

TEXAS DEPARTMENT OF MOTOR VEHICLES

BOARD MEETING

Texas Department of Motor Vehicles
4000 Jackson Avenue
Building 1
Lone Star Room
Austin, Texas 78731

Thursday,
December 8, 2022
9:00 a.m.

BOARD MEMBERS:

Charles Bacarisse, Chair
Christian Alvarado
Stacey Gillman
Brett Graham
Tammy McRae
Sharla Omumu
John Prewitt
Manuel "Manny" Ramirez
Paul R. Scott

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CLOSED SESSION

12. The Board may enter into closed session under 116
 one or more of the following provisions of the
 Texas Open Meetings Act, Government Code

Chapter 551, including briefing, discussion and deliberation regarding temporary tags, the temporary tag system, fingerprinting, webDEALER Advisory Service, and the State Auditor's Office Audit Regarding Temporary Tags:

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P R O C E E D I N G S

(9:02 a.m.)

1
2
3 MR. BACARISSE: Good morning. My name is
4 Charles Bacarisse, and I am pleased to open this Board
5 meeting of the Texas Department of Motor Vehicles. For
6 the record, it is 9:02 a.m., and I am now calling the
7 Board meeting for December 8, 2022, to order.

8 I want to note for the record that the public
9 notice of this meeting containing all items on the agenda
10 was filed with the Office of Secretary of State on
11 November 30, 2022.

12 Before we begin today's meeting, please place
13 all cell phones -- Daniel -- and other communication
14 devices in silent mode.

15 (General laughter.)

16 MR. BACARISSE: It wasn't even in the script.
17 I just ad libbed that.

18 (General laughter.)

19 MR. BACARISSE: And please, as a courtesy to
20 others, do not carry on side conversations or activities
21 in the meeting room.

22 I want to welcome those who are with us for
23 today's Board meeting. If you wish to address the Board
24 or speak on an Agenda item during today's meeting, please
25 complete a speaker's sheet at the registration table or

1 send an e-mail to gco_general@txdmv.gov. Once again,
2 that's gco_general@txdmv.gov.

3 Please identify in your e-mail the specific
4 item you're interested in commenting on, your name and
5 address, and whether you are representing anyone or
6 speaking for yourself. If your comment does not pertain
7 to a specific Agenda item, we'll take your comment during
8 the general public comment portion of our meeting.

9 In accordance with the Department's
10 administrative rule, comments to the Board will be limited
11 to three minutes. To assist each speaker, a timer has
12 been provided at the podium. The timer light will be
13 green for the first two minutes, yellow when the speaker
14 has one minute left, and then red when the speaker's time
15 is up.

16 Individuals cannot accumulate time from other
17 speakers, and comments should be pertinent to the issue
18 stated on the comment sheet. When addressing the Board,
19 please state your name and affiliation for the record.

20 And there are a few things that will also
21 assist in making the meeting run more smoothly and helping
22 the court reporter to get an accurate record. First,
23 please identify yourself before speaking. Speak clearly
24 and slowly.

25 Do not speak over others. And please ask the

1 Chair for permission to speak and to be sure to get
2 recognized before speaking.

3 I would like to thank our court reporter who is
4 transcribing this meeting.

5 Before we begin today, I'd like to remind all
6 presenters and those in attendance of the rules of conduct
7 at our Board meetings. In the Department's administrative
8 rule, I have the authority to supervise the conduct of the
9 meetings. This includes the authority to determine when a
10 speaker is being disruptive of the meeting or is otherwise
11 violating the timing or presentation rules I just
12 discussed.

13 So with that out of the way, I would like to
14 now call the roll of the Board Members. Please respond
15 verbally when I call your name.

16 Board Member Alvarado, are you present?

17 MR. ALVARADO: Present.

18 MR. BACARISSE: Member Gillman?

19 MS. GILLMAN: Present.

20 MR. BACARISSE: Member Graham?

21 (No response.)

22 MR. BACARISSE: Member Graham will join us
23 shortly.

24 Member McRae?

25 MS. McRAE: Here.

1 MR. BACARISSE: Member Omumu?

2 MS. OMUMU: Present.

3 MR. BACARISSE: Member Prewitt?

4 MR. PREWITT: Here.

5 MR. BACARISSE: Member Ramirez?

6 MR. RAMIREZ: Here.

7 MR. BACARISSE: Member Scott?

8 MR. SCOTT: Here.

9 MR. BACARISSE: And let the record reflect that
10 I, Charles Bacarisse, am here, too. So we have a quorum.

11 It's great to have everybody here, and Graham will join
12 us momentarily.

13 Please, let's all stand and honor our country
14 and state with the Pledges of Allegiance. And I want to
15 turn it over to Member Ramirez to lead us in the U.S.
16 Pledge.

17 (Pledge of Allegiance recited.)

18 MR. BACARISSE: And now, I'd like to ask Member
19 Scott to lead us in the Texas Pledge.

20 (Texas Pledge recited.)

21 MR. BACARISSE: Thank you. Thank you, Members
22 Ramirez and Scott, for leading us in our pledges.

23 Now we're going to cover the proposed 2023
24 Board meeting schedule. This is number -- it's actually
25 right before my Chair report, I guess, which may be found

1 in your Board books on page 6.

2 These dates are tentative, but we wanted to
3 make sure the schedule got out and was available for your
4 planning purposes. The Board typically meets, as you
5 know, the second Thursday of the month, every other month
6 at 9:00 a.m.

7 And the draft schedule is consistent with the
8 Board's typical meeting schedule. If there is a change,
9 the Department's Board liaison will notify our Board
10 Members. And as meeting dates are confirmed, they'll be
11 posted on the Department's website.

12 I want to mention that as part of our reports,
13 on Friday, November 18th of this year, Vice Chair McRae,
14 Member Gillman, Executive Director Daniel Avitia, Deputy
15 Executive Director Roland Luna, Sr., and I toured the
16 Wynne Unit license plate manufacturing facility in
17 Huntsville, Texas. And that's part of the Texas
18 Department of Criminal Justice facilities.

19 And I just wanted to say this was my first time
20 to go inside the walls, and the experience was really
21 incredible for me. I sent a thank you letter to the TDCJ
22 Executive Director Bryan Collier. And I recognized Mr.
23 Billy Hurst, the Director of TDCJ's manufacturing and agri
24 business and logistics division and his team for what is a
25 very effective and efficient operation.

1 Personally, I was thankful for their leadership
2 and that of their team there. It's encouraging to me that
3 TDCJ offers incarcerated individuals the opportunity to
4 gain valuable skills while they're serving their time and
5 could enable them to earn a good living in the outside
6 world.

7 They come out with skills, if they wish to
8 learn them. And then, once they're released, they can
9 hold jobs and rebuild their lives in a meaningful way. So
10 I was thankful for TDCJ's commitment to that.

11 And I gained great insight into the nature of
12 keeping Texas on the road properly. The advanced
13 equipment that is used and the great skill and quality
14 control over the entire process was really impressive. So
15 those are my thoughts.

16 I don't know, Vice Chair McRae, if you had some
17 thoughts or takeaways from your experience there? Member
18 Gillman?

19 MS. McRAE: As a tax assessor, license plates
20 is one of -- well, it's key to our business. And to see
21 the process from beginning to end was amazing.

22 And I think one of the things I was most
23 impressed with is the care in which the prisoners took
24 with that process. And also, the quality assurance that
25 they put into that process.

1 It was a humbling experience, and I was amazed
2 at the whole process. I really enjoyed it.

3 MR. BACARISSE: Glad you were there. Member
4 Gillman?

5 MS. GILLMAN: Yes, thank you. I just wanted to
6 say I also was really impressed with the equipment and
7 efficiency. It is modern equipment, the best out there.
8 It was fantastic and really amazing.

9 I guess I expected antiquated or an old school
10 process. It was very up to date and modern and clean.
11 And they can do, at full capacity, 1.1 million license
12 plates per month. It's a lot. It's a lot.

13 Anyway, thank you. I loved the experience. It
14 was great.

15 MR. BACARISSE: I would hope that we would be
16 able to go back or schedule a time for other Members who
17 wish to go. I know this was a challenging time of year
18 for people. But if other Members wish to see that
19 process, I hope we get to schedule another time.

20 So we'll see where that goes. But thank you.
21 Thank you very much.

22 Let me now turn it over to the Executive
23 Director, Daniel Avitia, for his report.

24 MR. AVITIA: Chairman, thank you and good
25 morning. Good morning, Members.

1 Just a couple of updates for you this morning.

2 We have been hiring on our executive team, and we are
3 just about at capacity, which is a great thing for this
4 Agency. Agenda Item 4A can be found on page 7 of your
5 Board books.

6 And I'm happy to introduce Ms. Annette Quintero
7 as the Vehicle Title and Registration Division Director.
8 VTR is our largest division and program within the Agency.

9 Ms. Quintero joined the TxDMV on November 14,
10 2022, and she brings excellent professional experience and
11 demonstrated focus on building stakeholder relationships,
12 and, more importantly, a very positive attitude.

13 Annette has over 19 years of public service and
14 has served in various leadership positions with increasing
15 responsibility over the last 15 years, which includes
16 serving on the executive management team with the Office
17 of the Attorney General for the last six years.

18 Annette earned her Bachelor of Business
19 Administration Management from Texas State University.
20 She is a mother of two amazing young men -- Noah, 6, and
21 Alex, 3 -- and enjoys spending time with her family hiking
22 outdoors, picnics, movie nights, and, more importantly,
23 great food. We are confident that Annette will build on
24 the past success and future endeavors of the TxDMV in our
25 very special VTR Division.

1 Members, please join me in welcoming Annette.

2 (Applause.)

3 MR. AVITIA: All right. Agenda Item 4B,
4 another executive team introduction, Ms. Bennie Brown.
5 Ms. Brown did join the Agency 12/1 as the Chief Hearings
6 Officer with the Office of Administrative Hearings.

7 Bennie has extensive experience in
8 administrative law and has more than two decades of
9 service with the State of Texas. Prior to joining the
10 TxDMV, she served as the Administrative Law Judge with the
11 State Office of Administrative Hearings for the last 12
12 years. She has presided over thousands of contested case
13 hearings. So we're in good hands with Ms. Brown.

14 Prior to her service as administrative law
15 judge, she was a prosecutor for the Texas Department of
16 Public Safety. Ms. Brown is a licensed attorney and
17 certified mediator. She received her bachelor's degree
18 from the University of Houston, and her Juris Doctorate
19 from the University of Texas Law School. Go Horns.

20 We are confident that Ms. Brown will excel in
21 her role as Chief Hearings Officers. Members, please join
22 me in welcoming Ms. Brown to our executive team.

23 (Applause.)

24 MR. AVITIA: Agenda Item 4C can be found on
25 page 9 of your Board materials. I'm happy now to

1 introduce Mr. Esteban Sanchez as the new VTR Houston
2 Regional Service Center. As of December 1st, Mr. Sanchez
3 will lead our largest RSC -- Regional Service Center -- in
4 Houston.

5 Mr. Sanchez has been with the TxDMV since
6 November of 2017, and previously served as a Fort Worth
7 RSC Manager. Steve's public service career includes four
8 years of prior county employment and several years of
9 management experience.

10 We are confident that Steve's positive attitude
11 and optimistic outlook will continue in his new management
12 role at the Houston RSC. Please join me in welcoming
13 Steve to the team.

14 (Applause.)

15 MR. BACARISSE: Pardon me just me a minute.
16 Steve, I'm going to need your phone number for all those
17 times when I have an issue. I'm going to come see you.

18 MR. SANCHEZ: Thank you.

19 MR. AVITIA: Thank you, Mr. Chairman.

20 Agenda Item 4D can be found on page 10 of your
21 Board books. Chairman, Members, I am happy to introduce
22 Mr. Joe Canady as the Motor Vehicle Crime Prevention
23 Authority Director. That was of December 1st, as well.

24 Mr. Canady has extensive background in public
25 service and nearly 34 years of prior law enforcement

1 experience, with an emphasis on motor vehicle theft and
2 law enforcement command. His commitment to vehicle theft
3 investigations and crime reduction positioned him to serve
4 as the President of the Texas Association of Vehicle Theft
5 Investigators and the Vice-President of the International
6 Association of Auto Theft Investigators.

7 Joe has served in law enforcement leadership
8 positions, including as Lieutenant in the Criminal
9 Investigations Division, Captain of Investigations, Chief
10 Deputy of Operations, as well as Business Jail
11 Administrator. Joe is a certified Texas Commission on Law
12 Enforcement instructor, holds a TCOLE Master Jailer
13 certification, is a TCOLE Master Peace Officer, and has
14 provided training to countless law enforcement
15 professionals.

16 Chairman, Members, please join me in welcoming
17 Mr. Canady to his new position.

18 (Applause.)

19 MR. AVITIA: Agenda Item 4E is an update on
20 temporary tag redesign deployment. Chairman, Members, the
21 briefing document for temporary tag redesign deployment
22 can be found on page 11 of your Board materials.

23 This Agenda item provides a brief overview of
24 the Texas DMV's process and strategy for creating,
25 evaluating, and implementing the temporary tag redesign.

1 TxDMV has been working internally and collaborating with
2 external stakeholders to develop a more secure tag design
3 that supports the needs of both law enforcement, as well
4 as our dealer community. In our continued efforts to
5 reduce and prevent the fraudulent use of Department
6 systems and processes, a newly designed temporary buyer
7 tag will be released tomorrow, December 9th.

8 The existing temporary tag has been in use
9 since 2018. And TxDMV is rebranding the look, but more
10 importantly, building on the security components to combat
11 and reduce future temporary tag abuse and the production
12 of counterfeit tags, as well as help support our law
13 enforcement partners.

14 In addition to the Department's internal review
15 of procedures and programming, an analysis of the existing
16 temporary tag was conducted to identify available security
17 enhancements. Numerous security features were evaluated
18 or researched by the team, and TxDMV staff created a
19 strategy for deployment of those with the highest and most
20 secure use in redesigned temporary tag that we have, in my
21 opinion, in the nation.

22 As part of the process, TxDMV called for
23 cross-collaboration between all divisions to design,
24 evaluate, strategize deployment, and communicate plans for
25 the project.

1 As you know, Members, features of the new
2 temporary tag include not just physical features, such as
3 the Texas watermark, enhanced depiction of our tag
4 expiration date, vehicle year, make and model, and the
5 name of the issuing dealer. It also includes
6 identification of specific type of tag issued, font
7 selection, and size that maximizes readability of primary
8 components.

9 It has active and passive security features
10 that are identifiable only by law enforcement. Numerous
11 pieces of embedded data and text are linked to law
12 enforcement databases, as of tomorrow, that can be created
13 only by internal TxDMV computer systems.

14 Members, I want to thank you, Chairman, and the
15 rest of the Members for your unwavering support on the
16 temp tag redesign. We have worked extensively with law
17 enforcement to create what will be the new tag going
18 forward as of tomorrow.

19 The Department has had several months working
20 on all things temp tag, as you know. We have been working
21 nonstop just to give you an update on where we started and
22 where we are and what we've been through in just the
23 couple of months. And I'm so proud of the team.

24 We have improved dealer vetting. We have
25 implemented fingerprinting. We have implemented denial of

1 access to the eTAG system, maximum tag issuance limits.
2 We have improved our 30-day permit process.

3 We have enhanced VIN decoding. We have
4 improved the 72- and 144-hour tag permits. We have eTAG
5 system limitations now. We have implemented VIN
6 verification.

7 We have created a law enforcement analyst team
8 to help support our law enforcement partners local, state,
9 and federal. We have created a closed data portal
10 specifically for law enforcement use. And we have
11 partnered with the DPS, Department of Public Safety, to
12 implement a collaborative opportunity for law enforcement
13 to yet gain more information through their fusion centers.

