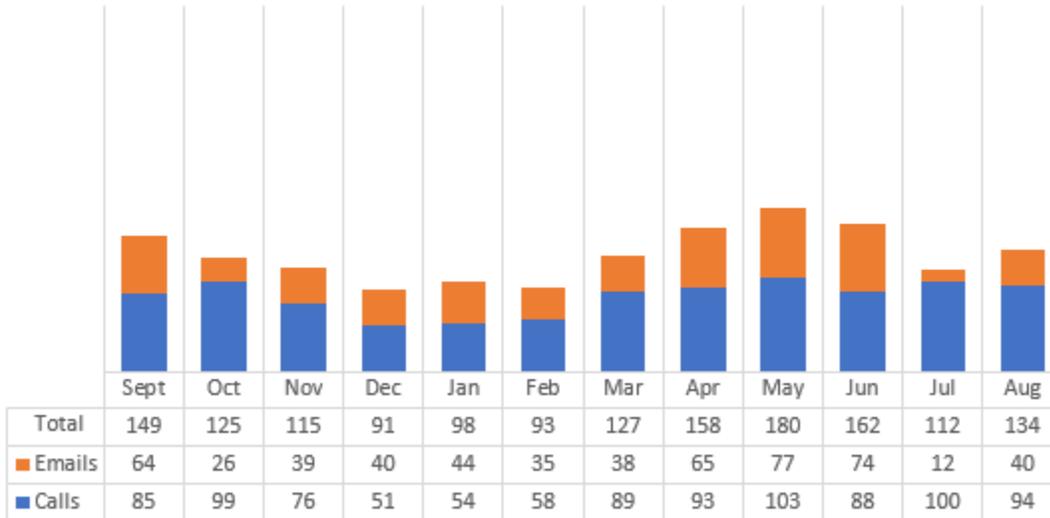
UAPR Companies	New	New % Online	Renewed	Renewed % Online	Population
FY2018	80	0	622	0	782
FY2019 Qtr1	10	0	184	0	775
FY2019 Qtr 2	14	0	109	0	764
FY2019 Qtr 3	28	0	125	0	794

UAPR EMPLOYEES	New	New % Online	Renewed	Renewed % Online	Population
FY2018	616	85%	1900	95%	2612
FY2019 Qtr 1	117	81%	410	96%	2561
FY2019 Qtr 2	115	91%	336	96%	2538
FY2019 Qtr 3	154	88%	407	95%	2511

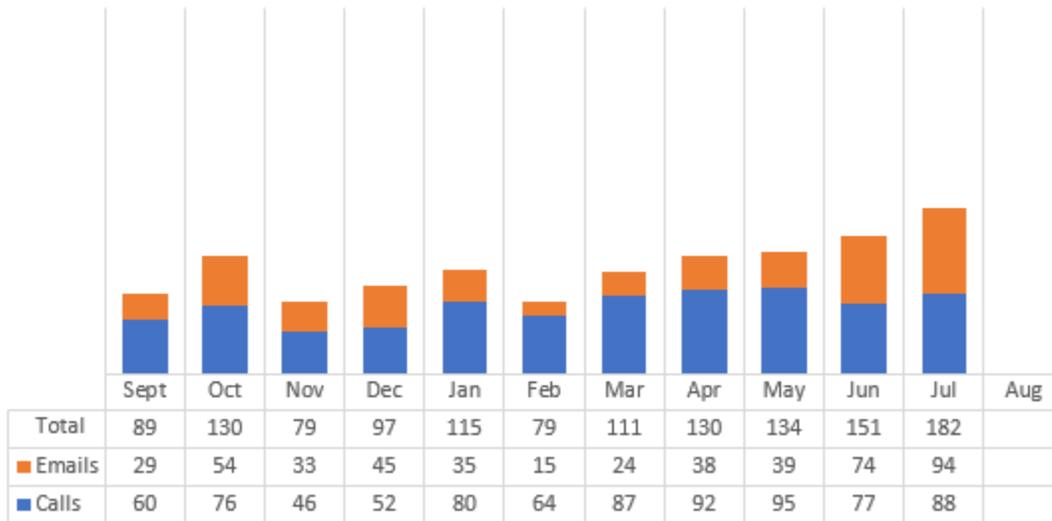
\*Effective September 1, 2019 Used Auto Parts Recycler employees no longer required to be registered with TDLR.

