

Vehicle Inspection Advisory Committee (VIAC)

Meeting Notes

September 13, 2023

1. Call to Order

The regular meeting of the Vehicle Inspection Advisory Committee (VIAC) was called to order at 1:03 p.m. on September 13, 2023, via WebEx Teleconference.

2. Roll Call

Anthony Moffa	Chairman	Co-Chair, TCEQ appointee
David Lewis	VIAC Member	Emissions Testing Equip Manufacturer
Lisa Cargill	RSD Manager	Texas Department of Public Safety
Christopher Lyons	RSD Manager	Texas Department of Public Safety
Jeremy LeCrone	RSD Manager	Texas Department of Public Safety
Steve Moninger	RSD Sr. Policy Analyst	Texas Department of Public Safety
Chris Sims	RSD Service Director	Texas Department of Public Safety
Sherrie Zgabay	RSD Service Director	Texas Department of Public Safety
Natalie Robertson	RSD Service Director	Texas Department of Public Safety
Ron Joy	RSD Service Director	Texas Department of Public Safety
Leslie Stevens	RSD Personnel Ad Spec	Texas Department of Public Safety
Renee Davis	RSD Staff Services Spec	Texas Department of Public Safety
Deborah Failey	RSD Staff Services Spec	Texas Department of Public Safety
Carlos Romero	RSD Admin Ops Spec	Texas Department of Public Safety
David Serrins	Agency Liaison	Texas Commission on Environmental Quality
Sarah Thomas	Agency Liaison	Texas Commission on Environmental Quality
Nicholas Landuyt	Agency Liaison	Texas Commission on Environmental Quality

3. Minutes from June 14, 2023

The minutes of the previous meeting were unanimously approved as distributed.

4. Remarks from DPS and TCEQ

a. DPS

Sherrie Zgabay addressed the committee and provided an organizational staff update. She stated Assistant Chief Hester has been temporarily assigned to the DPS Infrastructure and

Operations Division as their interim Chief and would not be in attendance until that assignment was completed. She introduced Ron Joy and Natalie Robertson who were both recently hired as Service Directors for the Division; Natalie for the Licensing and Review Service (LRS) and Ron for the Compliance and Enforcement Service (CES).

Ron Joy was next to address the committee. He stated that numerous rules had been placed on the registry and were being considered for adoption by the Public Safety Committee. One rule requires DPS to adopt a \$22.08 fee for a three-year inspection for certain rental vehicles.

Ron Joy also provided an update on investigative efforts regarding stations that were suspected of clean-scanning vehicles. He stated that an operation was launched in May involving 21 stations in the Houston area, which resulted in 20 arrests. A similar operation was launched in April involving 30 stations in the Dallas area, which resulted in five arrests. Further analysis and investigation into the details of the Dallas operation revealed that the stations were notified of the operation ahead of time. Another station operation was conducted in August, this time giving no DPS personnel prior knowledge. This operation resulted in the arrest of four individuals from the station and two department employees. The department employees arrested have been placed on suspension pending further investigation.

Anthony Moffa asked if recall notices would still be part of the vehicle inspections process for those receiving emissions testing and if DPS had thought of other ways to give out recall notice information for safety-only inspections, since those are going away. Chris Sims stated that recall notices will still be placed on the VIR for vehicles undergoing emissions inspections, but there is not a method for distribution in safety-only counties after January 1, 2025.

b. TCEQ

David Serrins addressed the committee and agreed with Chris Sims that emission inspections will continue to have the recall notices provided as part of the inspection. He stated that TCEQ is currently working to implement four bills that passed during the Legislative session.

David Serrins informed the committee that there was a public hearing held in San Antonio at the Alamo Area Council of Government on July 13, 2023, to discuss the implementation of emissions testing in Bexar County. The public comment period ended July 17, 2023. The

rulemaking is expected to be adopted on November 8, 2023. David also stated that any questions regarding this process should be directed to Edgar Gilmore at TCEQ.

5. Old Business

Anthony Moffa asked about the new makeup of the Vehicle Inspection Advisory Committee, as there are currently several vacant positions. He asked if these positions could still be filled by safety-only inspection station owners. Steve Moninger stated that once HB 3297 takes effect there would not be any representation from safety-only inspection station owners, as those would no longer exist. However, the abolishment of the current vehicle inspection program would not go into effect until January 1, 2025. Steve stated that any safety-only inspection station owners could serve on the committee until that time. Mr. Moffa asked if any new applications had been received, to which Leslie Stevens stated that one public member application has been received and is currently under review.

6. Discussion and Possible Recommendation Items

No discussion.

7. Public Comments

No public comments.

Anthony Moffa asked if these committee meetings were still open to the public. Sherrie Zgabay answered that the expectation was that committee members would bring forth any public comments that they receive. Steve Moninger stated that the VI rules state that the meetings would be open to the public. However, in the committee's current platform for holding these meetings, it is not possible to invite the public. Anthony stated that he'd like to revisit this topic when there is a full committee again.

8. Future Agenda Items

No future agenda items were presented at this time. Please provide any future agenda items to Anthony Moffa or Leslie Stevens.

9. Date of Next Meeting

The next meeting was scheduled for Wednesday, December 13, 2023.

10. Adjourn

Anthony Moffa adjourned the meeting at 1:36 p.m.