14 And now, Members, here we are today, one day
15 away from the release of our new, redesigned temporary
16 tag. Again, I thank you for your support throughout this
17 entire process.

18 MR. BACARISSE: Thank you, Mr. Avitia.

19 Members, any comments or questions on this
20 item? Member Ramirez?

21 MR. RAMIREZ: I've got one or a few. It was a
22 long drawn out process -- a long important process. And I
23 want to thank you and your staff, Mr. Avitia, for all the
24 work that you put in.

25 I know the law enforcement community absolutely

1 felt the collaboration. That was where a lot of this
2 conversation started, because having an unsecured system
3 is a danger to Texans. It is a danger to our public who
4 are out there on the roadway.

5 So knowing that a department took it this
6 serious, and knowing that a department acted so swiftly
7 once you made the decision to act is very comforting, I
8 think, not only for us as Board Members, but also, for the
9 public. So I know that there are possible ideas and
10 solutions on continued enhancements and improvements, and
11 I know that you and your staff are committed to exploring
12 those.

13 So on behalf of the entire Board, I just wanted
14 to say thank you.

15 MR. AVITIA: Member Ramirez, thank you very
16 much.

17 MS. GILLMAN: Outstanding --

18 MR. BACARISSE: Member Gillman, any comments?

19 MS. GILLMAN: The laundry list is impressive
20 that you just rattled off, and your staff deserves a very
21 large round of applause from us. Thank you.

22 (Applause.)

23 MR. BACARISSE: Any other Members wish to
24 comment?

25 (No response.)

1 MR. BACARISSE: I'll say, as well, that
2 February's Board meeting this year was the nadir for me.
3 To hear from law enforcement, from family who lost loved
4 ones -- I felt very strongly that this agency needed to
5 change its posture and its focus. You've done that.
6 You've responded.

7 We now are in a better place than we were 10
8 months ago. But we cannot stop being vigilant, and I know
9 we won't. So I appreciate the effort to get where we are
10 today.

11 It's a tremendous amount of back office
12 programming and integration of systems that is going to
13 make this effort work. And we just need to remain ever
14 vigilant because we owe it to the people of Texas.

15 And so I say job well done, good step. We are
16 at a moment of celebration, and we'll keep going. So --

17 MR. AVITIA: Absolutely.

18 MR. BACARISSE: -- thank you.

19 MR. AVITIA: Thank you, Chairman. Chairman,
20 with your permission, I'll keep going?

21 MR. BACARISSE: Please.

22 MR. AVITIA: All right. Chairman, Members,
23 Agenda Item 4F can be found on page 13 of your Board
24 books.

25 The V.G. Young School for Tax

1 Assessor-Collectors Conference offers a platform for
2 county tax assessor-collectors and their staff to expand
3 their knowledge with presentations and information from
4 leading agencies, topic experts, and vendors. Deputy
5 Directors Luna and Mellott attended the V.G. Young School
6 for Tax Assessor-Collectors November 29th through December
7 1st, along with various TxDMV staff from the Consumer
8 Relations Division, Enforcement Division, Government and
9 Strategic Communications Division, Information Technology
10 Services, as well, as VTR.

11 Staff participated in the webDEALER roundtable
12 discussions, provided training and collaboration
13 opportunities through the conference, and shared
14 information and answered questions during the roundtables,
15 as well as at the exhibition booth. The Enforcement
16 Division team also provided presentations on title fraud.

17 Deputy Director Luna provided updates on the
18 TxDMV overview during a conference general session. The
19 overview included items related to the upcoming
20 legislative session, personnel recognition, project
21 updates, and the introduction of our new VTR Director, Ms.
22 Annette Quintero.

23 By and large, the conference provided various
24 networking and collaboration discussion opportunities
25 between attendees and the TxDMV. Staff confidently built

1 on their ongoing partnership with our tax
2 assessor-collectors.

3 I am grateful for the opportunity to be able to
4 provide information, as well as being invited and being
5 able to participate with our tax assessor-collectors. I
6 am forever grateful for the partnership that we have our
7 tax assessor-collector partners.

8 MR. BACARISSE: If I may, I think Vice Chair
9 McRae, would you like to add something?

10 MS. McRAE: I would. I would just like to
11 personally thank you, Daniel, on behalf of the Tax
12 Assessor-Collectors' Association. Not only you, but all
13 of your staff. I think there were 28 or 29 members of the
14 Agency that were in attendance, and they were there
15 providing expert information. They were there to have
16 one-on-one conversations, as well as our roundtable
17 discussions to talk about and collaborate on issues that
18 we have in common and best practices.

19 And I just want to thank you for that. We
20 strongly appreciate the partnership we have with this
21 agency.

22 MR. AVITIA: Thank you.

23 MR. BACARISSE: Please continue. Thank you.

24 MR. AVITIA: Yes, sir. My final Agenda Item 4G
25 can be found on page 14 of your Board books.

1 At this time, Chairman, Members, I'd like to
2 recognize our employees who have reached State service
3 milestones. We celebrate these employees as a show of our
4 appreciation for the years of service and dedication to
5 the citizens of this great state.

6 The first individual with 20 years of State
7 service is Jeanna Gordon in the Enforcement Division. The
8 second individual with 25 years of State service is Ms.
9 Melissa Altman in the Vehicle Title and Registration
10 Division. Third, we have Ms. Delisa Dedeaux with the
11 Motor Vehicle Division, who was reached 23 years of State
12 service.

13 And finally, with 20 years of State service and
14 in attendance with us today is Mr. Steve Harper. Steve
15 Harper, I totally messed up your name. My apology, Steve.

16 It's not like I don't talk to you all the
17 time --

18 (General laughter.)

19 MR. AVITIA: -- in our Finance Administrative
20 Services Division.

21 Steve is employed with the Finance
22 Administrative Services Division as a Facilities Lead
23 Worker, and was hired August 17, 2020. Before joining
24 TxDMV, Steve worked for the University of Texas in 2002 as
25 an electrician, then moved up to crew leader, while then,

1 going on to become a master electrician in 2010. By 2013,
2 Steve went to work for the Department of Public Safety as
3 a maintenance supervisor.

4 Steve, I want to thank you for your amazing
5 customer service skills and the incredible work that you
6 do and that you have accomplished in over the last 20
7 years. Congratulations to you, sir.

8 (Applause.)

9 MR. AVITIA: Chairman, Members, if you would
10 join me at the front of the dais so we can take a picture
11 with Mr. Harper.

12 (Pause for photographs.)

13 MR. BACARISSE: Liz, do we have anybody that
14 had signed up to speak on any of the Executive Director
15 items in particular? Any public comment on those items on
16 the Agenda? No?

17 MS. FORE: Elizabeth Fore. We don't have any
18 commenters so far --

19 MR. BACARISSE: Okay. Great. Thanks. I
20 didn't want to pass that by.

21 We need to have the Human Resource Director's
22 report, as well, right?

23 MR. AVITIA: Correct. Yes, sir.

24 MR. BACARISSE: Okay. Great. So that's Item
25 Number 5 on our Agenda. And so, we'll call Cynthia

1 Mendoza up.

2 Good morning. How are you?

3 MS. MENDOZA: Good morning. Thank you for this
4 opportunity. Good morning, Mr. Chairman, Board Members,
5 and Executive Director Avitia. For the record, my name is
6 Cynthia Mendoza. I am the Human Resources Director for
7 the Texas Department of Motor Vehicles.

8 And this morning, I'm going to give a report on
9 the annual State Employee Charitable Campaign, the SECC.
10 The SECC ran from September 1 through October 31 of 2022.

11 And the SECC is an annual event in which State employees
12 have the opportunity to donate to over 1,000 different
13 charities to help fellow Texans, and participation is
14 voluntary.

15 The Agency fundraising activities included a
16 bake sale, a gift basket raffle, and a Halloween contest.

17 We raised \$3,506 from these activities. We donated the
18 funds equally to the following charities: to the St.
19 Jude's Children's Hospital, to the Lone Star Circle of
20 Care, and to the Assistance to Domestic Victims of Human
21 Trafficking.

22 Our Agency goal was set at \$2,500 and we
23 exceeded our goal, which also included additional
24 individual employee payroll deductions. And these were
25 contributions that totaled \$3,015, which made our grand

1 total of \$6,521. We are very proud of our voluntary
2 employee participation and exceeding our 2022 annual goal.

3 MR. BACARISSE: That's tremendous. Good job.

4 (Applause.)

5 MS. MENDOZA: As you all know, I'm new to the
6 Agency, and I will say that the generosity and the
7 participation of this Agency is incredible and amazing.
8 So I just wanted to share that, as well.

9 MR. BACARISSE: I am glad to hear that --

10 MS. MENDOZA: Yes, sir.

11 MR. BACARISSE: -- as someone who's in the
12 philanthropy profession full-time. That's my day job
13 normally.

14 MS. MENDOZA: Right.

15 MR. BACARISSE: I am really thankful for
16 generous people who have a heart for others.

17 MS. MENDOZA: And everyone came together to
18 just participate and bake goods and put gift baskets
19 together. And then, those who were excited about
20 Halloween got to dress up and do that as well. So --

21 MR. BACARISSE: There you go.

22 MS. MENDOZA: All right. Any questions?

23 MR. BACARISSE: Any questions, Members?

24 MS. McRAE: Great job.

25 MS. MENDOZA: Thank you.

1 MR. BACARISSE: Thank you.

2 MS. MENDOZA: Thank you so much.

3 MR. BACARISSE: We'll now move on to Item
4 Number 7 in the Agenda, which is rule adoptions. We're
5 going to pick up -- is that right? I'm on the right spot?

6 FEMALE VOICE: Yes.

7 MR. BACARISSE: Well, it's Item Number 6,
8 actually. Sorry.

9 So we'll ask Jimmy Archer to come forward,
10 please, and walk us through some amendments. Good
11 morning.

12 MR. ARCHER: Good morning, Chair Bacarisse,
13 Members of the Board, Executive Director Avitia. For the
14 record, my name is Jimmy Archer, and I'm the Director of
15 the Motor Carrier Division. This is Item Number 6 on
16 today's Agenda, and the materials are found beginning on
17 page 16 of your Board book.

18 For the Board's consideration, I'm presenting
19 these rule amendments to 43 Texas Administrative Code,
20 Chapter 217, for adoption and approval for publication in
21 *Texas Register*. These rule amendments were proposed and
22 approved for publication and comment at the August 11th
23 Board meeting.

24 The adoption of these rule amendments is
25 necessary to implement Senate Bill 1064 of the last

1 legislative session concerning the extended registration
2 of exempt county fleet, and to update the current
3 commercial fleet and exempt registration rules to reflect
4 current practices.

5 In the last session, Senate Bill 1064 was
6 passed allowing exempt county fleet to be considered
7 registered for an extended period of not less than one
8 year, no more than eight years. And exempt county fleet,
9 by definition, means two or more non-apportioned motor
10 vehicles, semi-trailers, or trailers that are owned by and
11 used exclusively in the service of a county with a
12 population of 3.3 million or more.

13 Proposed Section 217.55 and 217.184 address
14 exempt county fleets to ensure rules provide the policies
15 and procedures to implement the new program. One comment
16 was received on the rule package from Lubbock Tax Assessor
17 Collector Rodney Keister.

18 Stefan Krisch of Vehicle Title and
19 Registrations spoke to Mr. Keister regarding his comments
20 over Senate 1064 rule package. After Mr. Krisch explained
21 that the two rules were exclusive of one another, Mr.
22 Keister completely understood and had no further concerns,
23 and there were no changes to the rules as proposed as a
24 result of the comments.

25 The Department has determined that in the first

1 five years this program will be in effect, there will be
2 one-time cost of \$250,000 for programming the Department's
3 automated systems. And the amount was appropriated to the
4 Department for this programming.

5 There will be no significant fiscal impact to
6 the state or local governments as a result of the
7 enforcement or to administration of the program, and there
8 will be no additional costs to the Department. And the
9 proposed amendments will have no impact to revenue
10 collections.

11 I ask that the Board approve these rule
12 amendments for adoption and publication, and happy to
13 answer any questions you might have.

14 MR. BACARISSE: Thank you, Mr. Archer.

15 Members, do you have any questions for Mr.
16 Archer on this item?

17 (No response.)

18 MR. BACARISSE: I want to ask Elizabeth if we
19 have any public comment on this item.

20 MR. FORE: Chairman, would you like to ask for
21 a motion?

22 MR. BACARISSE: Do I do that first? Okay.
23 Sure.

24 If Members have no questions, I would entertain
25 a motion on Agenda Item 6.

1 MR. PREWITT: Chairman, I'd like to make a
2 motion, please.

3 MR. BACARISSE: Member Prewitt?

4 MR. PREWITT: I move that the Board approve the
5 adoption of amendments to Sections 217.54, 217.55, and
6 217.184 concerning the extended registration of certain
7 county fleet vehicles as recommended by staff.

8 I also move that the Board grant the Department
9 the authority to make technical corrections and revisions,
10 approved with the Department's general counsel, that are
11 necessary for compliance with state or federal law or for
12 acceptance by the Secretary of State for filing and
13 publication in the *Texas Register*.

14 MR. BACARISSE: Is there a second for this
15 motion?

16 MS. OMUMU: I'll second, Mr. Chairman.

17 MR. BACARISSE: Member Omumu, thank you.

18 Now, Liz, do we have any public commenters on
19 this item?

20 MS. FORE: Elizabeth Fore. There are no
21 comments on this item.

22 MR. BACARISSE: Thank you. Any further
23 discussion?

24 (No response.)

25 MR. BACARISSE: If not, I would entertain a

1 vote, please. So I'll call the roll.

2 Member Alvarado?

3 MR. ALVARADO: Aye.

4 MR. BACARISSE: Member Gillman?

5 MS. GILLMAN: Aye.

6 MR. BACARISSE: Member Graham is not here.

7 Member McRae?

8 MS. McRAE: Aye.

9 MR. BACARISSE: Member Omumu?

10 MS. OMUMU: Aye.

11 MR. BACARISSE: Member Prewitt?

12 MR. PREWITT: Aye.

13 MR. BACARISSE: Member Ramirez?

14 MR. RAMIREZ: Aye.

15 MR. BACARISSE: Member Scott?

16 MR. SCOTT: Aye.

17 MR. BACARISSE: And I, Charles Bacarisse, vote
18 aye, as well. So that is eight votes for the Agenda item.

19 All right. Thank you. Thank you, Mr. Archer.

20 MR. ARCHER: Thank you.

21 MR. BACARISSE: Agenda Item 7 is -- we'll have
22 Monique come up. Good morning.

23 MS. JOHNSTON: Good morning.

24 MR. BACARISSE: Monique Johnston's coming up to
25 walk us through Agenda Item 7, Chapter 215, Motor Vehicle

1 Distribution. Good morning.

2 MS. JOHNSTON: Good morning. Chair, Members,
3 Director Avitia, good morning. I am Monique Johnston,
4 Director of the Motor Vehicle Division.

5 At the February 10, 2022, Board meeting, the
6 Board authorized the Department to propose pre-licensing
7 rule amendments and to bring the rule proposal back to the
8 Board for adoption. As directed, the Department published
9 pre-licensing rule amendments in the October 28, 2022,
10 issue of the *Texas Register* for public comment. And
11 today, we are seeking the Board's approval to adopt the
12 proposed amendments.

13 The rule package is listed on your Agenda as
14 Item Number 7, and the details may be found in the Board
15 book in your supplemental materials. The proposal
16 modifies two existing sections: 215.133, which
17 establishes general dealer distinguishing number licensing
18 requirements; and 215.140, which establishes premise
19 requirements for a dealer to have an established and
20 permanent place of business as required by Transportation
21 Code 503.032.