As of July 22, 2019, applications and renewals no longer processed for Used Auto Parts Recycler employees. All active licensees had expiration dates extended through August 31, 2019.

**USED AUTO PART RECYCLERS  
CUSTOMER SERVICE CONTACTS  
FISCAL YEAR 2018**



**USED AUTO PART RECYCLERS  
CUSTOMER SERVICE CONTACTS  
FISCAL YEAR 2019**



**Used Automotive Parts Recycling**  
**Advisory Board**

**Enforcement Division Staff Report**  
**September 9, 2019**

**Case Highlights**

- An Agreed Order was entered on July 24, 2019, in which Respondent accepted an administrative penalty of \$3,000 for utilizing two unlicensed employees. Respondent has paid the penalty in full.
- An Agreed Order was entered on April 4, 2019, in which Respondent accepted an administrative penalty of \$2,250 for performing the function of an automotive parts recycling business while the business' license was expired. Respondent has paid the penalty in full and renewed the company license.
- On July 15, 2019, the Commission accepted the Proposal for Decision of the Administrative Law Judge and denied a renewal application for a Used Automotive Parts Recycler License and revoked the Used Automotive Parts Recycler Employee License and the Used Automotive Parts Recycler License. The applicant/licensee had served 30 days in jail for theft.
- On July 15, 2019, the Commission accepted the Propose for Decision of the Administrative Law Judge and denied a renewal application for a Used Automotive Parts Recycler License and revoked the Used Automotive Parts Recycler Employee License. The applicant/licensee had served 30 days in jail for theft.

**Key Statistics**

Shown below are key statistics for the Used Automotive Parts Recycling program and for all TDLR programs combined through July of Fiscal Year 2019.

<b><u>Statistic</u></b>	<b><u>APR</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	52	10,037
• Number of cases resolved:	47	9,325
• Number of Final Orders:	6	1,698
• Total amount of penalties assessed:	\$5,250.00	\$2,953,750.00
• Total amount of penalties collected:	\$5,250.00	\$1,555,995.00

Shown below are key statistics for the Used Automotive Parts Recycling program and for all TDLR programs combined for Fiscal Year 2018

<b><u>Statistic</u></b>	<b><u>APR</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	63	10,585
• Number of cases resolved:	63	9,833
• Number of Final Orders:	15	2,037
• Total amount of penalties assessed:	\$25,150	\$3,209,055
• Total amount of penalties collected:	\$21,300	\$1,528,594

**USED AUTOMOTIVE PARTS RECYCLERS ADVISORY BOARD**  
**Regulatory Program Management Division Staff Report**  
**September 9, 2019**

**Projects**

- Todd Forrester with the Regulatory Program Management Division is working with the bill implementation team to institute changes to the Used Automotive Parts Recyclers program made during the 86<sup>th</sup> Legislative Session related to facility inspection and employee licensing. The team has reviewed the rules, completed fiscal impact forms on the changes, and is working to determine the best communication plan to notify APR employees that they will no longer need an APR employee license.



# Used Automotive Parts Recyclers Advisory Board Meeting Field Inspections Division Report



**The Face of TDLR**  
September 9, 2019

## MOST COMMON VIOLATIONS FOUND DURING INSPECTIONS

UAPR – Most Common Violations Found During Inspections  
3<sup>th</sup> Quarter, Fiscal Year 2019

