



May 21, 2015

To: Judge Self and Commissioners

From: Jeff B. Durham, Special Projects Manager

Re: Opt-Out Option for the Aircheck Texas Drive a Clean Machine (DACM) Program and Local Initiative Projects (LIP) Program which are part of the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement (aka LIRAP) Program

Pursuant to Commissioners Court Order No. 2014-221-04-21, Judge Self submitted a written request dated April 29, 2014 to the TCEQ Executive Director advising him that Collin County had unanimously voted to withdraw from the Aircheck Texas Drive a Clean Machine Program, which is part of LIRAP.

On May 28, 2014 Judge Self received a letter from the TCEQ Executive Director giving the County two (2) options regarding Collin County's participation in the program while the rulemaking process required to eliminate program fees collected thru vehicle inspections was established. Pursuant to Commissioners Court Order No. 2014-382-06-23 Collin County chose to participate in the DACM and LIP programs until TCEQ's fee-reduction rulemaking was completed.

The rulemaking has been completed, taking effect on May 21, 2015. Collin County now needs to notify the TCEQ which one of two possible LIRAP opt-out options we prefer.

**OPTION 1**

Completely withdraws Collin County from the program on the same date that the county is no longer subject to the LIRAP fee.

Since DMV sends out the notification of registration fees it will take approximately 4 months from the time we notify TCEQ before this fee will no longer be collected. i.e. If we notified TCEQ on July 1<sup>st</sup> it would be approximately November 1<sup>st</sup> before DMV stops collecting the fee (On or around November 1<sup>st</sup> would be the date county would no longer be subject to the LIRAP fee). Under this scenario we would no longer participate in LIRAP and fees collected in previous years would no longer be appropriated to Collin County.

**OPTION 2**

Extends Collin County's program participation past the LIRAP fee termination effective date. This allows the county time to spend any remaining funds that have not been allocated by the commission.

Same as Option 1 in that if we notified TCEQ on July 1<sup>st</sup> the fees would no longer be collected by DMV beginning on or around November 1<sup>st</sup>. However, the county would continue in the program and would be able to spend any remaining funds that are allocated until the end of the next biennium, which is August 31, 2017.

Commissioners Court's direction in this matter is requested and we will be available to answer any questions you might have.