22 In proposing these rule modifications, the
23 Department has five major goals: to deter and prevent
24 fraud in the application process; to set minimum business
25 premise standards that will deter fraud and protect public

1 health, safety, privacy, and other public welfare
2 interests; to conform these rules with legislative
3 changes; to clarify existing rule provisions affecting all
4 GDN applications and dealers; and to update the ruling,
5 which is consistent with the Department's current
6 electronic application processing requirements.

7 In proposing changes to the business premise
8 minimum standards, the Department carefully considered the
9 impact on bona fide dealers. While application processing
10 times have increased over the past several months, the
11 Department does not believe any of the proposed changes
12 will have further impact on the processing times.

13 The increased processing times have been
14 directly related to staff shortages and repurposing some
15 vacant positions in order to create MVD's background and
16 fraud section, and to successfully implement
17 fingerprinting by September 1st. Six new licensing
18 specialists have been hired. And as of 12/14, MVD's
19 licensing section will be fully staffed, and we are very,
20 very, very excited. As these specialists advance in their
21 training, we will begin to see quicker processing times
22 again.

23 In proposing these amendments, the Department
24 prioritized the public benefits associated with reducing
25 fraud and related crime and improving public health and

1 safety, while carefully considering potential costs to GDN
2 dealers, consistence with the Board and Department
3 responsibilities, and Occupations Code 2301, Subchapter D.

4 The Motor Vehicle Industry Regulatory Advisory
5 Committee, otherwise known as MVIRAC, discussed
6 pre-licensing requirements during two meetings on December
7 16, 2021, and March 9, 2022. During these meetings,
8 members were presented with several of the suggested
9 amendments you find in the rule package before you.

10 MVIRAC recommended that the Department require
11 a site visit to all new independent dealer locations prior
12 to the Department's licensing staff issuing a GDN. The
13 committee also recommended the Department identify the
14 cost impact and timeline required to implement this
15 requirement.

16 In addition to input from MVIRAC, these
17 proposals include input from a broad range of Department
18 staff and law enforcement and best practice
19 recommendations published by American Association of Motor
20 Vehicle Administrators.

21 The Department received three comments -- one
22 individual comment and two from industry groups, the Texas
23 Dealers' Association -- or TADA -- and the Texas
24 Independent Automobile Dealers' Association, TIADA. In
25 response to these comments, the Department added

1 clarifying text to the proposed rules.

2 In 215.133, the phrase, "if applicable" was
3 added to indicate that listing a website in the GDN dealer
4 application is not required if the dealer does not have a
5 website. In 215.140, language was added to clarify that a
6 dealer may also be open by appointment if the dealer is
7 open during the posted business hours that meet minimum
8 requirements. More details were also added about dealer
9 display area requirements when a location is shared with
10 other dealers or businesses.

11 In addition to the text changes based on
12 comments, the Department deleted the requirement for a GDN
13 dealer to provide the physical address of an off-site
14 storage lot from this proposal.

15 The Department will seek additional input from
16 our stakeholders prior to moving forward with this
17 proposed change. This will allow more time for input and
18 sufficient time for our ITSD team to make the necessary
19 system enhancements, if we were to implement that change.

20 I would also like to mention that one comment
21 concerned a licensing system enhancement, and that request
22 has been submitted for implementation in a future
23 e-licensing system update, as well.

24 This rule proposal package was published for
25 comment in the October 28, 2022, issue of the *Texas*

1 Register. The comment period closed on November 28, 2022.

2 As I mentioned earlier, the Department received
3 three comments -- written comments from two industry
4 groups and one individual. All comments received were
5 considered and addressed, and the preamble and rule text
6 was clarified and modified as discussed earlier in
7 response to some of the comments.

8 If the Board adopts the rules during its
9 December 8, 2022, open meeting, staff anticipates the
10 rules will be published in the December 23, 2022 issue of
11 the *Texas Register*. And the rules will be effective on
12 January 1, 2023, except for the wholesale dealer sign
13 requirement, which will be effective on September 1, 2023,
14 which will allow them time to comply with that
15 requirement.

16 We request your approval to adopt this rule
17 package. Members, this concludes my remarks, and I am
18 happy to answer any questions the Board has. Thank you.

19 MR. BACARISSE: Thank you, Monique. Members,
20 any questions? Member Gillman?

21 MS. GILLMAN: Yes, thank you, Monique, for that
22 report. Sadly, I don't have the supplemental. So I was
23 listening. I mean, so, I have a few questions because I
24 just didn't print it.

25 MS. JOHNSTON: Okay.

1 MS. GILLMAN: So number one -- thank you for
2 the collaboration with the industry -- that's okay. Oh,
3 you've got it.

4 Thank you for the collaboration with industry
5 partners, such as the Texas Auto Dealers and the
6 Independent Auto Dealer Association. Do you feel like
7 your all's collaboration -- everyone is happy with the
8 final result? Is there still further concerns?

9 MS. JOHNSTON: I can't speak for the other
10 parties. We had several discussions. The drafts were
11 provided to both TIADA and TADA two weeks prior to them
12 being published for public comment so they would have
13 additional time to review.

14 And we did have phone calls and addressed
15 concerns during that time. I cannot speak whether they --
16 what their standing is at this time.

17 MR. BACARISSE: May I interrupt just a moment
18 to see are there any people that have signed up to comment
19 on this particular item, Liz? Maybe that could eliminate
20 something for us.

21 MR. FORE: Chairman Bacarisse, Elizabeth Fore.
22 We have one commenter on this item, Corporal Mike
23 Bradburn. And that's the only commenter.

24 MR. BACARISSE: Okay. Should we wait? Or can
25 we have him come -- do you want to hear from him, Member

1 Gillman? Or do you have questions?

2 MS. GILLMAN: Sure. I --

3 MR. BACARISSE: Further questions?

4 MS. GILLMAN: Of course I want to hear from
5 him.

6 MR. BACARISSE: Sure.

7 MS. GILLMAN: But I'll keep going --

8 MR. BACARISSE: If you have further questions,
9 go ahead.

10 MS. GILLMAN: And then, because I'm hearing it
11 for the first time, repeat again what you said about the
12 wholesale -- it was at the very end --

13 MS. JOHNSTON: Correct.

14 MS. GILLMAN: -- it won't be implemented until
15 2023 to give --

16 MS. JOHNSTON: The wholesale dealers time to
17 comply with the new sign requirements for wholesale
18 dealers.

19 MS. GILLMAN: Tell me, what is the new sign
20 requirement?

21 MS. JOHNSTON: So the sign requirements --
22 previously, they were not required to have a permanent
23 sign. They had to have business hours.

24 And so, now, the sign requirements in regards
25 to size and lettering also are going to apply to wholesale

1 dealers. And that previously was not required. So that's
2 going to be implemented. We're giving them time to be
3 able to purchase those signs.

4 MS. GILLMAN: That is all I have for right now.

5 MR. BACARISSE: Members, any other questions on
6 this item?

7 (No response.)

8 MR. BACARISSE: Hearing none, I would entertain
9 a motion on this item.

10 MR. RAMIREZ: Mr. Chairman, I move.

11 MR. BACARISSE: Member Ramirez?

12 MR. RAMIREZ: I move that the Board approve the
13 adoption of amendments to Sections 215.133, 215.140
14 concerning licensing requirements for applicants for
15 holders of a dealer's general distinguishing number under
16 Transportation Code, Chapter 503, as recommended by staff.

17 I also move that the Board grant the Department
18 the authority to make technical corrections and revisions
19 approved by the Department's general counsel that are
20 necessary for compliance with state or federal law or for
21 acceptance by the Secretary of State for filing and
22 publication in the *Texas Register*.

23 MR. BACARISSE: Is there a second to that
24 motion?

25 MS. McRAE: I'll second the motion, Chairman.

1 MR. BACARISSE: Okay, Vice Chair McRae.

2 Now, if we could entertain our public comment.

3 Would that be right?

4 MS. FORE: Elizabeth Fore. Again, we have one
5 public commenter on this item, Corporal Mike Bradburn.

6 MR. BACARISSE: Good morning, Mr. Bradburn.

7 CPL BRADBURN: Good morning, Mr. Chairman --

8 MR. BACARISSE: Good to see you. Thank you.

9 CPL BRADBURN: Members of the Board.

10 Congratulations on your election, as well.

11 I tried to say something on Number 4, but my
12 e-mail got lost. Do you mind if I comment real quick on
13 that, as well?

14 MR. BACARISSE: Well, can we -- do you want to
15 7 now? And then, we can revert back. Is that all right?

16 MS. FORE: That would be my suggestion --

17 MR. BACARISSE: Yeah, okay.

18 MS. FORE: -- if that's acceptable to you --

19 MR. BACARISSE: Sir, then, go ahead --

20 MS. FORE: -- Chairman Bacarisse.

21 MR. BACARISSE: Yeah.

22 MS. FORE: So if we can take up Item Number 7
23 now.

24 MR. BACARISSE: Right.

25 MS. FORE: And then, hold on comments for 4

1 during the public comment section.

2 CPL BRADBURN: That's fine.

3 MR. BACARISSE: Is that okay? Okay.

4 CPL BRADBURN: I'm here representing Travis
5 County Precinct 3, the Clean Air Task Force.

6 Our offices reviewed the changes. I,
7 personally -- I agree with every change that you're doing
8 right now. I wanted to comment on three that I think are
9 very important.

10 I'm not going to give you the subsections
11 because they didn't put them out. But we're a strong
12 proponent of the fingerprint requirement. In addition to
13 requiring fingerprints, I had seen a comment where
14 somebody didn't want to self disclose on the application,
15 as well. I would disagree with that.

16 Part of self disclosure and doing a fingerprint
17 is a checks and balance. You really need to leave it the
18 way it is. One thing in Texas and abroad, criminal
19 history records sometimes are not up to date. So you
20 might actually have somebody disclosure a weed violation,
21 and I've seen DMV time and time again give a license
22 versus lying about it.

23 Our office supports site visits for any
24 application. I realize you don't have the staff to go
25 every time. But any increased scrutiny, as I read, is

1 welcome by the law enforcement community.

2 And lastly, we have seen multiple incidents
3 where criminals have infiltrated the system by obtaining a
4 GDN, fake out-of-state IDs, identity theft, out-of-state,
5 out-of-state, out-of state. The residency requirement
6 that you're implementing -- the three amendments, we
7 strongly support.

8 The continued steps by these amendments you're
9 doing are supported by law enforcement, and I'm available
10 for any questions.

11 MR. BACARISSE: Thank you, sir.

12 Members, any questions on this discussion?

13 (No response.)

14 MR. BACARISSE: Hearing none, thank you. I
15 appreciate it. And don't go away because we'll come to
16 you.

17 I want to add my thoughts on this, too. And
18 this is a year or so ago, I asked us to move to -- we've
19 got to keep a balance between being a good, pro-business
20 state -- which Texas is -- and low barriers to entry to
21 professions. However, I think we have moved to a
22 stronger, you know, customer posture here. And I
23 appreciate the work of the staff and the Agency in that
24 regard.

25 So Ms. Fore, I see you looking at me. Are we

1 good? Okay. All right. Good.

2 I want to make sure I don't get in trouble from
3 the GC. Okay. Good.

4 So we have a motion and a second. And then I
5 would call the vote, if there's any further discussion,
6 Members? Any further discussion?

7 (No response.)

8 MR. BACARISSE: If not, I would certainly call
9 the vote on this item, please.

10 Member Alvarado?

11 MR. ALVARADO: Aye.

12 MR. BACARISSE: Member Gillman?

13 MS. GILLMAN: Aye.

14 MR. BACARISSE: Member Graham is absent
15 currently. Vice Chair McRae?

16 MS. McRAE: Aye.

17 MR. BACARISSE: Member Omumu?

18 MS. OMUMU: Aye.

19 MR. BACARISSE: Member Prewitt?

20 MR. PREWITT: Aye.

21 MR. BACARISSE: Member Ramirez?

22 MR. RAMIREZ: Aye.

23 MR. BACARISSE: Member Scott?

24 MR. SCOTT: Aye.

25 MR. BACARISSE: And I, Chairman Bacarisse, vote

1 aye, as well. There are eight votes for the item. Very
2 good. All right.

3 So now we'll move to Agenda Item Number 8. Oh,
4 yes, Member Scott?

5 MR. SCOTT: Thank you, Mr. Chairman. Before we
6 move to Number 8, I'd like a follow-up question just for
7 Monique.

8 MR. BACARISSE: Sure. Come on back, Monique.

9 MR. SCOTT: And in your presentation, you
10 talked about the time it takes for license issuing. Could
11 you update us on that? Where we were, where we are, and
12 so forth?

13 MS. JOHNSTON: Yes, sir. I sure can. I'm
14 Monique Johnston for the record, Director of the Motor
15 Vehicle Division.

16 Currently, for our September key performance
17 indicators, the average processing time for a new
18 franchise application was 35 days. And please remember
19 these are average of the applications that were completed
20 in September.

21 The average processing time for franchise
22 renewal and amendment applications was 10 days. The
23 average processing time for a new GDN and GDN amendment
24 applications was 29 days. And the average processing time
25 for GDN renewals was eight days.

1 Looking back at September 2021 of the same
2 year, the average processing time for franchise
3 applications was 37, franchise renewals was seven, GDN new
4 applications was 16, and GDN renewals was five. So it has
5 increased over the time, and these increases can be
6 directly related to staff shortages.

7 In early April of 2022, we were down three
8 licensing specialists, and that's when we started
9 experiencing longer processing times, and the longer time
10 it takes to sign applications out to specialists. And
11 then we were down five to six specialists all through the
12 summer of 2022. And, of course, those processing times
13 have increased.

14 We are now fully staffed, so we do anticipate
15 that these processing times will start to go down as we
16 get the new specialists trained.

17 MR. SCOTT: Could you tell me again the average
18 processing time for a GDN is what?

19 MS. JOHNSTON: For September of 2022, the
20 average processing time for a new GDN was 29 days.

21 MR. SCOTT: And it was --

22 MS. JOHNSTON: It was 17 in September of 2021.

23 MR. SCOTT: So do we have a goal? Or do we
24 have a standard that we're trying to get to?

25 MS. JOHNSTON: With the new enhancements, there

1 is going to be more increased scrutiny on the application.

2 So we're looking at quality, of course, over quantity.

3 We are requesting additional FTEs with our LAR request.

4 I don't think that, you know, it's reasonable
5 that an application or a license is going to be issued in
6 two days once they apply. But I do feel we'll get back to
7 some sort of a middle ground of where we were previously.

8 MR. SCOTT: Okay. And how are we doing on like
9 renewals for GDNs?

10 MS. JOHNSTON: GDN renewals, they were at eight
11 days in September of 2021, an average.

12 MR. SCOTT: Okay. And currently, it's --

13 MS. JOHNSTON: That was for September of 2022.

14 I'm sorry. September 2021, I believe, was -- let's
15 see -- was five days.

16 MR. SCOTT: Okay. And we have a process in
17 place for if someone is doing a renewal and runs into some
18 difficulty -- we have a process to elevate that?

19 MS. JOHNSTON: Absolutely, yes. Our staff is
20 always willing to help expedite in unique situations. If
21 someone -- you know, there's been technical errors, they
22 can't get the renewal in.

23 If they have a situation where they need to be
24 renewed right away, we respond to inquiries from
25 associations, from dealers, from Board Members, from our

1 executive team if we need to expedite an application. And
2 staff is always willing to do that.

3 MR. SCOTT: Have we had any difficulty because
4 of the fingerprinting? Are people reluctant to get it?
5 Or don't understand the process --

6 MS. JOHNSTON: No, everybody seems
7 to understand the process. We sent out a little over
8 3,500 -- we sent out requests to over 3,500 individuals.
9 We've received results already for about 89 percent of
10 that.

