

Texas Metals Advisory Committee (TMAC)

Meeting Notes

June 25, 2019

1. Call to Order

The regular meeting of the Texas Metals Advisory Committee (TMAC) was called to order at 9:02 a.m. on October 20, 2020.

2. Roll Call

Present:

Arnold Gachman	Chairman	Metals Recycling Representative
David Bayouth		Metals Recycling Representative
Carlos Breeden		Metals Recycling Representative
Kevin Haynes		Metals Recycling Representative
Jesse Fite		Law Enforcement Representative
Major Jay Alexander	DPS Representative	Texas Department of Public Safety
Oscar Ybarra	Assistant Chief	Texas Department of Public Safety
Jeremy Dansby	Program Management Liaison	Texas Department of Public Safety
Kimberly Avila	Program Management Liaison	Texas Department of Public Safety

3. Minutes from September 19, 2020

The previous meeting on 11/01/2018 were approved by all in attendance.

4. Quick Reference Guide

Major Alexander handed out quick reference guides and battery reporting guidelines for MREs. Chairman Gachman requested copies for customers.

5. Reports from Regulatory Services Division

a. DPS Statistics

DPS stats were covered, with Major Alexander explaining that law enforcement components had been removed from RSD with the exception of himself and one other person. (Old LE contacts from RSD that MRE's may have had are no longer available).

Civilian DPS inspectors are now handling what used to be done by LE. Training has been issued to the new inspectors and the numbers bear out that this has been a good thing and is going well. Major Alexander has requested the committee members let other MREs know.

a. Concerns Expressed

- Mr. Shapiro expressed concern about proprietary information of the MREs being exposed by non-law enforcement individuals.
- Major Alexander explained the inspectors are DPS employees and thoroughly vetted with access to far more data than just MRE databases.

- Chairman Gachman emphasized the importance of the proper procedure for vetting inspectors regarding identification.
- Mr. Bayouth asked who would handle enforcement now that LEOs are no longer conducting the actual inspections.
- Major Alexander answered with policy: referrals to partnering agencies or CID are made as needed. He then detailed scheduled/risk based/random inspections and how they work.
- Chairman Gachman asked how likely it was that every MRE would be inspected this year.
- Major Alexander explained that yes, it's based on MRE renewal and inspector's schedules. He also said that double inspections by Houston/Dallas and then DPS are avoided; it serves no point to waste time when a MRE has already been inspected and no issues were found.
- Chairman Gachman asked for a breakdown of how the final disciplinary actions played out, offence-wise, and Major Alexander said DPS would provide a report. Discussion was had about the rogue operator MRE facilities that had been shut down as well as the difficulty in getting valid operators to report them when they see them.
- Major Alexander reiterated that reporting can be done anonymously.

6. 86th Legislative Session

86th Legislative Session has concluded and Major Alexander said there was really nothing that came out of that session to affect MREs in Texas. Hot check legislation tied to regulated metals failed to pass. Mr. Shapiro relayed stories of check fraud affecting both owners and banks in multiple ways. Agreement was expressed by all members that the check issue was affecting everyone. Rogue operators and the way to report them was touched on again.

5. Industry Reports

a. Metal Recycling Entities

No comments.

b. External Law Enforcement Agencies

Sgt. Jesse Fite broke down what thefts were occurring most frequently in the last year in Houston. MREs are critical in identifying and report thieves, and he opined that most thieves specialize in one thing, like wires or batteries or catalytic converters, as well as having their typical favorite sales places. He covered cooperation between Houston Police Department, Harris County, and the Texas Department of Public Safety, explaining that when the theft occurs in Houston but the sale takes place out of the city, they work with either the county or DPS to pursue the case. Arrests reported are down this year due to the DA no longer accepting multiple charges (accepting most serious charge now and using the others as an enhancement), but the actual number of arrests is very close to last year's.

c. Industry Impacted by Metal Theft

No comments.

6. Discussion and Possible Recommendation Item

a. De-Titling Autos

Chairman Gachman moved on to de-titling autos, starting with the fact that it was relatively uncommon for his company to get vehicles. That being said, when they do get them, the verification/de-titling process is lengthy and he expressed desire to simplify it.

Sgt. Fite explained how salvage wreckers get them off the street and to the MRE yards incredibly quickly, and the MRE may get the vehicle before it has a chance to be reported stolen.

Chairman Gachman expressed there are loopholes in legislation that need to be closed before MREs could safely buy/de-title cars without fearing an illegal purchase.

General agreement expressed by all committee members.

Chairman Gachman asked what sort of exceptions/inclusions would help vehicle sales to MREs, specifically asking about pictures, signatures.

Sgt. Fite and Mr. Haynes explained that since it was business to business that wasn't required.

Mr. Bayouth expressed that DMV should get involved when a vehicle is failed to be de-titled, but the committee as a group said that it's not something that can be charged unless it's by the DMV, which "doesn't work 'auto theft'".

Chairman Gachman said there may not be anything we can do working directly with the big agencies, but perhaps by encouraging standards for taking vehicles from within the industry, they may be able to make a dent in illegal sales.

Mr. Bayouth stated he didn't believe any headway could be made without DMV support.

Chairman Gachman suggested scheduling a meeting in about 6 weeks with MAC and various MRE industry reps and DMV representatives to discuss the issue and arrive at possible solutions.

b. New Committee Members

New committee members was brought up next. Major Alexander said the 250k – 500k representatives need to be replaced (2 members).

Longview and Beaumont were offered as possibilities.

Major Alexander then said we need to replace the county over 500k.

Chairman Gachman suggested the Fort Worth region.

Major Alexander also said he was thinking about bringing AT&T to the table.

c. Environmental Protection Agency

Chairman Gachman talked about the EPA coming to do inspections re: CFCs at MREs. If the refrigerant is leaking due to cut/damaged coils, it's in the MRE's best interest to turn it away. The EPA has made clear an indication to issue a fine for each such item found at any MRE.

7. Future agenda items

No Comments

8. Adjourn

Meeting adjourned.