

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, FEBRUARY 9, 2023
9:00 A.M.

Link to February 9, 2023, TxDMV Board Meeting Documents:

<https://www.txdmv.gov/about-us/txdmv-board-meetings>

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Texas Department of Motor Vehicles (Board). Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. Presentations may be made by the identified staff, Board member, or other personnel as needed. The Board reserves the right to discuss any items in closed session where authorized by the Open Meetings Act.

- 1. Roll Call and Establishment of Quorum**
- 2. Pledges of Allegiance - U.S. and Texas**
- 3. Chair's Reports** - Chairman Bacarisse
- 4. Executive Director's Reports** - Daniel Avitia
 - A. Camp Hubbard Update
 - B. Awards, Recognition of Years of Service, and Announcements

CONTESTED CASE

- 5. Proposal for Decision: Franchised Dealer's Protest of Manufacturer's Notice of Termination of Franchise; SOAH Docket No. 608-21-0988; Texas Department of Motor Vehicles Docket No. 21-0004-LIC; McAllen Jeep, Inc. d/b/a Bert Ogden Subaru, Petitioner v. Subaru of America Inc., Respondent** - Rob Blech (ACTION ITEM)

BRIEFING AND ACTION ITEMS

6. **Specialty Plate Design** - Patricia Ueckert (ACTION ITEM)
Clemson University - New Design Proposed under Transportation Code §504.851
7. **Finance and Audit Committee Update - Committee Chair Brett Graham**
 - A. Legislative Appropriations Request (LAR) Update (BRIEFING ONLY)
 - B. Annual Financial Report and Non-Financial Report (BRIEFING ONLY)
 - C. Internal Audit Division Status Update: Internal and External Engagements, including the State Auditor's Office Audit (BRIEFING ONLY)
 - D. FY 2023 Internal Audit Plan (Second Six Months) (ACTION ITEM)

CLOSED SESSION

8. **The Board may enter into closed session under one or more of the following provisions of the Texas Open Meetings Act, Government Code Chapter 551, including briefing, discussion, and deliberation regarding the State Auditor's Office Audit regarding Temporary Tags:**

Section 551.071 - Consultation with and advice from legal counsel regarding:
- pending or contemplated litigation, or a settlement offer;
- a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code Chapter 551; or
- any item on this agenda.

Section 551.074 - Personnel matters.
- Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel, including the general counsel.

Section 551.076 - Deliberation Regarding Security Devices or Security Audits.
- the deployment, or specific occasions for implementation, of security personnel or devices; or
- a security audit.

Section 551.089 - Deliberation Regarding Security Devices or Security Audits.
- security assessments or deployments relating to information resources technology;
- network security information as described by Government Code Section 2059.055(b); or
- the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

9. **Action Items from Closed Session**

10. Public Comment

11. Adjournment

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Government Code §551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

If you would like to comment on any agenda item (including an open comment under the agenda item for Public Comment), you must complete a speaker's form at the registration table prior to the agenda item being taken up by the Board or send an email to GCO_General@txdmv.gov to register by providing the required information prior to the agenda item being taken up by the Board:

1. a completed [Public Comment Registration Form](#); or
2. the following information:
 - a. the agenda item you wish to comment on;
 - b. your name;
 - c. your address (optional), including your city, state, and zip code; and
 - d. who you are representing.

Public comment will only be accepted in person. Each speaker will be limited to three minutes, and time allotted to one speaker may not be reassigned to another speaker.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days in advance, so that appropriate arrangements can be made. Contact David Richards by telephone at (512) 465-1423.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: Aline Aucoin, Interim General Counsel, (512) 465-5665.