11 MR. SCOTT: Okay.

12 MS. JOHNSTON: And there are a few that had
13 been withdrawn because they have not responded and we
14 haven't heard anything from them. So we're just assuming
15 they decided that maybe they don't want to get
16 fingerprinted --

17 MR. SCOTT: Yeah.

18 MS. JOHNSTON: -- and they don't want to get a
19 dealer license. But it's been a small amount that have
20 actually been withdrawn so far. Most of the dealers, when
21 they get fingerprinted, we get the results within a couple
22 of days.

23 MR. SCOTT: Okay. Thank you very much.

24 MS. JOHNSTON: You're welcome. Thank you.

25 MS. BACARISSE: Hold on, Monique.

1 MS. JOHNSTON: Yes?

2 MS. BACARISSE: I think Mr. Avitia has a
3 question.

4 MR. AVITIA: Not necessarily a question,
5 Chairman. For the record, Daniel Avitia, Executive
6 Director.

7 Member Scott, I appreciate your question very
8 much. And I want to assure both TADA and TIADA that we
9 will do our level best in the Licensing Division to
10 process these applications as quickly as Monique said,
11 with quality in mind. If any dealer runs into situations
12 or challenges with our system, with fingerprinting, with
13 any component of the licensing schema requirement, please
14 know that Monique will provide her direct cell phone
15 number -- and I'm going to try to get it on the record.

16 I'm just kidding, Monique.

17 MS. JOHNSTON: Would you like me to just say it
18 right now? I'm just kidding.

19 MR. AVITIA: No. Please know that any dealer
20 can reach out to Monique directly, myself directly. And
21 we'd be happy to help and work with any dealer that needs
22 support from either Monique or myself.

23 MR. BACARISSE: Thank you. Members? Member
24 Scott?

25 MR. SCOTT: Thank you, Daniel. I appreciate

1 that --

2 MR. AVITIA: Yes, sir.

3 MS. McRAE: Thank you, Daniel.

4 MR. AVITIA: Very much. Thank you.

5 MR. BACARISSE: Thank you again, Monique.

6 MS. JOHNSTON: Thank you.

7 MR. BACARISSE: Thank you. All right. So we
8 can move to Item Number 8, which is rule proposals in
9 Chapter 206, and I'd like to call David Richards up.

10 MS. FORE: Chairman Bacarisse?

11 MR. BACARISSE: Pardon me.

12 MS. FORE: I apologize for the interruption. I
13 wonder if, Chairman, you would consider moving Item 8 to
14 the end of the Agenda today?

15 MR. BACARISSE: Sure. Right. I think Member
16 Graham had something to say about it or have his comments.
17 So we'll hold that. We'll hold Item Number 8.

18 And we'll move to Item Number 9 on the Agenda,
19 which is briefing and action items, especially plate
20 designs. Patricia Ueckert is coming up. So good morning.

21 MS. UECKERT: Yes, good morning. Good morning,
22 Chairman Bacarisse, Members, Executive Director Avitia.
23 My name is Patricia Ueckert, and I'm the Director of the
24 Operations Section in the Vehicle Titles and Registration
25 Division.

1 This is Agenda Item 9, which can be found on
2 page 46 of your board book. The action item before you is
3 a request for Board approval or denial of a specialty
4 plate design in accordance with the Board's statutory
5 authority.

6 The following proposed plate design is from
7 MyPlates, the State's specialty license plates marketing
8 vendor, and was posted for public comment in November of
9 2022. Austin FC, a new plate design, is proposed under
10 Transportation Code, Section 504.851. 1,552 people liked
11 this design and 350 did not.

12 This concludes my presentation on this action
13 item, and I'm available to take any questions.

14 MR. BACARISSE: Members, any questions for Ms.
15 Ueckert?

16 (No response.)

17 MR. BACARISSE: Thank you. Are there any
18 public comments on this list?

19 MS. FORE: Elizabeth Fore. There are no
20 commenters on this item.

21 MR. BACARISSE: All right. Good. Thank you.
22 Please continue.

23 MS. UECKERT: That's all we have.

24 MR. BACARISSE: That was it? Oh, wow. Only
25 one plate?

1 MS. UECKERT: Yep.

2 MR. BACARISSE: Amazing. All right. Great.

3 MS. UECKERT: Short and sweet this time.

4 MR. BACARISSE: Unbelievable. Great. All
5 right. We'll move to Item Number 10, Finance and Audit.

6 Oh, we need to vote on that? We do, don't we?

7 Should we vote on this plate? Okay, let's do that.

8 MS. UECKERT: If you'd like to purchase it at
9 some point in the future.

10 MR. BACARISSE: We should vote. Yes. Okay.

11 Good, good. All right.

12 In that case, I would like to now call the roll
13 for voting on this -- do we need a motion, actually, to
14 approve the plate? Man, I'm all out of sorts. It's
15 Christmas. I'm just not here.

16 So I would entertain a motion on Agenda Item
17 Number 9.

18 MS. McRAE: Chairman, I'd like to make a
19 motion.

20 MR. BACARISSE: Vice Chair McRae?

21 MS. McRAE: I move that the Board approve the
22 Austin FC specialty plate design as presented by staff.

23 MR. BACARISSE: Thank you. Is there a second?

24 MR. RAMIREZ: Second.

25 MR. BACARISSE: Member Ramirez, okay. Thank

1 you. I'm making notes, which would help me maybe stay on
2 task.

3 I'll now call for the vote, if there's no other
4 comment to this item.

5 MS. FORE: Still no commenters.

6 MR. BACARISSE: Okay. Thank you. Board Member
7 Alvarado?

8 MR. ALVARADO: Aye.

9 MR. BACARISSE: Member Gillman?

10 MS. GILLMAN: Aye.

11 MR. BACARISSE: Member Graham is absent
12 currently. Vice Chair McRae?

13 MS. McRAE: Aye.

14 MR. BACARISSE: Member Omumu?

15 MS. OMUMU: Aye.

16 MR. BACARISSE: Member Prewitt?

17 MR. PREWITT: Aye.

18 MR. BACARISSE: Member Ramirez?

19 MR. RAMIREZ: Aye.

20 MR. BACARISSE: Member Scott?

21 MR. SCOTT: Aye.

22 MR. BACARISSE: And I, Chairman Bacarisse, vote
23 aye, as well. Okay. So there's eight votes. Thank you.
24 Okay.

25 And now, we can move to Agenda Item Number 10,

1 which will be Jason Gonzalez and a report on our Finance
2 and Audit Division status update. Good morning, Jason.

3 MR. GONZALEZ: Good morning. Pardon me. Good
4 morning. Good morning, Chairman Bacarisse, Board Members,
5 Executive Director Avitia.

6 For the record, my name is Jason Gonzalez. I'm
7 the Principal Auditor for the Internal Audit Division, and
8 will be presenting Item 10 on Salem Chuah's behalf.

9 The purpose of this item is to provide you with
10 a status update on the Internal Audit Division's
11 activities in the areas of fraud, waste, and abuse
12 complaints, conducting internal engagements, and
13 coordinating external engagements.

14 Starting out with fraud, waste, and abuse
15 complaints. Page 51 of your Board materials shows a
16 summary of the 18 complaints we received from September 1
17 through November 15. Of the 18 complaints, 15 came to us
18 from the State Auditor's Office and three from external
19 parties.

20 We closed one complaint, as it did not pertain
21 to our department, and referred the other 16 internally.
22 We are currently reviewing information for one complaint,
23 which came to us from an external party.

24 We also analyzed the results of our fraud pulse
25 survey, which was administered in late October. The

1 survey was sent to 723 Department employees and included
2 14 questions to understand how we are doing in the areas
3 of ethics, reporting misconduct, accountability, and
4 culture. We had 375 employees respond, which is a high
5 participation of 52 percent.

6 The results are included on page 52 of the
7 Board materials. Overall, results are positive, with all
8 questions being answered favorably at 70 percent for agree
9 or strongly agree. We had very strong scores for
10 questions number one, which was staff knowing how to
11 report suspected unethical behavior and fraud; question
12 number two, staff understanding of how ethical guidance
13 applies to them; and question number six, staff not
14 feeling pressure to engage in unethical behavior.

15 Answers with lower percentages of strongly
16 agree or agree include question number five, staff feeling
17 confident that if unethical behavior or fraud were
18 reported, that appropriate action would be taken; question
19 number 10, management taking action when there is
20 inappropriate behavior; and question number 11, senior
21 leaders taking responsibility.

22 It's important to note that these questions
23 that are rated lower have the highest percentage of staff
24 that answered unsure. As such, we will be addressing
25 these topics and results in our shop talk, an all-staff

1 meeting in early January.

2 On page 53, there's a graphic showing the
3 status of all internal and external engagements. Starting
4 out with internal engagements, we have the fiscal year
5 2023 risk assessment for the second six months in planning
6 stage. We will be holding discussions with each division
7 to update our risk scores, which will, in turn, drive the
8 updated fiscal year 2023 internal audit plan for the
9 second six months.

10 There are four engagements that were issued in
11 late November. The first is the business continuity
12 audit. It's laid out on page 55. The objective was to
13 determine whether the Department designed and implemented
14 controls to ensure operational resilience in accordance
15 with State requirements and best practices.

16 Continuity planning allows an organization to
17 maintain operations during and after disruptive events.
18 And we found that the Department's continuity planning
19 processes are a level two, informal and reactive.

20 For example, the business process analysis and
21 business impact analysis was performed inconsistently with
22 each division providing different information. The
23 circular for the Federal Emergency Management Agency, or
24 FEMA, which is adopted by the State Office of Risk
25 Management states that these analyses should be approached

1 systematically.

2 Also, the continuity operations plan did not
3 have a multi-year strategic plan that provides for the
4 maintenance and review of the plan. For example, we did
5 not find regular testing, training, or exercises. We
6 acknowledge that a real-life event, such as COVID-19,
7 could serve as a substitute for conducting preparedness
8 exercises, but none have been performed since the summer
9 of 2020.

10 We also surveyed a sample of Department staff,
11 and found that the majority of staff are not familiar with
12 the plan or not aware that they have responsibilities
13 under the plan, and do not know how to learn more. We
14 issued two recommendations rated high priority for ITSD to
15 address.

16 Any questions on that?

17 (No response.)

18 MR. GONZALEZ: The second engagement is the
19 contract development audit, the executive summary included
20 on page 77 of the Board materials. The audit's objective
21 was to evaluate whether the Department's process is in
22 place to ensure that contracts are developed and reported
23 in accordance with applicable requirements, and whether
24 statements of work are well-defined.

25 We found the Department's contract development

1 processes are at a level three, established. The
2 purchasing function achieves its purpose in an organized
3 way, but may not be following established processes
4 consistently. We had three major results.

5 First, we found that the Department established
6 a procurement and procedures guide, but that it has not
7 been updated since 2020, even though there have been
8 substantive changes in the Comptroller of Public Accounts'
9 Procurement and Contract Management Guide, which is the
10 authoritative source for contracting. Also, the contract
11 templates that the Department uses did not contain five
12 out of 21 essential clauses that must be present for all
13 contract types.

14 Second, we tested a sample of contracts and
15 determined that the Department has well-defined statements
16 of work, but we should better document all contract files.
17 Going into a little more detail here, we compared 11
18 contracts that required a statement of work to best
19 practices across different federal and state entities, and
20 found that the Department's contracts included all nine
21 best practice sections included in the other entities.

22 However, as it relates to contract files, the
23 Department did not document the historically underutilized
24 business, or HUB, review. There are also four contracts
25 in which the contract files did not include completed

1 nepotism or conflicts of interest forms.

2 Finally, the Department performs a monthly
3 reconciliation to ensure that contracts exceeding \$50,000
4 are reported to the Legislative Budget Board. However,
5 without a centralized method to track all contracts, we
6 could not determine if all contracts that have a \$50,000
7 in a maximum value -- as opposed to current value -- are
8 being reported as required.

9 We issued eight recommendations for the Finance
10 and Administrative Services. Five were rated at a high
11 priority, and three were rated as low priority.

12 The third engagement is the webDEALER advisory,
13 which was completed by our contractor, Weaver. The
14 objective was to identify weaknesses in the webDEALER
15 system that may allow for opportunities to commit fraud.

16 We found opportunities for improvement in five
17 areas: application security, application enhancements,
18 change management, reporting and automation, and business
19 process. The Weaver team is here today -- they're over
20 there -- and will share more details in closed session.

21 The fourth engagement is the fiscal year 2022
22 quality assurance and improvement program, which is an
23 internal assessment of the Internal Audit Division and is
24 required by auditing standards. In the executive summary
25 on page 98, we issued six results.

1 Based on our self-review, we are in compliance
2 with all audit standards. We tracked 90 fraud, waste, and
3 abuse allegations in the last fiscal year. We implemented
4 the recommendation from our 2021 external peer review
5 assessment on documenting how we select samples in audits.

6 We maintained a level four in the capability maturity
7 model and met most of our key performance metrics.

8 Out of the six key performance metrics, we have
9 one involving implementation of recommendations in which
10 divisions implemented 13 out of 22 Internal Audit
11 recommendations. This is lower because Internal Audit
12 recommendation due dates will now remain static without
13 pushing due dates into the future. We are working with
14 divisions to get status updates every quarter on how they
15 have progressed in implementing our recommendations.

16 The second is our communication score in client
17 surveys at the end of engagements. We were at 75 percent,
18 which is 5 percent below our target. Our target rate's 80
19 percent. We had two engagements in fiscal year 2022 that
20 fed into this score: the access management advisory and
21 the dealer licensing process audit.

22 Moving on to external engagements, there are
23 two that continue to be in progress. We still have the
24 dual employment desk audit by the Comptroller of Public
25 Accounts, as well as the audit by the State Auditor's

1 Office on the Department's processing controls related to
2 the production and use of temporary vehicle tags.

3 There has been no change in audit objective,
4 scope, or timeline. The audit report is expected to be
5 released in March 2023, and additional information on
6 preliminary observations will be shared in closed session.

7 This concludes the Internal Audit Division
8 status update, and I'm happy to answer any questions.

9 MR. BACARISSE: Members, any questions for
10 Jason?

11 MR. PREWITT: Mr. Chairman?

12 MR. BACARISSE: Yeah.

13 MR. PREWITT: A question on the business
14 continuity audit.

15 MR. GONZALEZ: Yes, sir?

16 MR. PREWITT: If the staff implements the
17 recommendations that audit has given for that, does that
18 take us to a level three in terms of being more of an
19 established process for level two?

20 MR. GONZALEZ: Off the top of my head, I think
21 possibly, but I'd have to look at the actual to see how we
22 rated that process because sometimes we can have -- the
23 recommendation doesn't necessarily look at specific
24 processes, how they have improved. But it's something we
25 could evaluate to see if we would increase that.

1 MR. PREWITT: All right. Thank you.

2 MR. GONZALEZ: I can ask Salem or I can get
3 back to you on the specifics of that.

4 MR. PREWITT: Okay. Thank you, sir.

5 MR. GONZALEZ: Yes, sir.

6 MR. BACARISSE: Any other questions, Members?
7 Member Scott?

8 MR. SCOTT: On the fraud pulse survey
9 results --

10 MR. GONZALEZ: Yes, sir?

11 MR. SCOTT: -- just curious -- I see some --
12 you know, there's some variation in scores. Was there
13 anything identified on this particular section that needs
14 additional concern? Or --

15 MR. GONZALEZ: No, I think that's something
16 we'll discuss with management during our risk evaluation.
17 Those risks are considered when we go and speak directly
18 to division management. So they're on our profile to have
19 those specific conversations with senior management.