- 1. Surrender of Vehicle Title.** - 14 Tex. Occ. Code Ch. 2309.301(b) & 16 Tex. Admin. Code Ch. 87.50(a). Failure of a used automotive parts recycler to submit to the Texas Department of Motor Vehicles a properly assigned manufacturer's certificate of origin, regular certificate of title, non-repairable vehicle title, salvage vehicle title, other ownership document, or comparable out-of-state ownership document for the motor vehicle, before the 31st day after the date of acquiring the motor vehicle.
- 2. Unlicensed Activity.** - 14 Tex. Occ. Code Ch. 2309.154(a) & 16 Tex. Admin. Code Ch. 87.24. A person employed by a used automotive parts recycler may not in the scope of the person's employment acquire a vehicle or used automotive parts and may not sell used automotive parts unless the person holds a used automotive parts employee license.
- 3. Unlicensed Activity.** - 14 Tex. Occ. Code Ch. 2309.151(a), 16 Tex. Admin. Code Ch. 87.20(a) & 16 Tex. Admin. Code Ch. 87.23(b). Performed a function of an automotive parts recycling business without a license or while license expired.
- 4. Failed to keep and maintain evidence of compliance with the DMV notification requirement.** - 14 Tex. Occ. Code Ch. 2309.301(c) & 16 Tex. Admin. Code Ch. 87.50(b). Used automotive parts recyclers shall keep and maintain evidence of compliance with filing of vehicle ownership documents.
- 5. Removal & Disposal of License Plates.** - 14 Tex. Occ. Code Ch. 2309.352 & 16 Tex. Admin. Code Ch. 87.73. Failure to immediately remove any unexpired license plates from the vehicle; and place the license plates in a secure place until destroyed by the used automotive parts recycler.
- 6. Liability Insurance.** - 14 Tex. Occ. Code Ch. 2309.153(2) & 16 Tex. Admin. Code Ch. 87.40. Failed to maintain General Liability Insurance in the amount of \$250,000 (min.)
- 7. Title Required.** - 14 Tex. Occ. Code Ch. 2309.301(a) & 16 Tex. Admin. Code Ch. 87.70. Failure of a used automotive parts recycler who acquires ownership of a salvage motor vehicle to obtain a properly assigned title from the previous owner of the vehicle.
- 8. Records of purchases.** - 14 Tex. Occ. Code Ch. 2309.302 & 16 Tex. Admin. Code Ch. 87.71(a). Failure to maintain a record of or sales receipt for each motor VEH/used automotive part purchased.
- 9. Dismantlement or Disposition of Motor Vehicle.** - 14 Tex. Occ. Code Ch. 2309.353(1) & (2) & 16 Tex. Admin. Code Ch. 87.74. Dismantled or disposed of a motor vehicle without first obtaining a certificate of authority to dispose of the vehicle, a sales receipt, or a transfer document for the vehicle, or a certificate of title showing that there are no liens on the vehicle or that all recorded liens have been released.
- 10. Failed to renew license.** - 16 Tex. Admin. Code Ch. 87.26(c). Expired employee license.

## **PERSONNEL UPDATES**

Don Morefield began in the Dallas/Fort Worth area as Field Inspectors on January 3, 2019.

Field Inspectors, Jack Phillips and Robyn Finney, accepted Investigator positions in the Enforcement Division with start dates of February 19 and May 1, respectively.

We welcomed back Jorge Vega to Field Inspections as an Inspector in the San Antonio area on March 1, 2019.

North Region Manager, Joe Carrasco, resigned, effective May 24.

Congratulations to Ronald Gericke, who accepted a promotion from an Inspector to the North Region Manager position on June 17<sup>th</sup>.

We are happy to announce that four Field Inspectors were hired over the summer. We welcomed Tom Singleton and Donna Johnson on June 17<sup>th</sup> in Houston. In the Dallas/Fort Worth area we welcomed Thuy Kepner on July 15<sup>th</sup> and Sandy Luker on August 1<sup>st</sup>.

## FIELD INSPECTIONS STATISTICS

### Used Automotive Parts Recyclers

	UAPR	
	FY 2019	FY 2018
SEPT	9	10
OCT	33	7
NOV	30	25
QTR 1	72	42
DEC	27	4
JAN	44	9
FEB	38	13
QTR 2	109	26
MAR	57	24
APR	56	14
MAY	62	25
QTR 3	175	63
JUNE	34	23
JUL	19	6
AUG		27
QTR 4	53	56
Year to Date/ Year End	409	187