20 MR. SCOTT: Could you tell again who
21 participated in this particular survey?

22 MR. GONZALEZ: Yes, sir. We took a sample of
23 staff employees and distribute it from senior management
24 all the way to staff level management to get a broad range
25 of employees and their perspective on fraud, waste, and

1 abuse.

2 MR. SCOTT: Okay. I just -- I see on question
3 five, it was a lot of disagree, unsure. It says, "I feel
4 confident, if reported, unethical behavior or fraud,
5 appropriate action would be taken." We have a 72 percent
6 agree score there.

7 MR. GONZALEZ: Yeah, I mean, I think the thing
8 to consider there is unsure. I think when people don't
9 know how to manage that or answer that question, it does
10 impact it in a negative manner.

11 That's why we want to bring those questions up
12 during shop talk -- so, that's our public-facing -- that's
13 our employee meeting -- so that can be made aware so that
14 maybe next time we ask that survey question, that people
15 know to answer it.

16 MEMBER SCOTT: Okay. Again, was there anything
17 here that needed additional attention? Are we going to
18 spend some more time on -- like, question 11, "Senior
19 leaders in my organization take responsibility."

20 We have a 71 percent agree, 77 percent unsure.

21 I'm just wondering if there's a problem with the
22 question. Or --

23 MR. GONZALEZ: I mean, that's something we'll
24 definitely evaluate. And I think that's the reason we are
25 bringing up -- so we can start having those conversations.

1 I don't think any -- during our initial conversations and
2 our review, we didn't see any massive -- the red flags are
3 obviously presented to senior management.

4 But we didn't see them as red flags. We saw
5 them as opportunity to increase communication and
6 educational efforts.

7 MR. SCOTT: This is for the fall of 2022. The
8 survey was actually taken back in, like, mid summer or --

9 MR. GONZALEZ: Yes, sir. I believe we closed
10 that out in -- I don't know the specific date, but it
11 would have been fourth quarter or early first quarter that
12 we would have closed out that. Yes, sir.

13 MR. SCOTT: All right. Thank you very much.

14 MR. GONZALEZ: Yes, sir.

15 MR. BACARISSE: Members, I think that Executive
16 Director Avitia might be able to add some information
17 here.

18 MR. AVITIA: Indeed, Chairman. Thank you. For
19 the record, Daniel Avitia, Executive Director.

20 Member Scott, you have identified some
21 significant questions there where I, too, had concern
22 about the response rate. Keep in mind that this survey
23 was taken at a time when staff were angry, somewhat
24 frustrated because they saw us in the headlines, and they
25 felt that action wasn't being taken to address the issue

1 with temp tag and other related items. So they felt
2 unsure about how things were going to work.

3 If we take this survey again next year -- and I
4 think we do this annually, correct, Jason?

5 MR. GONZALEZ: That's correct.

6 MR. AVITIA: If we take this survey next year,
7 my hope is that these figures and these percentages would
8 only increase knowing and hearing from staff as we do.
9 And understanding that they now see that the Agency and
10 the Board has taken some pretty significant action over
11 the last couple of months to remedy what everybody felt
12 was just a black eye on the Agency.

13 MR. BACARISSE: Okay.

14 MR. SCOTT: Thank you, Daniel. I appreciate
15 that.

16 MR. AVITIA: Yes, sir.

17 MR. SCOTT: I would anticipate the same thing.

18 I think with all the changes that have been and the
19 action that's been taken over the spring and summer, I
20 would hope to see some improvement in these scores. And I
21 think you've identified an area that we can look for some
22 pretty radical improvement.

23 MR. AVITIA: Yes, sir.

24 MR. SCOTT: I hope so. Thank you very much.

25 MR. GONZALEZ: Yes, sir. Thank you.

1 MR. BACARISSE: Members, any other questions
2 for Mr. Gonzalez? Member Ramirez?

3 MR. RAMIREZ: Did we take the survey in '21?
4 And what was the benchmark? I recall seeing something
5 similar last year, and I was actually pleasantly surprised
6 by this one because I think it reflected better than the
7 2021 survey. So did we take one with the same benchmark
8 questions?

9 MR. GONZALEZ: They would have been similar
10 questions. I don't that they were the exact same
11 questions.

12 With some management change, we have had some
13 tweaking of our survey questions. And so, I'm not sure we
14 can do a one-to-one comparison, but we can probably look
15 at it as a whole to evaluate any significant differences.

16 MR. RAMIREZ: My memory's a bit fuzzy on it,
17 but I recall it being concerning to me back in '21. So --

18 MR. GONZALEZ: Yeah, I mean, it is part of our
19 annual activities. We do conduct a fraud pulse survey and
20 do that.

21 MR. RAMIREZ: And I agree with the 20 percent
22 unsure results. This is a time of drastic turnover, not
23 just the very top levels, but mid-levels also. So we
24 would expect it to be better next time. Thank you.

25 MR. GONZALEZ: Yes, sir. Thank you.

1 MR. BACARISSE: Members, any other questions?

2 (No response.)

3 MR. BACARISSE: Okay. Thank you.

4 I believe we want to go back to Agenda Item
5 Number 8 -- Liz, if we may do that -- just to move forward
6 on the Agenda. That had to do with the rule proposal,
7 Chapter 206.

8 I think Vice Chair McRae is happy to be able to
9 step in for Member Graham. I think Member Graham had some
10 questions on this. I'm not seeing him here, but we want
11 Mr. Richards to come forward now, if we may, and proceed
12 with Agenda Item Number 8.

13 Thank you, Mr. Richards.

14 MR. RICHARDS: Good morning --

15 MR. BACARISSE: Good morning.

16 MR. RICHARDS: -- Chairman Bacarisse, Members,
17 Executive Director Avitia. My name is David Richards for
18 the record, Associate General Counsel in the Office of
19 General Counsel.

20 The rule proposal that I'm bringing forward to
21 the Board today -- while it may seem as a light lift, it's
22 a very important lift in that it pertains to amendments
23 relating to our advisory committees that the Board's
24 created.

25 If you recall, the 86th legislative session and

1 Sunset recommendations 1.7 called on the Board to create
2 advisory committees. This particular proposal today
3 before you proposes amendments to 43 206.94 through
4 206.97.

5 The amendments are necessary to extend the
6 expiration dates for advisory committees, expand the scope
7 of the Consumer Protection Advisory Committee to include
8 the scope of practice or work that the -- well, the
9 Customer Service Advisory Committee handles -- as well as
10 rename this new committee the Customer Service and
11 Protection Advisory Committee.

12 In conjunction with this rule packages, the
13 repeal of the Customer Service Advisory Committee --
14 specifically, each of the advisory committees: the Motor
15 Vehicle Industry Regulation Advisory Committee, the Motor
16 Carrier Regulation Advisory Committee, the Vehicle Titles
17 and Regulation Advisory Committee, and the Consumer
18 Protection Advisory Committee. The proposal plans to
19 extend by four years their existence.

20 Currently, they're set to expire July 7, 2023.

21 So it will effectively -- if you agree to this
22 proposal -- continue the advisory committees until 2027,
23 same day -- July 7.

24 The proposal also will repeal the Customer
25 Service Advisory Committee. The specific work or

1 objectives of that committee have been completed, and new
2 Customer Service and Protection Advisory Committee will be
3 charged with picking up any of those issues that CSAC used
4 to handle and cover those, as well.

5 The Department's proposing that primarily to
6 combine the collective expertise and interests of both
7 committee into one committee. I feel that maximizes
8 efforts and results that we will have by one combined
9 committee.

10 This, as I said, is a rule proposal. It's an
11 action item. We're requesting that approval to post in
12 the *Texas Register* for a 30-day comment period.

13 Happy to entertain any questions, if you have
14 them.

15 MR. BACARISSE: Members, any questions for Mr.
16 Richards on this item?

17 (No response.)

18 MR. BACARISSE: Hearing none, I would entertain
19 a motion on Agenda Item 8.

20 MS. OMUMU: Mr. Chairman, I would like to make
21 a motion, please.

22 MR. BACARISSE: Member Omumu?

23 MS. OMUMU: I move that the Board approve the
24 proposed amendments to Sections 206.94 through 206.97 and
25 the repeal of Section 206.98 concerning advisory

1 committees as recommended by staff.

2 I also move that the Board grant the Department
3 the authority to make technical corrections and revisions
4 approved by the Department's general counsel that are
5 necessary for compliance with the state or federal law for
6 acceptance by the Secretary of State for filing and
7 publication in the *Texas Register*.

8 MR. BACARISSE: And is there a second to this
9 motion?

10 MS. McRAE: I'll second, Chairman.

11 MR. BACARISSE: Vice Chair McRae seconds. And
12 is there any further discussion on this motion now?

13 (No response.)

14 MR. BACARISSE: Liz, are there any public
15 comments on this motion?

16 MS. FORE: Elizabeth Fore. There are no
17 commenters on this Agenda item.

18 MR. BACARISSE: Thank you. Hearing no
19 comments, I would now like to move to a vote on Agenda
20 Item 8.

21 Member Alvarado?

22 MR. ALVARADO: Aye.

23 MR. BACARISSE: Member Gillman?

24 MS. GILLMAN: Aye.

25 MR. BACARISSE: Member Graham is absent at the

1 moment. Vice Chair McRae?

2 MS. McRAE: Aye.

3 MR. BACARISSE: Member Omumu?

4 MS. OMUMU: Aye.

5 MR. BACARISSE: Member Prewitt?

6 MR. PREWITT: Aye.

7 MR. BACARISSE: Member Ramirez?

8 MR. RAMIREZ: Aye.

9 MR. BACARISSE: Member Scott?

10 MR. SCOTT: Aye.

11 MR. BACARISSE: And I, Chair Bacarisse, am aye,
12 as well. That's eight votes for it. None opposed.

13 Thank you, Members. We will now return back to
14 Agenda Item Number 11, which is the Projects and
15 Operations Committee update.

16 Did you all have a good meeting yesterday?
17 Member Prewitt, who chairs that committee for us, thank
18 you. You had a lot of important items on your agenda. Do
19 you want to give us a rundown?

20 MR. PREWITT: Yes, thank you, Mr. Chairman.
21 Thank you, Chairman Bacarisse, Executive Director Avitia,
22 and Members.

23 Yesterday on 12/7/22 at 2:00 p.m., Vice Chair
24 McRae, Members Alvarado and Scott and I participated in
25 the Projects and Operations Committee meeting. And we

1 received briefings from the Department staff.

2 The first item briefing is the Camp Hubbard
3 Renewal Project update. You'll find that on page 108 of
4 your Board book. If somebody could assist with the slides
5 here, given my lack of technological experience on the
6 slides.

7 First slide is the renewal slide. Do we have
8 somebody? Yeah? Okay, we've got one working.

9 Chris Hayden, Department's Deputy Chief
10 Financial Officer and Ann Pierce, the Department Director
11 of Administrative Services provided an update on the
12 status of Camp Hubbard Renewal Project. Next slide,
13 please.

14 A notable highlight, the presentation included
15 that the new building design project initially kicked off
16 in early May of this year, and we are officially at mid
17 point in the Phase I design process. Next slide, please.

18 Numerous meetings and workshops have been held
19 with core team members, the Texas DMV, the Texas
20 Facilities Commission, and MarmonMok -- our architectural
21 firm -- as well as facilities, security, and information
22 technology experts, and staff from the across the
23 Department to solicit feedback and determine unique
24 division needs for future building. Next slide, please.

25 The current campus buildings are nearly 70

1 years in age, as many of you have witnessed if you've been
2 here for any period of time, and they have exceeded their
3 usefulness. The Camp Hubbard Building 1 was built in
4 1955, Camp Hubbard Building 2 was built in 1958 -- my date
5 of birth -- and Camp Hubbard Building 3 was built in 1963,
6 and Camp Hubbard Building 5 was built in 1955.

7 So these buildings were all getting up in
8 years. And because of the year they were built, they did
9 contain certain materials that are no longer accepted,
10 such as asbestos, lead paint, and the like. Next slide,
11 please.

12 The cost to provide required maintenance for
13 existing facilities to ensure those buildings are safe to
14 continue to inhabit, meet current code requirements, and
15 address the functional needs of the Department would
16 roughly cost \$180 million. Additionally, the lifetime
17 operating costs of these existing buildings would be
18 greater than that of a new building constructed to current
19 energy code requirements. The next slide, please.

20 MR. BACARISSE: Mr. Prewitt, may I interrupt
21 you just a moment, too?

22 MR. PREWITT: Yes.

23 MR. BACARISSE: For the record, let it be known
24 that Member Graham has joined the meeting. Thank you.

25 Member Graham, welcome.

1 MR. GRAHAM: Thank you.

2 MR. PREWITT: Welcome, Member Graham.

3 One of the guiding principles of the project --
4 the overall principle we have for the campus is creating
5 an environment that supports employees. One of the
6 guiding principles of the project is to ensure an
7 energy-efficient facility for the employees.

8 The project requirements regarding
9 sustainability include that the building renovations must
10 meet or exceed the State Energy Conservation Office, SECO,
11 regulations, which are intended to achieve many of the
12 efficiencies for which third-party certifications as
13 sustainable design are typically pursued, such as LEED
14 certification, which is Leadership through Energy and
15 Environmental Design. The next slide, please.

16 Through the design process, the project team
17 has taken significant steps to reduce the overall building
18 cost. And initial plans call for the demolition of all
19 existing buildings, construction of a five-story building
20 with a parking garage, and the same square footage to
21 accommodate all headquarter staff to be on site daily.

22 By furthering the developing Department needs
23 and applying cost-saving opportunities, design process now
24 recommends that we build a three-story building versus the
25 five-story building they initially envisioned. We

1 maintain and renovate existing Building 6, and reduce the
2 overall square footage that were deconstructed, assuming
3 70 percent of projected staff work on site, which will
4 result in a 27,000 square foot decrease in total campus
5 space.

6 In addition, a parking study was conducted that
7 determined enough flat surface parking could be developed
8 across the campus to no longer require a parking garage at
9 this time, which, in turn, results in savings by not
10 having to build a parking garage.

11 Are there any questions?

12 (No response.)

13 MR. PREWITT: Next slide, please. Given no
14 questions, let's move on to Agenda Item 11B, which is
15 technology projects.

16 Ms. Wendy Barron will give that presentation,
17 and she's been very busy, we understand.

18 MS. BARRON: Good morning, Chairman, Members of
19 the Board, Director Avitia. For the record, I'm Wendy
20 Barron, Chief Information Officer at the Texas Department
21 of Motor Vehicles.

22 Yesterday I had the opportunity to present a
23 briefing on the Department technology projects to the
24 Projects and Operations Committee. This is a briefing
25 item only, and no recommendations were made. My update

1 included a description and status update on 13 priority
2 projects and initiatives overseen by my division.

3 The projects and initiatives reviewed included
4 a grouping of registration and title system or RTS
5 projects that included the tax assessor-collector, or TAC,
6 T1 upgrade; the TAC workstation refresh; Texas by Texas;
7 the RTS batch cycle project -- which I'm happy to report
8 is complete; the Regional Service Center, or RSC, credit
9 card project; and our RTS performance stabilization
10 efforts.

11 I also reported on a grouping of webDEALER
12 projects that included the statewide webDEALER Adoption,
13 or SWA, Phase II; webSALVAGE; and information on the temp
14 tag redesign.

15 Motor Carrier projects that I presented about
16 included the Motor Carrier Credentialing System, or MCCS,
17 rewrite; the Texas International Registration Plan, or
18 TxIRP, upgrade; and then, another project, the Call Center
19 upgrade, Phase II.

20 I also briefed the Committee on our efforts
21 around project prioritization. I'll touch that this a new
22 effort to collectively report and assess all IT-related
23 initiatives, not just the major projects, so that we can
24 better prioritize and assign capacity of our available
25 resources.

1 This concludes my presentation, and I'm here to
2 answer any questions the Board may have.

3 MR. BACARISSE: Members, any questions for Ms.
4 Barron? Member Scott?

5 MR. SCOTT: Thank you, Ms. Barron. Could you
6 back up to the -- I don't even know what the RTS batch
7 cycle is.

8 MS. BARRON: Yes, sir. That is an effort that
9 we undertook to rewrite -- initially, it was going to be
10 33 priority batch processes.

11 So our older RTS system is a mainframe-based
12 system. Even though it's not on the mainframe anymore, it
13 acts like it is. And the data has to be processed or
14 batched to then be used for reporting and analysis.

15 And so, we had some processes, these batching
16 processes, that were taking 12 hours or more to complete.

17 And so, we worked on rewriting these processes. We got
18 some that were these 12-hour processes down to under an
19 hour.

20 I will say, too, that we started off with the
21 plan to rewrite 33, and we were able to rewrite 170. So
22 this was a very successful project. And the benefit is
23 that we can process reports much more quickly.

24 Sometimes there will be things that happen in
25 the data center that will interrupt a batch or something

1 like that. And it's not really a big deal anymore because
2 we can just flip that and still have the batch run
3 overnight and the reports are available in the morning.
4 Whereas, prior, the report may -- Tammy knows -- the
5 report may not be available until the afternoon or the
6 next day. So --

7 MR. SCOTT: So this is something that we run on
8 a regular basis?

9 MS. BARRON: Yes, sir.

10 MR. SCOTT: Okay.

11 MS. BARRON: These batches process daily.

12 MR. SCOTT: Okay. So when it took so long --
13 12 hours as an example -- did that interrupt or interfere
14 with our service to the tax assessors? Or what were the
15 consequences of those delays?

16 MS. BARRON: All right. So these batches would
17 run overnight, and they take a tremendous amount of
18 effort. And for example, if we were doing work -- like we
19 had a release or a hot fix, especially on a weeknight or
20 something like that, that would interrupt the batch.

21 And so, there would be 12 hours, enough time
22 from business close to business open, but if we had to do
23 anything overnight like a release or something, it would
24 delay the batch. And so, those reports wouldn't be
25 available first thing the next morning. It could be later

1 in the morning or in the afternoon, or possibly even the
2 next day, depending on how long the batch ran.

3 And so now these batches are running under an
4 hour -- sometimes, just a matter of minutes. So we do a
5 release. And then, we run the batches and it can all be
6 contained and ready for the tax assessors the next
7 morning.

8 MR. BACARISSE: I think Vice Chair McRae can
9 add to that discussion.

10 MS. McRAE: The delay on the back end of that
11 in the tax assessor's office -- the first thing we do each
12 morning when we come in is these reports. We're able to
13 pull these reports. And if they were not there, it would
14 delay us balancing.

15 And, of course, a lot of the tax
16 assessor-collectors' offices have armored
17 transportation -- such as my office -- that come in and
18 pick up our reconciled funds. But this would delay us in
19 being able to reconcile and being able to get those funds
20 to the bank. So this update has been crucial in giving us
21 the ability to be able to quickly take care of that
22 reconciliation and getting those funds to the bank.

23 MR. SCOTT: Okay.

24 MS. McRAE: So kudos to them.

25 MR. SCOTT: Yep, thank you. So this wasn't new

1 equipment? Or there's no financial -- it was just like
2 software rewrites? Or --

3 MS. BARRON: Yes, sir. It was just -- there
4 was code in the system that our developers analyzed,
5 looked at, and basically rewrote so that it was more
6 efficient and would take less time to run.

7 MR. SCOTT: All right. Is there more work
8 being done it to shorten it even more? Or were you
9 satisfied with where we are?

10 MS. BARRON: So we've kind of shifted to
11 operationalizing this. So as we have capacity, we're
12 working on the additional batches. There's about 800
13 batches in all. But the rest of them are lower priority,
14 less impact for the tax assessor-collectors.

15 And I'd also to add that in rewriting it, we
16 were moving over to newer code, too. So it was an older
17 MAC Senso [phonetic], which is a proprietary code
18 converter. And now we've rewritten into just straight
19 Java, and it's, like I said, much more efficient and runs
20 much more quickly.

21 MR. SCOTT: All right. Thank you very much. I
22 appreciate that.

23 MS. BARRON: You're welcome.

24 MR. BACARISSE: Member Prewitt, do you have a
25 question?

1 MR. PREWITT: Just kudos to Wendy, you and your
2 staff, and the collaborative nature with the tax assessors
3 community. It's just been refreshing to see. And thank
4 you all for your hard work.

5 MS. BARRON: Well, thank you.

6 MR. PREWITT: We all appreciate it.

7 MS. BARRON: Thank you. You're welcome.

8 MR. BACARISSE: Ms. Barron, I'm interested to
9 understand how much of that work that you all have done
10 would impact our migration to a new RTS. Will that work
11 carry forward? I know you have to do a whole bunch more,
12 but --

13 MS. BARRON: So that work definitely helps us
14 move forward into the modernization. You know, one of the
15 things that we're really focusing on right now is getting
16 RTS in the best shape it can be. And so, rewriting these
17 batches was one of those things. You know, getting things
18 where they run as quickly as possible.

19 In our stabilization efforts, another thing
20 that we've accomplished is we had some memory leaks. And
21 what that is is over time, in this old code, it would be
22 using processor --

23 MR. BACARISSE: Poor computer time --

24 MS. BARRON: -- speed. Yeah, it would more
25 computer time.

1 MR. BACARISSE: -- for the processing.

2 MS. BARRON: And so, over time, that was taking
3 up space. And Tammy can attest, RTS would start slowing
4 down.

5 And we were what we call bouncing the servers
6 twice a week and looking at going to three times a week.
7 And this was concerning. It was growing exponentially.
8 And eventually, we were going to run out of day, right?

9 And so, our team combed through thousands and
10 thousands of lines of code, found several places where
11 these memory leaks were occurring, fixed that. And now,
12 the only time we bounce the servers is when we're doing a
13 release. So we are not doing weekly server bounces,
14 certainly not twice a week. We only bounce the server
15 when we do a release, and that's to update the code.

16 So things like that, we are working very hard
17 to, like I said, get RTS in a really good position where
18 things are running the way they need to run so that as we
19 move into this modernization effort, we're in the best
20 position possible.

21 MR. BACARISSE: Vice Chair McRae? And then,
22 Member Ramirez, I'll come to you.

23 MS. McRAE: I just wanted to echo that, Wendy.
24 I mean, RTS is -- I'm aging myself now, but I was around
25 when RTS was implemented. And it was wonderful back in

1 the day.

2 But we have outgrown -- Texas has outgrown the
3 system. And we've done the best that we could do with the
4 system. And I have to say, since Wendy has been in this
5 position, she has been very receptive to all of the many
6 calls and e-mails and complaints -- because ultimately,
7 we're all trying to accomplish the same goal, which is to
8 service our constituents out in the communities.

9 And so when RTS goes down or slows down, it
10 impacts the tax assessor's office ability to be able to
11 service those customers in our lobby. So each month,
12 there is a meeting between the tax assessor collectors,
13 leadership, and members of DMV, and Wendy is on those.

14 And I just want to say how much we appreciate
15 your help, and you're constantly looking to improve the
16 system and have been receptive. So we do appreciate that.

17 MS. BARRON: You're welcome. Glad to do it.

18 MR. BACARISSE: Member Ramirez?

19 MR. RAMIREZ: I had a question. I know that
20 broadband access and connectivity has been a problem in
21 some of our rural areas. Is there anything we're doing as
22 DMV? Have we been requested to kind of help hold some of
23 these smaller counties' hands and help them kind of
24 improve their infrastructure so that there is no
25 significant down time?

1 I know it's a problem. I know it's reared its
2 head recently. I just didn't know if we were leveraging
3 our resources to help them.

4 MR. BACARISSE: And I would say I think it's
5 even a problem in some of our urban areas.

6 MS. BARRON: Oh, yeah. Absolutely.

7 MR. BACARISSE: Just the connectivity, right?

8 MS. BARRON: Absolutely. So we're working on
9 the TAC T1 refresh, and that project -- most of our county
10 offices are serviced by, again, very old technology -- T1
11 lines. And so, we're in Phase I of the project.

12 There are county offices that have services
13 provided directly by AT&T. And we are working to convert
14 those first to metro ethernet.

15 And then, the second wave of counties that
16 aren't 100 percent serviced by AT&T -- we're looking at
17 all solutions. I am having conversations with vendors
18 that provide different kinds of services, and there are a
19 lot of new and really innovative services out there.

20 There's cellular. There's line-of-sight
21 wireless. There's opportunities around satellite.

22 For those of you who have heard of Starlink,
23 that's satellite, but it's a different type of satellite.

24 It's showing some real promise for those rural
25 communities.

1 I'm also partnering with other CIOs at other
2 agencies -- Texas Parks and Wildlife also has challenges.
3 I mean, some of our state parks are in very, very remote
4 locations. And so, actually, the CIO at Parks and I
5 actually meet monthly to just talk about, Hey, what are
6 you doing? What problems have you seen? How are you
7 solving that problem?

8 And I'm working with other CIOs, as well, just
9 to find solutions. And the broadband issue for rural
10 communities is certainly a topic among the CIOs at the
11 State. Most every conference that I attend or participate
12 in does -- there's usually some conversation about
13 broadband.

14 So for DMV, I'm looking at solutions for our
15 tax assessor-collector customers. But I think as a state,
16 collectively, the IT leadership is trying to find
17 solutions overall, as well.

18 MR. RAMIREZ: Yeah, absolutely. I don't think
19 this is something that falls on your shoulders broadly.
20 But I do know that out of COVID came quite a lot of
21 resources from the federal level to help improve that type
22 of infrastructure.

23 So I'd hope that -- and I know Comptroller
24 Hegar's office is working an implementation plan. But I'd
25 hope that we get some sort of standardized guidance across

1 the state to help every agency do that.

2 MS. BARRON: Yes, yes.

3 MR. RAMIREZ: I know that we rely on it pretty
4 heavily. So --

5 MS. BARRON: Absolutely. And DIR is working to
6 try to be the leader of the agencies to help guide, as
7 well.

8 MR. BACARISSE: I think the work you're doing
9 in the reprogramming and recoding is so essential. You
10 know this. But I just want to say thank you.

11 As we prepare for RTS, you want to examine
12 every business process and you don't want to recode bad
13 process. So you're doing the heavy lift right now that
14 will prepare us for a better transition to RTS 2.0. So
15 thank you for that.

16 MS. BARRON: You're welcome.

17 MR. BACARISSE: It's something I think about.
18 And so, Member Scott?

19 MR. SCOTT: You said we're on Phase I?

20 MS. BARRON: Yes, sir.

21 MR. SCOTT: Okay. So what's the timeline for
22 Phase I?

23 MS. BARRON: We anticipate being completed with
24 all the counties by October of next year, 2023.

25 MR. SCOTT: Okay.

1 MS. BARRON: It's somewhat dependent on AT&T,
2 and they're the ones doing work. There are some locations
3 that do have construction needs, and AT&T will be
4 providing that construction.

5 And so, I suspect that we probably will be
6 finished sooner than October, but we wanted to set
7 expectations if there are -- because we have had
8 challenges in the past when you get into construction, and
9 there's a surprise, right? So we anticipate for sure
10 being done with first phase.

11 And we are starting to work on the second phase
12 now that we've got things going on this first group of
13 counties. We are looking at what solutions and what
14 opportunities for different technologies for that second
15 phase.

16 MR. SCOTT: Okay. So the folks in Phase I -- I
17 mean, is that where AT&T is already into the building?

18 MS. BARRON: Yeah. So kind of the way it works
19 is, you know, AT&T provides the line all the way to the
20 circuit. And then you have other areas where AT&T hands
21 off for what they call the last mile. And so, it may be
22 Frontier. Or, I mean, when you get some of the more rural
23 counties, it's even smaller providers.

24 And so AT&T gave us an offer to waive the
25 construction cost for any conversions where they own the

1 line all the way to the building. Because they hand it
2 off to another provider, they couldn't waive those
3 construction costs because it's the provider that's
4 actually going to be doing the construction work.

5 And so it was about half of the counties that
6 had this set up. And so we were able to waive the
7 construction costs on those county locations. Well, it's
8 all of the counties. Half of the locations, we are able
9 to waive the construction costs for those.

10 And it was something that we needed to get
11 rolling as quickly as possible. And so, we've got it
12 underway.

13 We actually have about 30 percent of those
14 sites are completed already. We've submitted the tickets
15 through the DIR process. It's a process.

16 And so, we have submitted tickets for all of
17 those sites, and AT&T is now processing those, scheduling
18 those out, doing site surveys to determine what
19 construction, if any, is needed. And we just will
20 continue to work that through to the end.

21 Meanwhile, we are starting the process of
22 looking for solutions for the other locations that don't
23 have full service by AT&T.

24 MR. SCOTT: So in those situations where AT&T
25 can't waive the fees because there's another provider --

1 MS. BARRON: Yes.

2 MR. SCOTT: So we've got -- we're to there.
3 And there's going to be -- now, who's responsible for
4 those fees? Is that DMV? Or is that the county?

5 MS. BARRON: So historically, we have paid the
6 construction cost. But knowing that we're moving to RTS
7 modernization, hopefully -- my intent is that this new
8 system will be a web-based system that will eliminate the
9 need for providing network services to the county, that
10 they can access this through the web.

11 We're trying to be good stewards of taxpayer
12 money, and not investing a significant amount of money in
13 construction costs for these lines that we know are going
14 to be phased out in a few years. So hence, the
15 conversations with the other vendors, and looking for
16 other solutions that may have a lower cost in initial set
17 up.

18 MR. SCOTT: Okay. Thank you. One other
19 question. What does bounce the server mean?

20 MS. BARRON: So you tell it to drop all the
21 memory connections, basically. You're not shutting it
22 down completely, but you're doing a reset so it drops all
23 the connections.

24 Because what happens -- you're releasing the
25 memory. What happens is, with those memory leaks, it's

1 tying -- it's doing a process. In the old way of coding,
2 you had to tell it to stop doing the process.

3 And so, there are places in the code where we
4 didn't tell it to stop, and it was just off running, even
5 though that process wasn't needed anymore. And that was
6 taking up the memory. And so, what bouncing the server
7 does is just drops all those connections and all those
8 processes and releases all that memory.

9 MR. SCOTT: Okay. Thank you.

10 MS. BARRON: You're welcome.

11 MR. BACARISSE: Member Graham?

12 MR. GRAHAM: Just a point of clarification --
13 did I understand you to say T1 was the older technology?

14 MS. BARRON: Oh, yes.

15 MR. GRAHAM: That tells you where I'm at,
16 doesn't it? I'm still trying to get T1 in some places.
17 Okay. I thought you said that.

18 Thank you. I just want to make sure I
19 understood you.

20 MS. BARRON: Not golf.

21 MR. GRAHAM: I'm trying to get it.

22 MR. BACARISSE: Yeah, right. Oh, my -- okay.
23 Any other questions for Ms. Barron? Member Prewitt?

24 MR. PREWITT: We still have some more. I
25 think --

1 MR. BACARISSE: Oh, yeah. I'm sorry. Yeah,
2 right. Keep going. Sorry.

3 MS. BARRON: Did you -- I'm sorry. I
4 apologize.

5 MR. PREWITT: Have you covered everything you
6 need to cover?

7 MS. BARRON: I did. I did. Was there anything
8 specific you would like me to expand upon? I'd be glad
9 to.

10 MR. PREWITT: No, you're good.

11 MR. BACARISSE: Okay.

12 MR. PREWITT: If we're done --

13 MS. BARRON: I did -- yes, I can, Daniel.

14 MR. PREWITT: Very good.

15 MR. BACARISSE: I think Executive Director
16 Avitia has something to add.

17 MR. AVITIA: Thank you, Chairman. For the
18 record, Daniel Avitia, Executive Director.

19 Ms. Barron, if you could talk a little bit more
20 about project prioritization. That's a pretty significant
21 undertaking for the Agency, and I think Members would
22 benefit from --

23 MS. BARRON: Yes.

24 MR. AVITIA: -- hearing the information.

25 MS. BARRON: Yes. So IT is working very

1 closely with our business partners on the executive team
2 with our executive leadership to establish governance and
3 prioritization -- or processes in the prioritization of
4 our projects and work efforts, anything that requires
5 information technology resources. And the intent of this
6 significant initiative is to identify and categorize all
7 of the work efforts that we have related to technology, to
8 prioritize those efforts, and then identify the capacity
9 and scheduling of those efforts within our annual release
10 cycles.

11 The initial prioritized list of projects was
12 identified at the beginning of this biennium, the '22-'23
13 biennium. The initial development is really the first
14 time the Department has established a comprehensive
15 inventory of all the projects and initiatives.

16 The portfolio projects is -- we're currently
17 reviewing it now that we've had it for a year. And we're
18 removing the completed projects, working with the business
19 areas to identify any new projects. And then, once we've
20 kind of got that list together, we'll be working to revise
21 the prioritization, if needed, and establish and assign
22 resources.

23 MR. BACARISSE: Okay. Thank you. Great.

24 Mr. Prewitt?

25 MR. PREWITT: Very good.

1 MS. BARRON: Thank you.

2 MR. PREWITT: Thank you, Wendy.

3 Next, for Agenda Item 11C, we'll hear from Leah
4 Leone on the Texas DMV IMPACT Mentorship Program.

5 MS. LEONE: Good morning.

6 MR. BACARISSE: Good morning, Leah.

7 MS. LEONE: For the record, Leah Leone,
8 Employee Ombudsman, Civil Rights and Ethics Officer.
9 Greeting, Chairman Bacarisse, Executive Director Daniel
10 Avitia -- my goodness, my voice -- my apologies -- Members
11 of the Board, and GC.

12 MR. BACARISSE: We have the emergency cough
13 drops here if you need them.

14 MS. LEONE: You know, it's because I've been
15 talking all night.

16 MR. BACARISSE: I understand.

17 MS. LEONE: So my apologies. I'm here as I
18 presented yesterday on TxDMV IMPACT, which is our new
19 mentorship program. Very excited about it.

20 As I explained to the Members yesterday, when I
21 first began my career here at DMV, I was having multiple
22 conversations with employees as to how they could meet
23 others in the Agency, perhaps establish a mentoring
24 relationship -- just cross-collaborate, go up the career
25 ladder, reach those who they may aspire to emulate.

1 And so, it was inevitable to create such a
2 mentorship program. And so, IMPACT is designed that all
3 employees -- the entire Agency -- can create a profile.
4 In that profile, they add education history, background,
5 interests, whatever they like. A picture, hopefully
6 smiling.

7 And from that, there is an algorithm created,
8 and that algorithm sends the system some data. And it
9 computes, and then creates a match. And so they have
10 about five matches, equal or greater percentages of the
11 match in closeness to the attributes that they've put in
12 the profile.

13 And from there, they have an opportunity to
14 meet. They can do that through Teams, or however they may
15 wish: outside of the Agency, at lunch, or otherwise
16 during work hours.

17 The ideal commitment is a six-month time. They
18 can choose, however, how the duration of those meetings
19 may go -- 15 minutes, 30 minutes. It's up to the person.

20 That information is charted, and it gives me
21 statistical data as to relation. And also the system is
22 designed to provide me with critical information as to
23 demographics, who we have at our Agency. That answers
24 many questions for me as civil rights pertaining to
25 diversity, equity, and inclusion. The system is also set

1 up to give me information as to areas that perhaps we need
2 greater training, recruitment pieces and retention.

3 We have 200 slots. So if any of our employees
4 are watching -- hopefully, all -- we want you to fill
5 those slots. I have 67 registered since we started
6 broadcasting and marketing the program being up and
7 running in the second week of November. And so we want to
8 fill the rest of those slots.

9 The other benefit is, you know, we are still
10 siloed, believe it or not. And this gives our employees
11 an opportunity to meet with others in the Agency, share
12 commonalities. Shall I yield? You're right.

13 MR. BACARISSE: John, do you need a cough drop?

14 MR. PREWITT: I've already had some.

15 MR. BACARISSE: Oh, mine are spiked. You may
16 want to try one of those. No, I'm just kidding.

17 They're just good Hall's. Sorry for the
18 interruption.

19 MS. LEONE: No, no. I'm more concerned --

20 MS. BACARISSE: Leah, I would imagine that the
21 COVID challenge has made this even harder for people.
22 There's so much more isolation now, right?

23 MS. LEONE: Absolutely. And the reality is
24 that people want to come back together. That's very
25 clear. Maybe not stop their telecommuting, let me not get

1 in trouble, but they definitely want to know who's at the
2 Agency, and this provides them an opportunity.

3 You can choose as to be mentor or mentee. And
4 so I like to broadcast as well to our employees watching.

5 Many people have said to me, Well, I'm not quite sure if
6 I've got anything to mentor anyone about. And I differ.

7 If you work at this Agency, you are busy and
8 you are specialized in your skill. And there are many
9 things that you could mentor someone about, even just life
10 experiences. And so, I'm very proud of this program.

11 I think it will allow us to also retain
12 employees. That was the third point I was going to make.

13 Which, if we've got 200 slots, that engagement is at 87
14 percent retention -- is the record of about that amount.

15 And of that amount, \$1 million plus savings in
16 dollars of training and retention. That's important and
17 critical. That means we have an opportunity to help
18 others to move through this Agency, rather than leave this
19 Agency. And, of course, that's my goal.

20 MR. BACARISSE: Yeah.

21 MS. LEONE: Any questions?

22 MR. BACARISSE: Members, any questions? Member
23 Scott?

24 MR. SCOTT: Do you know if there's other
25 agencies doing something similar?

1 MS. LEONE: Yes, there is throughout the state.
2 There are several agencies. And Executive Director
3 Avitia can share a lovely story as to how he was
4 abandoned.

5 (General laughter.)

6 MS. LEONE: But he'll tell you that story,
7 hopefully, in a second to make, contextually, sense. But
8 yes, there are other agencies. But the software that I've
9 found, right -- even the agency I've come, which I won't
10 name in this moment, had a mentorship/mentee program. And
11 the difference is usually they run it within, without
12 using software that is advanced.

13 And so our system is designed with all of the
14 bells and whistles to make certain that I can monitor. I
15 can match people. I can encourage, if they haven't yet to
16 meet. I can go in and extrapolate data that is critical
17 to us -- different than a lot of other agencies.

18 So again, I think we're excelling in the way
19 that we've put this platform together.

20 MR. SCOTT: So is the only way to match up with
21 someone through the algorithm? Or if you wanted to select
22 someone -- say, I want to have that person, specifically,
23 as a mentor, and they're in the program -- can I sign up
24 with that one? Or do I have to wait for them?

25 MS. LEONE: Absolutely. So if you don't wish

1 to do algorithm, the system will allow you to look at
2 other matches to see commonality. But I can also be a
3 mastermind and match, as well.

4 MR. SCOTT: Okay.

5 MS. LEONE: So on a good day, I might do that.

6 MR. SCOTT: Thank you.

7 MR. BACARISSE: Members, any other questions?

8 MR. PREWITT: Great work, Leah.

9 MR. BACARISSE: Yeah.

10 MS. LEONE: Thank you so much.

11 MR. BACARISSE: Absolutely. Tremendous.

12 MS. LEONE: Thank you so much.

13 MR. PREWITT: Mr. Chairman, that concludes my
14 comments in the Committee meeting.

15 MR. BACARISSE: Thank you, Chairman Prewitt.

16 Mr. Avitia, do you want to explain that
17 situation there?

18 MR. AVITIA: Chairman, Members, for the record,
19 Daniel Avitia, Executive Director.

20 Yes, I would love to talk about how I was
21 abandoned in a previous mentorship program at a previous
22 agency. And this is something that I can highlight for
23 Leah.

24 I was part of a mentor protégé program as a
25 young director. And I was teamed up with a vice

1 chancellor. And I thought, My goodness. I'm going to
2 learn amazing things.

3 There was no program monitoring -- and this is
4 one thing that Leah didn't touch on. What she will do to
5 ensure the success of this program is monitor and make
6 sure that folks are connecting.

7 My mentor reached out to me once, but every
8 six -- and the mentor program lasts for about six months.

9 And we were supposed to meet once a month, and every
10 month, I got cancelled. So at the end of the six months
11 is when I heard from the program representative and said,
12 Well, did you love it? How did it work?

13 I said, I'm sure it's a great tool, but I never
14 met with my mentor. And so, in order to ensure the
15 success -- I know -- I heard the sad, Oh.

16 MR. BACARISSE: Yeah.

17 MR. AVITIA: In order to ensure success, Leah
18 will be actively monitoring.

19 And I, too, would like to thank Leah for her
20 diligence on this matter. This is the first program of
21 its kind in the Agency, and I'm extremely excited about
22 it. And my hope is that many, many staff will take
23 advantage of the opportunity presented through this
24 program. Thank you, Leah.

25 MR. BACARISSE: Yep, good stuff. Thank you,

1 Chairman Prewitt. And thanks to the team. Great
2 conversation here.

3 At this point, I think it would be best -- Liz,
4 coach me on this -- if we take general public comment now.
5 I know Mr. Bradburn had another. There may be other.

6 So may I call Mr. Bradburn back up?

7 MS. FORE: Yes, and I think that's an excellent
8 plan.

9 MR. BACARISSE: Okay.

10 MS. FORE: And we actually have five public
11 commenters today.

12 MR. BACARISSE: Okay. All right. Great.

13 So Mr. Bradburn, if you want to -- if you're
14 still here. Yeah, come on back up, and you can lead it
15 off. Thank you.

16 CPL BRADBURN: Good morning, Mr. Chairman,
17 Members of the Board. Mike Bradburn, Travis County
18 Precinct 3. My e-mail went through an hour late because
19 it's not a T1, apparently.

20 But a year ago, everything was tense in this
21 room. I was sitting back while you all talk and thinking
22 about it. So I thought it was really, really important to
23 give Director Avitia, Mr. Luna, and some others some
24 kudos, because it's night and day.

25 They call us. They talk to us. I mean, all

1 the accomplishments we fully support, and it's just really
2 important to be on the record saying we support what
3 they've been doing.

4 The new tag design is very, very important.
5 Things have changed. If you were not aware, a little tag
6 humor -- I bought this tag two days ago in Austin. DMV
7 now has a 60-day permit. So the criminals have adapted.

8 I have law enforcement for three months calling
9 me asking me if the DMV has a new tag. So they're going
10 to still make fake tags. The difference is, with the new
11 system you guys are doing, we met with them.

12 We fully support it because criminals will
13 still make them. But on the street, the officer,
14 hopefully, will be able to work the system and solve the
15 problem.

16 And that's really all I wanted to say. I
17 wanted to throw some support for your staff and what you
18 guys have done. And that's all.

19 MR. BACARISSE: Well, we really appreciate it.

20 MS. McRAE: Thank you.

21 MR. BACARISSE: Thank you.

22 CPL BRADBURN: Thank you.

23 MR. BACARISSE: And we'll continue that hard
24 work with vigilance.

25 Liz, who is our next comment?

1 MS. FORE: Our second commenter will be Colin
2 Weatherwax from America Can! Cars for Kids.

3 MR. BACARISSE: Great. Okay. Good morning.
4 Come on up.

5 MR. WEATHERWAX: Good morning.

6 MR. BACARISSE: Good morning, Mr. Chairman,
7 Members of the Board, Executive Director Avitia. My name
8 is Colin Weatherwax. I'm the CEO of America Can! Cars for
9 Kids.

10 I had the pleasure of speaking with the
11 Committee meeting yesterday, and Members of the executive
12 team yesterday, as well. So I want to thank everyone for
13 your attentiveness.

14 Our organization is operated out of Dallas,
15 Texas, and we serve a special purpose with a very unique
16 operation. We accept donations all across the country.
17 These donations that are within our specific radius of our
18 headquarters in Dallas -- we host a public auction three
19 times a month. And these auctions are open to dealers and
20 individuals alike.

21 We're unique not only in operations, but also
22 in our giving. Our largest benefactor are the schools of
23 the Texans Can Academies helping kids graduate high school
24 and realize their dreams of a productive life after
25 graduation. 100 percent of the net proceeds go directly

1 to support these kids.

2 Our auctions are important. And with the most
3 recent updates to webDEALER services, this has affected
4 our ability to print eTAGs as needed. The auctions
5 produce a large amount of the funds that we raise. So
6 this is a very important part of our business.

7 Taking donations mean sometimes these vehicles
8 are running, and sometimes they're not running. As a
9 nonprofit, we cannot afford to fix every issue for every
10 vehicle that we receive. But we make certain that our
11 buyers are aware of all the issues that are aware on the
12 vehicles. So that way, they know exactly what they're
13 purchasing whenever they buy a vehicle from us.

14 Over the past several years, we've had these
15 individuals sign a waiver saying that they understand that
16 they're buying this vehicle as is, wear is. And they
17 understand that it's their responsibility to get it up to
18 date in order to get it inspected and registered in their
19 name.

20 I can tell you, our former and late CEO Malcolm
21 Wentworth had a verbal agreement with our local DMV
22 stating that the process that we had in place, as far as
23 inspections, was okay, and we've never had any issues
24 printing eTAGs. But with the system update to webDEALER,
25 this has changed. And now, our future kind of hangs in

1 the balance.

2 So I'm requesting today that you begin to think
3 about and consider exemption to this rule -- an exemption
4 that would allow charities like America Can! Cars for Kids
5 to continue business with the public, print eTAGs after
6 selling the vehicle to all customers, and ensuring that
7 the customers realize they're taking full responsibility
8 for getting the vehicle inspected.

9 Keep in mind, not all of our vehicles run, and
10 not all of our customers are seeking a vehicle to
11 immediately drive off the lot. Many are looking for a
12 fixer upper, and some are just looking for parts for
13 another vehicle they may have. And the majority of our
14 customers are individuals, not dealers.

15 So I sincerely thank you for your time and look
16 forward to further discussions.

17 MR. BACARISSE: Thank you. I'll say off the
18 top, I appreciate your nonprofit and the work you do
19 across our state. I live in Houston, and I know it's a
20 very important way in which schools can be supported --
21 the schools, the Can Academies.

22 And so, we value the work that you do. And I
23 think that our Agency -- this Agency will be as responsive
24 as possible to work towards a fix. And I don't know --
25 other Members may want to comment on this or ask you

1 questions.

2 Yeah, Member Gillman?

3 MS. GILLMAN: Tell me again your problem.

4 MR. WEATHERWAX: So the problem that have is
5 with the most recent webDEALER update. It restricts us
6 from issuing an eTAG to the buyers that we sell to unless
7 that vehicle's been inspected and has a current
8 inspection.

9 And so, most of the vehicles that we have --
10 they've been sitting for years. There's no way that they
11 can pass inspection. We even have non-running vehicles
12 that have bad motors.

13 MS. GILLMAN: You're asking to have no
14 inspection?

15 MR. WEATHERWAX: Correct. Yes, we put the onus
16 on our buyers to get the vehicle up to date so that way it
17 can pass inspection. But not necessarily all vehicles
18 that we sell make their way to the road, so sometimes
19 they're just used for parts.

20 And so the buyers that purchase the vehicle, we
21 want to put the onus on them. If you want to drive this
22 vehicle on the road, then, get it ready to be inspected.
23 Yes, ma'am.

24 MS. GILLMAN: I don't know the rule.

25 MR. BACARISSE: Well, that's a whole other

1 conversation.

2 Member Graham, did you have --

3 MR. GRAHAM: Just a couple of broad comments, I
4 think. Well, first and foremost, this organization is
5 working hard to serve a portion of the population that
6 needs all --

7 MR. BACARISSE: Turn your mic on. I'm sorry.

8 MR. GRAHAM: This organization is working hard
9 to serve a part of population that needs this help the
10 most. It's great work if the kids that they end up with
11 will not graduate high school, will not get a GED. And
12 wherever that path takes them is where they're going to
13 go. So they do great work.

14 I think, also, these vehicles -- I mean, it's
15 almost like they're also resurrecting vehicles. In some
16 cases, disposing of vehicles for various reasons that
17 would just go to the junkyard. I mean, so, I think that's
18 good work, too.

19 I hope we can find a solution for them, and
20 figure out how to allow them to continue their operations
21 to fund the Texans Can Academies. So I support that.

22 MR. WEATHERWAX: Thank you.

23 MR. GRAHAM: I appreciate the responsiveness of
24 staff to get hold of them and visit with them. And thank
25 you.

1 MR. BACARISSE: Mr. Avitia, do you want to
2 comment on the -- I know you've just had maybe the most
3 brief of conversations.

4 MR. AVITIA: I did, Chairman. For the record,
5 Daniel Avitia, Executive Director.

6 Mr. Weatherwax, thank you for coming and
7 educating us on your program. It's a great mission. I
8 know staff met with you and your team yesterday.

9 We appreciate the time yesterday. We'll
10 continue working with you, and I believe we have another
11 meeting scheduled for two weeks' time from now.

12 MR. WEATHERWAX: Yes, thank you so much.

13 MR. AVITIA: Yes, sir. Thank you.

14 MR. WEATHERWAX: Thank you.

15 MR. SCOTT: I have a question.

16 MR. BACARISSE: Member Scott?

17 MR. SCOTT: So you've obviously studied this.
18 What is the solution that you're asking the Agency for?
19 What is it you want us to do?

20 MR. WEATHERWAX: Yes, sir. So the solution
21 that I'm requesting is in the eTAG system -- the webDEALER
22 system, if a vehicle has not passed inspection within the
23 last 180 days, give us the ability to still issue an eTAG
24 to the buyers as required by the Texas DMV in order to be
25 a general vehicle dealer.

1 So just give us the ability to still issue that
2 eTAG. So that way we can finish the title transfer into
3 our buyers' names, and give them the opportunity to get
4 that vehicle up to code, get inspected, and get it
5 registered in their name.

6 MR. SCOTT: Well, how would we do that without
7 opening it up to other people that we don't want to have
8 that ability?

9 MR. WEATHERWAX: That is a great question.

10 MR. BACARISSE: Therein lies the challenge.

11 MR. WEATHERWAX: Yes, sir.

12 MR. BACARISSE: Yeah.

13 MR. SCOTT: Well, I mean, you're in it every
14 day. Do you have an idea on that? Or --

15 MR. WEATHERWAX: I mean, I'm not sure how the
16 back end of the webDEALER works -- if you can give
17 specific dealers other rights that other dealers don't
18 have. But as I mentioned before, this webDEALER update
19 that happened mid-November, there was nothing in place on
20 the actual website that prevented us from issuing eTAGs
21 for specific vehicles.

22 But since that update, if a vehicle comes up
23 and we try and issue an eTAG, it says you cannot issue an
24 eTAG. Sorry. You cannot issue an eTAG because it doesn't
25 have a current inspection.

1 MR. SCOTT: And so, now, you need that eTAG for
2 what?

3 MR. WEATHERWAX: In order to process the title
4 paperwork. As a licensed dealer in Texas, you have to
5 issue an eTAG whenever you sell to an individual.

6 MR. SCOTT: Okay.

7 MR. BACARISSE: Member McRae? Is there a fix
8 through the -- I think we need to continue conversations
9 here.

10 MR. WEATHERWAX: Okay. All right.

11 MR. BACARISSE: And then, work towards multiple
12 opportunities to have really a comprehensive fix.

13 MR. WEATHERWAX: Yes, sir.

14 MR. BACARISSE: It is a sticky challenge, but
15 it's one that we can meet. And that, I think, we are
16 committed as an agency -- because we know what you're
17 doing and it's important, and we're not going to sit on
18 it.

19 MR. WEATHERWAX: Thank you so much.

20 MR. BACARISSE: Yeah.

21 MR. WEATHERWAX: I appreciate it.

22 MR. BACARISSE: We're going to be serious about
23 it. All right?

24 MR. WEATHERWAX: All right.

25 MR. BACARISSE: Member -- did you have

1 anything, Vice Chair? No? You're good?

2 MS. McRAE: I'm good.

3 MR. BACARISSE: Okay.

4 MR. WEATHERWAX: Thank you again.

5 MR. BACARISSE: Thank you. I appreciate it.
6 Liz?

7 MR. FORE: Thank you, Chairman. Elizabeth
8 Fore. Our next commenter is Rudy Oeferting with Texans
9 Can! Cars for Kids.

10 MR. BACARISSE: Okay. Is he absent?

11 MR. WEATHERWAX: Yes.

12 MR. BACARISSE: Okay.

13 MS. FORE: Then our next commenter is Neil
14 Tarrant with the Tarrant County Sheriff's Office.

15 MR. BACARISSE: Good morning.

16 MR. TARRANT: Good morning, everyone. I want
17 to thank you for providing me the opportunity to speak on
18 the matter of Item Number 4E, which is temporary tag
19 redesign deployment.

20 And for the record, my name is Neil Tarrant.
21 I'm the Task Force Commander for the Sheriff's Crime Auto
22 Theft Task Force. And our jurisdiction includes 15
23 counties throughout central and south Texas. I've worked
24 in law enforcement for 22 years.

25 Fictitious paper tags, metal license plates are

1 frequently used by criminals to conceal the identity of
2 stolen vehicles and legitimate vehicles used during the
3 commission of criminal acts. Law enforcement often relies
4 on license plate information to identify vehicles
5 suspected of involvement in criminal activity.

6 When a criminal uses fictitious license plates
7 on a vehicle, it impedes law enforcement's ability to
8 investigate crimes, identify criminal offenders, and bring
9 forth justice to the citizens of Texas. Accuracy of
10 license plate information is imperative for the safety of
11 law enforcement officers to recognize dangerous situation.

12 The temporary tag redesign contains additional
13 security enhancements and elements that allow officers to
14 recognize if a tag is valid and if it's on the correct
15 vehicle. As a law enforcement officer, I appreciate the
16 efforts of the Texas Department of Motor Vehicles to
17 support law enforcement.

18 I welcome new processes for law enforcement to
19 receive motor vehicle data records to improve the efforts
20 of combating motor vehicle crimes. And I want to thank
21 you for your time, and I'm available for any questions
22 from the Board.

23 MR. BACARISSE: Great. Thank you.

24 Members, any questions here?

25 (No response.)

1 MR. BACARISSE: No? Thank you, sir.

2 MR. TARRANT: Thank you.

3 MR. BACARISSE: Thank you for your service.

4 MS. FORE: Chairman Bacarisse, our final
5 commenter is Howard Stinehour representing Heart of Texas
6 Auto Theft Task Force.

7 MR. BACARISSE: Great. Good morning.

8 MR. STINEHOUR: Good morning, Chairman and
9 Board. Thank you for allowing us to speak this morning.

10 MR. BACARISSE: Yes, sir.

11 MR. STINEHOUR: My name is Howard Stinehour.
12 I'm with the Heart of Texas Auto Theft Task Force. We
13 cover central Texas, north of Austin. We go all the way
14 into the Hill Country. We're part of the Motor Vehicle
15 Crime Prevention Authority as a task force.

16 Real quick, I want to thank the DMV for helping
17 us get Joey Canady as the Director of the MVCPA. We're
18 excited about that.

19 MR. BACARISSE: Good.

20 MR. STINEHOUR: Moving on, fictitious paper
21 tags and metal tags are used by criminals to conceal the
22 identity of stolen vehicles -- legitimately owned -- that
23 are used in the commission of crimes. As a commander of a
24 regional task force, my team encounters fictitious paper
25 tags, metal tags that persons use or are not aware of the

1 process to obtain vehicle registration or license plates
2 legally.

3 During investigations, it is often discovered
4 the criminals also use fake and fraudulent titles to match
5 fraudulent vehicle identification numbers when attempting
6 to register a stolen vehicle. Stolen vehicles are being
7 brought in for this VTR 68a process, which the majority of
8 those vehicles -- especially in the Waco area,
9 IH35 -- were getting the fraudulent paper tags.

10 We want to thank the DMV because of the
11 changes. This new one -- we're starting to see the
12 criminals changing the way that they're doing it. So with
13 this new tag coming in, I'm sure that's going to change.

14 Because these folks are buying a vehicle stolen
15 with fake identity on it. The crook is putting that paper
16 tag on there. They're thinking everything's legal. So
17 now, they're another victim of a stolen car with tags that
18 don't even belong to that car.

19 So with this new implementation of the new
20 tags, I think that's going to curb a lot of that and make
21 it even more difficult for the criminal to identify these
22 vehicles the proper way. The Texas Department of Motor
23 Vehicles enhancements to the temporary tag system security
24 has reduced the number of fraudulent temporary tags
25 created by dealers.

1 This reduction has caused criminals to resort
2 to the older methods of manufacturing their own tags and
3 stealing metal plates from similar vehicles to go
4 undetected when using these vehicles to commit criminal
5 activity. Which we all know -- a lot of the temporary
6 tags previous were used for anything from these capital
7 murders all the way to officers losing their lives trying
8 to get involved with these things, and committing so many
9 crimes that were just from petty theft all the way up to
10 murder.

11 So I think it's a good thing, again, with this
12 new tag. It's going to help us out a lot.

13 Increases to the Texas DMV and the tag support
14 and the communications with law enforcement have allowed
15 officers to become familiar with temporary tag changes and
16 dealer licensing requirements well in advance of the
17 changes that were implemented. We actually are providing
18 this new system, the new tags to our patrol officers and
19 street officers, teaching them the new security
20 features -- which are not out to the public -- so that the
21 officers can see this when they're in their patrol car.
22 They can get behind a car and they see the new features.

23 MR. BACARISSE: Go ahead and finish up your
24 thought. I'm sorry.

25 MR. TARRANT: Sorry.

1 MR. BACARISSE: Your time's expired.

2 MR. TARRANT: Okay. Timely manner -- okay.

3 Finally, we appreciate the efforts of the DMV,
4 the temporary tag redesign, the security enhancements.
5 The element contained in these tags provide law
6 enforcement with additional information to recognize when
7 vehicles are displaying fraudulent temporary tags.

8 I want to thank the DMV again for the changes
9 they've made implementing the new tag. It's been a great
10 support. Amongst our officers, the street officers,
11 giving them this new information -- it's really positive.

12 We've got really good comments and we're excited to move
13 on with this.

14 MR. BACARISSE: We appreciate the work that you
15 and your fellow officers do every day, and we want you to
16 see us as your partners in this effort absolutely.

17 I think Vice Chair McRae has a question.

18 MS. McRAE: Speaking of partners, I just want
19 to echo -- as a tax assessor-collector, we work very
20 closely with our local auto theft task force. And we have
21 stolen vehicles -- I mean, we had one yesterday before I
22 left my office. And our auto theft task force is key in
23 that, and we appreciate the partnership with the tax
24 assessors throughout the State.

25 MR. TARRANT: Yes.

1 MS. McRAE: So thank you for what you do.

2 MR. TARRANT: Thank you. And we have seen a
3 large increase of the communication between the local TAC
4 offices when they get these fake titles in to call us
5 immediately. We can intercept that vehicle.

6 Because a lot of these purchasers are innocent
7 buyers who are now a second victim. So then, we're able
8 to get that vehicle, get it back to the insurance company
9 or the victim.

10 So the communication with the DMV -- the
11 regional offices in Waco we work a lot with hand to hand.

12 The manager actually comes out to the 68A process, and
13 she kind of watches and guides us along. We provide what
14 we see -- the new trends and things.

15 So it's a good communication, and I'm pushing
16 with MVCPA to get the TAC offices to actually call us
17 immediately. Even the rural ones, they call, Hey, I've
18 got some -- I've got a fake title. Instead of sending
19 that title to Austin, they can call us immediately. We
20 can get there and intercept it and stop it before it
21 disappears and falls through the system. So --

22 MR. BACARISSE: Thank you. It's good work.

23 MS. McRAE: Thank you.

24 MR. BACARISSE: Members, any other comments or
25 questions?

1 (No response.)

2 MR. BACARISSE: We do appreciate your time
3 today, and be safe out there.

4 MR. TARRANT: Thank you, sir.

5 MR. BACARISSE: We'll see you. Thank you.
6 That is our last public commenter, Liz?

7 MS. FORE: Elizabeth Fore. That's correct.

8 MR. BACARISSE: Okay.

9 MS. FORE: That was our last public commenter.

10 MR. BACARISSE: Great. We're going to now take
11 up Agenda Item Number 12. We're going to go into closed
12 session.

13 It is now 11:15 in the morning on December 8,
14 2022, and we will go into to closed session. Before we
15 go, though, we are going to take another group photo. So
16 don't run off, guys.

17 This is under Texas Government Code, Sections
18 551.1071, 551.1074, 551.1076, and 551.1089. For those of
19 you in the audience, I anticipate being in this closed
20 session for approximately 45 minutes. We will reconvene
21 in open session after that. And with that, we are now
22 recessed from the public meeting, and we're going in
23 closed session.

24 (Whereupon, the Board recessed into Closed
25 Session at 11:15 a.m.)

1 MR. BACARISSE: All right. Unless there's --
2 well, let me see. We did come out of closed session. We
3 did not debate or take any actions in that closed session.

4 I think I should mention that, Liz.

5 And unless there's any further business, I
6 would entertain a motion to adjourn.

7 MS. McRAE: I make a motion that we adjourn.

8 MR. BACARISSE: Member --

9 MS. GILLMAN: Second.

10 MR. BACARISSE: It is, by the way -- it is
11 12:59, and we are back in open session. So I needed to
12 mention that, as well, for the record. So we've got that
13 in.

14 So we have a motion from Member McRae, seconded
15 by Gillman.

16 Member Alvarado?

17 MR. ALVARADO: Aye.

18 MS. BACARISSE: Gillman?

19 MS. GILLMAN: Aye.

20 MR. BACARISSE: Graham? Not here. McRae?

21 MS. McRAE: Aye.

22 MR. BACARISSE: Omumu?

23 MS. OMUMU: Aye.

24 MR. BACARISSE: Prewitt?

25 MR. PREWITT: Aye.

1 MR. BACARISSE: Ramirez?

2 MR. RAMIREZ: Aye.

3 MR. BACARISSE: Member Scott?

4 MR. SCOTT: Aye.

5 MR. BACARISSE: Member Graham, do you move --

6 MR. GRAHAM: Aye.

7 MR. BACARISSE: -- to adjourn? Okay. And I,
8 Chairman Bacarisse -- this is the only unanimous vote
9 we've had today.

10 We are now adjourned. Thank you.

11 (Whereupon, at 1:00 p.m., the meeting was
12 adjourned.)

C E R T I F I C A T E

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MEETING OF: TxDMV Board
LOCATION: Austin, Texas
DATE: December 8, 2022

I do hereby certify that the foregoing pages, numbers 1 through 119, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Elizabeth Stoddard before the Texas Department of Motor Vehicles.

DATE: December 20, 2022

/s/ Anna Marie Reyes
(Transcriber)

On the Record Reporting
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